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SUBCHAPTER D—WATER PROGRAMS (CONTINUED)

PART 136—GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS

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AUTHORITY: Secs. 301, 304(h), 307 and 501(a), Pub. L. 95–217, 91 Stat. 1566, *et seq.* (33 U.S.C. 1251, *et seq.*) (the Federal Water Pollution Control Act Amendments of 1972 as amended by the Clean Water Act of 1977).

§ 136.1 Applicability.

The procedures prescribed herein shall, except as noted in § 136.5, be used to perform the measurements indicated whenever the waste constituent specified is required to be measured for:

(a) An application submitted to the Administrator, or to a State having an approved NPDES program for a permit under section 402 of the Clean Water Act of 1977, as amended (CWA), and/or to reports required to be submitted under NPDES permits or other requests for quantitative or qualitative effluent data under parts 122 to 125 of title 40, and,

(b) Reports required to be submitted by discharges under the NPDES established by parts 124 and 125 of this chapter, and,

(c) Certifications issued by States pursuant to section 401 of the CWA, as amended.

[38 FR 28758, Oct. 16, 1973, as amended at 49 FR 43250, Oct. 26, 1984]

§ 136.2 Definitions.

As used in this part, the term:

(a) *Act* means the Clean Water Act of 1977, Pub. L. 95–217, 91 Stat. 1566, *et seq.* (33 U.S.C. 1251 *et seq.*) (The Federal Water Pollution Control Act Amendments of 1972 as amended by the Clean Water Act of 1977).

(b) *Administrator* means the Administrator of the U.S. Environmental Protection Agency.

(c) *Regional Administrator* means one of the EPA Regional Administrators.

(d) *Director* means the Director of the State Agency authorized to carry out an approved National Pollutant Discharge Elimination System Program under section 402 of the Act.

(e) *National Pollutant Discharge Elimination System (NPDES)* means the national system for the issuance of permits under section 402 of the Act and includes any State or interstate program which has been approved by the Administrator, in whole or in part, pursuant to section 402 of the Act.

(f) *Detection limit* means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure set forth at appendix B of this part.

[38 FR 28758, Oct. 16, 1973, as amended at 49 FR 43250, Oct. 26, 1984]

§ 136.3 Identification of test procedures.

(a) Parameters or pollutants, for which methods are approved, are listed together with test procedure descriptions and references in Tables IA, IB, IC, ID, IE, and IF. The full text of the referenced test procedures are incorporated by reference into Tables IA, IB, IC, ID, IE, and IF. The incorporation by reference of these documents, as specified in paragraph (b) of this section, was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed in paragraph (b) of

this section. Information regarding obtaining these documents can be obtained from the EPA Office of Water Statistics and Analytical Support Branch at 202–566–1000. Documents may be inspected at EPA's Water Docket, EPA West, 1301 Constitution Avenue, NW., Room B135, Washington, DC (Telephone: 202-566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html*. These test procedures are incorporated as they exist on the day of approval and a notice of anys change in these test procedures will be published in the FEDERAL REGISTER. The discharge parameter values for which reports are required must be determined by one of the standard analytical test procedures incorporated by reference and described in Tables IA, IB, IC, IE, and IF, or by any alternate test procedure which has been approved by the Administrator under the provisions of paragraph (d) of this section and §§136.4 and 136.5. Under certain circumstances (paragraph (b) or (c) of this section or 40 CFR 401.13) other test procedures may be more advantageous when such other test procedures have been previously approved by the Regional Administrator of the Region in which the discharge will occur, and providing the Director of the State in which such discharge will occur does not object to the use of such alternate test procedure.

TABLE IA—LIST OF APPROVED BIOLOGICAL METHODS

Parameter and units	Method [1]	EPA	Standard methods 18th, 19th, 20th Ed.	ASTM	AOAC	USGS	Other
Bacteria:							
1. Coliform (fecal), number per 100 mL.	Most Probable Number (MPN), 5 tube 3 dilution, or	p. 132 [3]	9221C E [4]				
	Membrane filter (MF) [2], single step.	p. 124 [3]	9222D [4]			B–0050–85 [5]	
2. Coliform (fecal) in presence of chlorine, number per 100 mL.	MPN, 5 tube, 3 dilution, or	p. 132 [3]	9221C E [4]				
	MF, single step [6]	p. 124 [3]	9222D [4]				
3. Coliform (total), number per 100 mL.	MPN, 5 tube, 3 dilution, or	p. 114 [3]	9221B [4]				
	MF [2], single step or two step	p. 108 [3]	9222B [4]			B–0025–85 [5]	
4. Coliform (total), in presence of chlorine, number per 100 mL.	MPN, 5 tube, 3 dilution, or	p. 114 [3]	9221B [4]				
	MF [2] with enrichment	p. 111 [3]	9222(B+B.5c) [4]				
5. *E. coli,* number per 100 mL [28].	MPN [7,9,15], multiple tube,		9221B.1/9221F [4,12,14]				
	multiple tube/multiple well,		9223B [4,13]		991.15 [11]		Colilert® [13,17]
							Colilert-18® [13,16,17]
	MF [2,6,7,8,9] two step, or		9222B/9222G [4,19]				
		1103.1 [20]	9213D [4]	D5392–93 [10]			
	single step	1603 [21]					
		1604 [22]					
							mColiBue 24 [18]
6. Fecal streptococci, number per 100 mL.	MPN, 5 tube, 3 dilution,	p. 139 [3]	9230B [4], 9230C [4]				
	MF [2], or	p. 136 [3]			B–0055–85 [5]		
	Plate count	p. 143 [4]					
7. Enterococci, number per 100 mL.	MPN [7, 9] multiple tube		9230B [4]				
	multiple tube/multiple well			D6503–99 [10]			Enterolert® [13,23]
	MF [2,6,7,8,9] two step	1106.1 [24]	9230C [4]	D5259–92 [10]			
	single step, or	1600 [25]					
	Plate count	p. 143 [3]					
Protozoa:							
8. *Cryptosporidium* [28]	Filtration/IMS/FA	1622 [26]					
		1623 [27]					
9. *Giardia* [28]	Filtration/IMS/FA	1623 [27]					
Aquatic Toxicity:							
10. Toxicity, acute, fresh water organisms, LC50, percent effluent.	*Ceriodaphnia dubia* acute	2002.0 [29]					

TABLE IA—LIST OF APPROVED BIOLOGICAL METHODS—Continued

Parameter and units	Method[1]	EPA	Standard methods 18th, 19th, 20th Ed.	ASTM	AOAC	USGS	Other
11. Toxicity, acute, estuarine and marine organisms of the Atlantic Ocean and Gulf of Mexico, LC50, percent effluent.	*Daphnia puplex* and *Daphnia magna* acute.	2021.0[29]					
	Fathead Minnow, *Pimephales promelas*, and Bannerfin shiner, *Cyprinella leedsi*, acute.	2000.0[29]					
	Rainbow Trout, *Oncorhynchus mykiss*, and brook trout, *Salvelinus fontinalis*, acute.	2019.0[29]					
	Mysid, *Mysidopsis bahia*, acute ..	2007.0[29]					
	Sheepshead Minnow, *Cyprinodon variegatus*, acute.	2004.0[29]					
	Silverside, *Menidia beryllina*, *Menidia menidia*, and *Menidia peninsulae*, acute.	2006.0[29]					
12. Toxicity, chronic, fresh water organisms, NOEC or IC25, percent effluent.	Fathead minnow, *Pimephales promelas*, larvalsurvival and growth.	1000.0[30]					
	Fathead minnow, *Pimephales promelas*, embryo-larval survival and teratogenicity.	1001.0[30]					
	Daphnia, *Ceriodaphnia dubia*, survival and reproduction.	1002.0[30]					
	Green alga, *Selenastrum capricornutum*, growth.	1003.0[30]					
13. Toxicity, chronic, estuarine and marine organisms of the Atlantic Ocean and Gulf of Mexico, NOEC or IC25, percent effluent.	Sheepshead minnow, *Cyprinodon variegatus*,larval survival and growth.	1004.0[31]					
	Sheepshead minnow, *Cyprinodon variegatus*,embryo-larval survival and teratogenicity.	1005.0[31]					
	Inland silverside, *Menidia beryllina*, larval survival and growth.	1006.0[31]					
	Mysid, *Mysidopsis bahia*, survival, growth,and fecundity.	1007.0[31]					

	Sea urchin, *Arbacia punctulata,* fertilization.	1008.0 [31]					

Notes to Table IA:

[1] The method must be specified when results are reported.

[2] A 0.45 μm membrane filter (MF) or other pore size certified by the manufacturer to fully retain organisms to be cultivated and to be free of extractables which could interfere with their growth.

[3] USEPA. 1978. Microbiological Methods for Monitoring the Environment, Water, and Wastes. Environmental Monitoring and Support Laboratory, U.S. Environmental Protection Agency, Cincinnati, Ohio. EPA/600/8–78/017.

[4] APHA. 1998, 1995, 1992. Standard Methods for the Examination of Water and Wastewater. American Public Health Association. 20th, 19th, and 18th Editions. Amer. Publ. Hlth. Assoc., Washington, D.C.

[5] USGS. 1989. U.S. Geological Survey Techniques of Water-Resource Investigations, Book 5, Laboratory Analysis, Chapter A4, Methods for Collection and Analysis of Aquatic Biological and Microbiological Samples, U.S. Geological Survey, U.S. Department of Interior, Reston, Virginia.

[6] Because the MF technique usually yields low and variable recovery from chlorinated wastewaters, the Most Probable Number method will be required to resolve any controversies.

[7] Tests must be conducted to provide organism enumeration (density). Select the appropriate configuration of tubes/filtrations and dilutions/volumes to account for the quality, character, consistency, and anticipated organism density of the water sample.

[8] When the MF method has not been used previously to test ambient waters with high turbidity, large number of noncoliform bacteria, or samples that may contain organisms stressed by chlorine, a parallel test should be conducted with a multiple-tube technique to demonstrate applicability and comparability of results.

[9] To assess the comparability of results obtained with individual methods, it is suggested that side-by-side tests be conducted across seasons of the year with the water samples routinely tested in accordance with the most current Standard Methods for the Examination of Water and Wastewater or EPA alternate test procedure (ATP) guidelines.

[10] ASTM. 2000, 1999, 1996. Annual Book of ASTM Standards—Water and Environmental Technology. Section 11.02. American Society for Testing and Materials. 100 Barr Harbor Drive, West Conshohocken, PA 19428.

[11] AOAC. 1995. Official Methods of Analysis of AOAC International, 16th Edition, Volume I, Chapter 17. Association of Official Analytical Chemists International. 481 North Frederick Avenue, Suite 500, Gaithersburg, Maryland 20877–2417.

[12] The multiple-tube fermentation test is used in 9221B.1. Lactose broth may be used in lieu of lauryl tryptose broth (LTB), if at least 25 parallel tests are conducted between this broth and LTB using the water samples normally tested, and this comparison demonstrates that the false-positive rate and false-negative rate for total coliform using lactose broth is less than 10 percent. No requirement exists to run the completed phase on 10 percent of all total coliform-positive tubes on a seasonal basis.

[13] These tests are collectively known as defined enzyme substrate tests, where, for example, a substrate is used to detect the enzyme β–glucuronidase produced by *E. coli.*

[14] After prior enrichment in a presumptive medium for total coliform using 9221B.1, all presumptive tubes or bottles showing any amount of gas, growth or acidity within 48 h ± 3 h of incubation shall be submitted to 9221F. Commercially available EC–MUG media or EC media supplemented in the laboratory with 50 μg/mL of MUG may be used.

[15] Samples shall be enumerated by the multiple-tube or multiple-well procedure. Using multiple-tube procedures, employ an appropriate tube and dilution configuration of the sample as needed and report the Most Probable Number (MPN). Samples tested with Colilert® may be enumerated with the multiple-well procedures, Quanti-Tray® or Quanti-Tray® 2000, and the MPN calculated from the table provided by the manufacturer.

[16] Colilert-18® is an optimized formulation of the Colilert® for the determination of total coliforms and *E. coli* that provides results within 18 h of incubation at 35 °C rather than the 24 h required for the Colilert® test and is recommended for marine water samples.

[17] Descriptions of the Colilert®, Colilert-18®, Quanti-Tray®, and Quanti-Tray®/2000 may be obtained from IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092.

[18] A description of the mColiBlue24" test, Total Coliforms and *E. coli,* is available from Hach Company, 100 Dayton Ave., Ames, IA 50010.

[19] Subject total coliform positive samples determined by 9222B or other membrane filter procedure to 9222G using NA–MUG media.

[20] USEPA. 2002. Method 1103.1: *Escherichia coli* (*E. coli*) In Water By Membrane Filtration Using membrane-Thermotolerant *Escherichia coli* Agar (mTEC). U.S. Environmental Protection Agency, Office of Water, Washington D.C. EPA–821–R–02–020.

[21] USEPA. 2002. Method 1603: *Escherichia coli* (*E. coli*) In Water By Membrane Filtration Using Modified membrane-Thermotolerant *Escherichia coli* Agar (modified mTEC). U.S. Environmental Protection Agency, Office of Water, Washington D.C. EPA–821–R–02–023.

[22] Preparation and use of MI agar with a standard membrane filter procedure is set forth in the article, Brenner *et al.* 1993. "New Medium for the Simultaneous Detection of Total Coliform and *Escherichia coli* in Water." Appl. Environ. Microbiol. 59:3534–3544 and in USEPA. 2002. Method 1604: Total Coliforms and *Escherichia coli* (*E. coli*) in Water by Membrane Filtration by Using a Simultaneous Detection Technique (MI Medium). U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA 821–R–02–024.

[23] A description of the Enterolert® test may be obtained from IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092.

[24] USEPA. 2002. Method 1106.1: Enterococci In Water By Membrane Filtration Using membrane-Enterococcus-Esculin Iron Agar (mE-EIA). U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA–821–R–02–021.

[25] USEPA. 2002. Method 1600: Enterococci in Water by Membrane Filtration Using membrane-Enterococcus Indoxyl-β-D-Glucoside Agar (mEI). U.S. Environmental Protection Agency, Office of Water, Washington, DC. EPA–821–R–02–022.

[26] Method 1622 uses filtration, concentration, immunomagnetic separation of oocysts from captured material, immunofluorescence assay to determine concentrations, and confirmation through vital dye staining and differential interference contrast microscopy for the detection of *Cryptosporidium.* USEPA. 2001. Method 1622: Cryptosporidium in Water by Filtration/IMS/FA. U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA–821–R–01–026.

[27] Method 1623 uses filtration, concentration, immunomagnetic separation of oocysts and cysts from captured material, immunofluorescence assay to determine concentrations, and confirmation through vital dye staining and differential interference contrast microscopy for the simultaneous detection of *Cryptosporidium* and *Giardia* oocysts and cysts. USEPA. 2001. Method 1623. Cryptosporidium and Giardia in Water by Filtration/IMS/FA. U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA–821–R–01–025.

[28] Recommended for enumeration of target organism in ambient water only.

[29] USEPA. October 2002. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. Fifth Edition. U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA/821/R–02/012.
[30] USEPA. October 2002. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA/821/R–02/013.
[31] USEPA. October 2002. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms. Third Edition. U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA/821/R–02/014.

TABLE IB—LIST OF APPROVED INORGANIC TEST PROCEDURES

Parameter, units and method	Reference (method number or page)				
	EPA [1, 35]	*Standard Methods* [Edition(s)]	ASTM	USGS [2]	Other
1. Acidity, as $CaCO_3$, mg/L:					
Electrometric endpoint or phenolphthalein endpoint.	305.1	2310 B(4a) [18th, 19th, 20th].	D1067–92	I–1020–85 I–2030–85	
2. Alkalinity, as $CaCO_3$, mg/L:					
Electrometric or Colorimetric titration to pH 4.5, manual or automatic.	310.1 310.2.	2320 B [18th, 19th, 20th] ...	D1067–92	I–1030–85 I–2030–85	973.43 [3]
3. Aluminium—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration [36]	202.1	3111 D [18th, 19th]		I–3051–85	
AA furnace	202.2	3113 B [18th, 19th].			
Inductively Coupled Plasma/Atomic Emission Spectrometry (ICP/AES) [36].	200.7 [5]	3120 B [18th, 19th, 20th] ...		I–4471–97 [50]	
Direct Current Plasma (DCP) [36].			D4190–94		Note 34.
Colorimetric (Eriochrome cyanine R).		3500–Al B [20th] and 3500–Al D [18th, 19th].			
4. Ammonia (as N), mg/L:					
Manual, distillation (at pH 9.5) [6] followed by.	350.2	4500–NH_3 B [18th, 19th, 20th].			973.49 [3]
Nesslerization	350.2	4500–NH_3 C [18th]	D1426–98(A)	I–3520–85	973.49 [3]
Titration	350.2	4500–NH_3 C [19th, 20th] and 4500–NH_3 E [18th].			
Electrode	350.3	4500–NH_3 D or E [19th, 20th] and 4500–NH_3 F or G [18th].	D1426–98(B).		
Automated phenate, or	350.1	4500–NH_3 G [19th, 20th] and 4500–NH_3 H [18th].		I–4523–85	
Automated electrode					Note 7.
5. Antimony–Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration [36]	204.1	3111 B [18th, 19th]			
AA furnace	204.2	3113 B [18th, 19th]			
ICP/AES [36]	200.7 [5]	3120 B [18th, 19th, 20th] ...			
6. Arsenic–Total [4] mg/L:					

Digestion[4] followed by	206.5				
AA gaseous hydride	206.3	3114 B 4.d [18th, 19th]	D2972–97(B)	I–3062–85	
AA furnace	206.2	3113 B [18th, 19th]	D2972–97(C)	I–4063–98[49]	
ICP/AES[36] or	200.7[5]	3120 B [18th, 19th, 20th].			
Colorimetric (SDDC)	206.4	3500–As B [20th] and 3500–As C [18th, 19th].	D2972–97(A)	I–3060–85	
7. Barium–Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration[14]	208.1	3111 D [18th, 19th]		I–3084–85	
AA furnace	208.2	3113 B [18th, 19th]	D4382–95		
ICP/AES[14]	200.7[5]	3120 B [18th, 19th, 20th]			
DCP[14]					Note 34.
8. Beryllium–Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	210.1	3111 D [18th, 19th]	D3645–93(88)(A)	I–3095–85	
AA furnace	210.2	3113 B [18th, 19th]	D3645–93(88)(B)		
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP, or			D4190–94		Note 34.
Colorimetric (aluminon		3500–Be D [18th, 19th]			
9. Biochemical oxygen demand (BOD_5), mg/L: Dissolved Oxygen Depletion	405.1	5210 B [18th, 19th, 20th]		I–1578–78[8]	973.44,[3] p. 17[9]
10. Boron[37]–Total, mg/L: Colorimetric (curcumin)	212.3	4500–B B [18th, 19th, 20th]		I–3112–85	
ICP/AES, or	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP			D4190–94		Note 34.
11. Bromide, mg/L: Titrimetric	320.1		D1246–95(C)	I–1125–85	p. S44[10]
12. Cadmium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration[36]	213.1	3111 B or C [18th, 19th]	D3557–95 (A or B)	I–3135–85 or I–3136–85	974.27,[3] p. 37[9]
AA furnace	213.2	3113 B [18th, 19th]	D3557–95(D)	I–4138–89[51]	
ICP/AES[36]	200.7[5]	3120 B [18th, 19th, 20th]		I–1472–85 or I–4471–97[50]	
DCP[36]			D4190–94		Note 34.
Voltametry[11], or			D3557–95(C).		
Colorimetric (Dithizone)		3500–Cd D [18th, 19th].			
13. Calcium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	215.1	3111 B [18th, 19th]	D511–93(B)	I–3152–85	
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP, or					Note 34.
Titrimetric (EDTA)	215.2	3500–Ca B [20th] and 3500–Ca D [18th, 19th].	D511–93(A).		
14. Carbonaceous biochemical oxygen demand (CBOD 3), mg/L[12]; Dissolved Oxygen Depletion with nitrification inhibitor.		5210 B [18th, 19th, 20th].			
15. Chemical oxygen demand (COD), mg/L; Titrimetric	410.1	5220 C [18th, 19th, 20th]	D1252–95(A)	I–3560–85	973.46,[3] p. 17[9]
or	410.2			I–3562–85	

TABLE IB—LIST OF APPROVED INORGANIC TEST PROCEDURES—Continued

Parameter, units and method	Reference (method number or page)				
	EPA [1, 35]	*Standard Methods* [Edition(s)]	ASTM	USGS [2]	Other
	410.3.				
Spectrophotometric, manual or automatic.	410.4.	5220 D [18th, 19th, 20th]	D1252–95(B)	I–3561–85	Notes 13, 14.
16. Chloride, mg/L:					
Titrimetric (silver nitrate) or		4500–Cl^- B [18th, 19th, 20th].	D512–89(B)	I–1183–85	
(Mercuric nitrate)	325.3	4500–Cl^- C [18th, 19th, 20th].	D512–89(A)	I–1184–85	973.51 [3]
Colorimetric, manual or				I–1187–85	
Automated (Ferricyanide)	325.1 or 325.2	4500–Cl^- E [18th, 19th, 20th].		I–2187–85	
17. Chlorine—Total residual, mg/L; Titrimetric:					
Amperometric direct	330.1	4500–Cl D [18th, 19th, 20th].	D1253–86(92).		
Iodometric direct	330.3	4500–Cl B [18th, 19th, 20th].			
Back titration ether end-point [15] or.	330.2	4500–Cl C [18th, 19th, 20th].			
DPD–FAS	330.4	4500–Cl F [18th, 19th, 20th].			
Spectrophotometric, DPD	330.5	4500–Cl G [18th, 19th, 20th].			
Or Electrode					Note 16.
18. Chromium VI dissolved, mg/L; 0.45 micron filtration followed by:					
AA chelation-extraction or	218.4	3111 C [18th, 19th]		I–1232–85	
Colorimetric (Diphenylcarbazide).		3500–Cr B [20th] and 3500–Cr D [18th, 19th].	D1687–92(A)	I–1230–85	
19. Chromium-Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration [36]	218.1	3111 B [18th, 19th]	D1687–92(B)	I–3236–85	974.27 [3]
AA chelation-extraction	218.3	3111 C [18th, 19th].			
AA furnace	218.2	3113 B [18th, 19th]	D1687–92(C)	I–3233–93 [46].	
ICP/AES [36]	200.7 [5]	3120 B [18th, 19th, 20th].			
DCP [36] or			D4190–94		Note 34.
Colorimetric (Diphenylcarbazide).		3500–Cr B [20th] and 3500–Cr D [18th, 19th].			
20. Cobalt—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration	219.1	3111 B or C [18th, 19th]	D3558–94(A or B)	I–3239–85	p. 37 [9]
AA furnace	219.2	3113 B [18th, 19th]	D3558–94(C)	I–4243–89 [51].	
ICP/AES	200.7 [5]	3120 B [18th, 19th, 20th]		I–4471–97 [50].	

DCP			D4190–94		Note 34.
21. Color platinum cobalt units or dominant wavelength, hue, luminance purity:					
Colorimetric (ADMI), or.					
(Platinum cobalt), or	110.1	2120 E [18th, 19th, 20th]			Note 18.
Spectrophotometric	110.2	2120 B [18th, 19th, 20th]		I–1250–85	
	110.3	2120 C [18th, 19th, 20th].			
22. Copper—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration[36]	220.1	3111 B or C [18th, 19th]	D1688–95(A or B)	I–3270–85 or I–3271–85	974.27[3] p. 37[9]
AA furnace	220.2	3113 B [18th, 19th]	D1688–95(C)	I–4274–89[51]	
ICP/AES[36]	200.7[5]	3120 B [18th, 19th, 20th]		I—4471—97[50]	
DCP[16] or			D4190–94		Note 34.
Colorimetric (Neocuproine) or.		3500–Cu B [20th] and 3500–Cu D [18th, 19th].			
(Bicinchoninate)		3500–Cu C [20th] and 3500–As B [18th, 19th].			Note 19.
23. Cyanide—Total, mg/L:					
Manual distillation with $MgCl_2$ followed by..		4500–CN C [18th, 19th, 20th].	D2036–98(A)		
Titrimetric, or		4500–CN D [18th, 19th, 20th].			p. 22[9]
Spectrophotometric, manual or.	335.2[31]	4500–CN E [18th, 19th, 20th].	D2036–98(A)	I–3300–85	
Automated[20]	335.3[31]			I–4302–85	
24. Available Cyanide, mg/L:					
Manual distillation with $MgCl_2$ followed by titrimetric or Spectrophotometric.	335.1	4500–CN G [18th, 19th, 20th].	D2036–98(B)		
Flow injection and ligand exchange, followed by amperometry.					OIA–1677[44]
25. Fluoride—Total, mg/L:					
Manual distillation[6] followed by.		4500–F B [18th, 19th, 20th]			
Electrode, manual or	340.2	4500–F C [18th, 19th, 20th]	D1179–93(B)	I–4327–85	
Automated					
Colorimetric (SPADNS)	340.1	4500–F D [18th, 19th, 20th]	D1179–93(A)		
Or Automated complexone	340.3	4500–F E [18th, 19th, 20th]			
26. Gold—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	231.1	3111 B [18th, 19th]			
AA furnace, or	231.2				
DCP					Note 34.
27. Hardness—Total, as $CaCO_3$, mg/L:					
Automated colorimetric,	130.1				

TABLE IB—LIST OF APPROVED INORGANIC TEST PROCEDURES—Continued

Parameter, units and method	Reference (method number or page)				
	EPA [1, 35]	*Standard Methods* [Edition(s)]	ASTM	USGS [2]	Other
Titrimetric (EDTA), or Ca plus Mg as their carbonates, by inductively coupled plasma or AA direct aspiration (See Parameters 13 and 33).	130.2	2340 B or C [18th, 19th, 20th].	D1126–86(92)	I–1338–85	973.52B [3]
28. Hydrogen ion (pH), pH units:					
Electrometric measurement, or.	150.1	4500–H^+ B [18th, 19th, 20th].	D1293–84 (90)(A or B)	I–1586–85	973.41 [3]
Automated electrode				I–2587–85	Note 21.
29. Iridium—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration or	235.1	3111 B [18th, 19th]			
AA furnace	235.2				
30. Iron—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration [36]	236.1	3111 B or C [18th, 19th]	D1068–96(A or B)	I–3381–85	974.27 [3]
AA furnace	236.2	3113 B [18th, 19th]	D1068–96(C)		
ICP/AES [36]	200.7 [5]	3120 B [18th, 19th, 20th]		I–4471–97 [50]	
DCP [36] or			D4190–94		Note 34.
Colorimetric (Phenanthroline).		3500–Fe B [20th] and 3500–Fe D [18th, 19th].	D1068–96(D)		Note 22.
31. Kjeldahl Nitrogen—Total, (as N), mg/L:					
Digestion and distillation followed by.	351.3	4500–N_{org} B or C and 4500–NH_3 B [18th, 19th, 20th].	D3590–89(A)		
Titration	351.3		D3590–89(A)		973.48 [3]
Nesslerization	351.3	4500–NH_3 C [18th]	D3590–89(A)		
Electrode	351.3	4500–NH_3 C [19th, 20th] and 4500–NH_3 E [18th].			
Automated phenate colorimetric	351.1			I–4551–78 [8]	
Semi-automated block digestor colorimetric.	351.2		D3590–89(B)	I–4515–91 [45].	
Manual or block digestor potentiometric.	351.4		D3590–89(A)		
Block digester, followed by Auto distillation and Titration, or.					Note 39.
Nesslerization, or					Note 40.
Flow injection gas diffusion					Note 41.
32. Lead—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration [36]	239.1	3111 B or C [18th, 19th]	D3559–96(A or B)	I–3399–85	974.27 [3]

AA furnace	239.2	3113 B [18th, 19th]	D3559–96(D)	I–4403–89[51]	
ICP/AES[36]	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP[16]			D4190–94		Note 34.
Voltametry[11] or			D3559–96(C)		
Colorimetric (Dithizone)		3500–Pb B [20th] and 3500–Pb D [18th, 19th].			
33. Magnesium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	242.1	3111 B [18th, 19th]	D511–93(B)	I–3447–85	974.27[3]
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP or					Note 34.
Gravimetric		3500–Mg D [18th, 19th]			
34. Manganese-Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration[36]	243.1	3111 B [18th, 19th]	D858–95(A or B)	I–3454–85	974.27[3]
AA furnace	243.2	3113 B [18th, 19th]	D858–95(C)		
ICP/AES[36]	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP[36], or			D4190–94		Note 34
Colorimetric (Persulfate), or		3500–Mn B [20th] and 3500–Mn D [18th, 19th].			920.203[3]
(Periodate)					Note 23.
35. Mercury—Total,[4] mg/L:					
Cold vapor, manual or	245.1	3112 B [18th, 19th]	D3223–91	I–3462–85	977.22[3]
Automated	245.2				
Oxidation, purge and trap, and cold vapor atomic fluorescence spectrometry (ng/L).	1631E[43]				
36. Molybdenum—Total[4], mg/L; Digestion[4] followed by:					
AA direct aspiration	246.1	3111 D [18th, 19th]		I–3490–85	
AA furnace	246.2	3113 B [18th, 19th]		I–3492–96[47]	
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50]	
DCP					Note 34.
37. Nickel—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration[36]	249.1	3111 B or C [18th, 19th]	D1886–90(A or B)	I–3499–85.	
AA furnace	249.2	3113 B [18th, 19th]	D1886–90(C)	I–4503–89[51].	
ICP/AES[36]	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50].	
DCP[36], or			D4190–94		Note 34.
Colorimetric (heptoxime)		3500–Ni D [17th].			
38. Nitrate (as N), mg/L:					
Colorimetric (Brucine sulfate), or Nitrate-nitrite N minus Nitrite N (See parameters 39 and 40).	352.1				973.50,[3] 419D,[17] p. 28[9]
39. Nitrate-nitrite (as N), mg/L:					
Cadmium reduction, Manual or.	353.3	4500–NO_3^- E [18th, 19th, 20th].	D3867–99(B).		

TABLE IB—LIST OF APPROVED INORGANIC TEST PROCEDURES—Continued

Parameter, units and method	Reference (method number or page)				
	EPA [1, 35]	*Standard Methods* [Edition(s)]	ASTM	USGS [2]	Other
Automated, or	353.2	4500–NO_3^- F [18th, 19th, 20th].	D3867–99(A)	I–4545–85.	
Automated hydrazine	353.1	4500–NO_3^- H [18th, 19th, 20th].			
40. Nitrite (as N), mg/L; Spectrophotometric:					
Manual or	354.1	4500–NO_2^- B [18th, 19th, 20th].			Note 25.
Automated (Diazotization)				I–4540–85.	
41. Oil and grease—Total recoverable, mg/L:					
Gravimetric (extraction)	413.1	5520B [18th, 19th, 20th] [38].			
Oil and grease and nonpolar material, mg/L: Hexane extractable material (HEM): n-Hexane extraction and gravimetry.	1664A [42]	5520B [18th, 19th, 20th] [38].			
Silica gel treated HEM (SGT–HEM): Silica gel treatment and gravimetry.	1664A [42].				
42. Organic carbon—Total (TOC), mg/L:					
Combustion or oxidation	415.1	5310 B, C, or D [18th, 19th, 20th].	D2579–93 (A or B)		973.47,[3] p. 14 [24]
43. Organic nitrogen (as N), mg/L:					
Total Kjeldahl N (Parameter 31) minus ammonia N (Parameter 4).					
44. Orthophosphate (as P), mg/L; Ascorbic acid method:					
Automated, or	365.1	4500–P F [18th, 19th, 20th]		I–4601–85	973.56 [3]
Manual single reagent	365.2	4500–P E [18th, 19th, 20th]	D515–88(A)		973.55 [3]
Manual two reagent	365.3.				
45. Osmium—Total [4], mg/L; Digestion [4] followed by:					
AA direct aspiration, or	252.1	3111 D [18th, 19th].			
AA furnace	252.2.				
46. Oxygen, dissolved, mg/L:					
Winkler (Azide modification), or.	360.2	4500–O C [18th, 19th, 20th]	D888–92(A)	I–1575–78 [8]	973.45B [3]
Electrode	360.1	4500–O G [18th, 19th, 20th].	D888–92(B)	I–1576–78 [8].	

47. Palladium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration, or	253.1	3111 B [18th, 19th]			p. S27 [10]
AA furnace	253.2				p. S28 [10]
DCP					Note 34.
48. Phenols, mg/L:					
Manual distillation [26]	420.1				Note 27.
Followed by:.					
Colorimetric (4AAP) manual, or.	420.1				Note 27.
Automated [19]	420.2.				
49. Phosphorus (elemental), mg/L: Gas-liquid chromatography					Note 28.
50. Phosphorus—Total, mg/L:					
Persulfate digestion followed by.	365.2	4500–P B, 5 [18th, 19th, 20th].			973.55[3]
Manual or	365.2 or 365.3	4500–P E [18th, 19th, 20th]	D515–88(A)		
Automated ascorbic acid reduction.	365.1	4500–P F [18th, 19th, 20th]		I–4600–85	973.56[3]
Semi-automated block digestor.	365.4		D515–88(B)	I–4610–91 [48].	
51. Platinum—Total,[4] mg/L: Digestion[4] followed by:					
AA direct aspiration	255.1	3111 B [18th, 19th].			
AA furnace	255.2.				
DCP					Note 34
52. Potassium—Total,[4] mg/L: Digestion[4] followed by:					
AA direct aspiration	258.1	3111 B [18th, 19th]		I–3630–85	973.53[3]
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th].			
Flame photometric, or		3500–K B [20th] and 3500–K D [18th, 19th].			
Colorimetric					317 B [17]
53. Residue—Total, mg/L: Gravimetric, 103–105°	160.3	2540 B [18th, 19th, 20th]		I–3750–85.	
54. Residue—filterable, mg/L: Gravimetric, 180°	160.1	2540 C [18th, 19th, 20th]		I–1750–85.	
55. Residue—nonfilterable (TSS), mg/L: Gravimetric, 103–105° post washing of residue.	160.2	2540 D [18th, 19th, 20th]		I–3765–85.	
56. Residue—settleable, mg/L: Volumetric, (Imhoff cone), or gravimetric.	160.5	2540 F [18th, 19th, 20th].			
57. Residue—Volatile, mg/L: Gravimetric, 550°	160.4			I–3753–85.	
58. Rhodium-Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration, or	265.1	3111 B [18th, 19th].			

TABLE IB—LIST OF APPROVED INORGANIC TEST PROCEDURES—Continued

Parameter, units and method	Reference (method number or page)				
	EPA [1, 35]	*Standard Methods* [Edition(s)]	ASTM	USGS [2]	Other
AA furnace	265.2.				
59. Ruthenium—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration, or	267.1	3111 B [18th, 19th].			
AA furnace	267.2.				
60. Selenium—Total,[4] mg/L; Digestion [4] followed by:					
AA furnace	270.2	3113 B [18th, 19th]	D3859–98(B)	I–4668–98 [49].	
ICP/AES,[36] or	200.7 [5]	3120 B [18th, 19th, 20th].			
AA gaseous hydride		3114 B [18th, 19th]	D3859–98(A)	I–3667–85.	
61. Silica [37]—Dissolved, mg/L; 0.45 micron filtration followed by:					
Colorimetric, Manual or	370.1	4500–SiO_2 C [20th] and 4500–Si D [18th, 19th].	D859–94	I–1700–85.	
Automated (Molybdosilicate), or.				I–2700–85.	
ICP	200.7 [5]	3120 B [18th, 19th, 20th]		I–4471–97 [50].	
62. Silver—Total,[4] mg/L: Digestion [4 29] followed by:					
AA direct aspiration	272.1	3111 B or C [18th, 19th]		I–3720–85	974.27,[3] p. 37 [9]
AA furnace	272.2	3113 B [18th, 19th]		I–4724–89 [51]	
ICP/AES	200.7 [5]	3120 B [18th, 19th, 20th]		I–4471–97 [50]	
DCP					Note 34.
63. Sodium—Total,[4] mg/L; Digestion [4] followed by:					
AA direct aspiration	273.1	3111 B [18th, 19th]		I–3735–85	973.54 [3]
ICP/AES	200.7 [5]	3120 B [18th, 19th, 20th]		I–4471–97 [50]	
DCP, or					Note 34.
Flame photometric		3500 Na B [20th] and 3500 Na D [18th, 19th].			
64. Specific conductance, micromhos/cm at 25 °C:					
Wheatstone bridge	120.1	2510 B [18th, 19th, 20th]	D1125–95(A)	I–2781–85	973.40 [3]
65. Sulfate (as SO_4), mg/L:					
Automated colorimetric (barium chloranilate).	375.1.				
Gravimetric	375.3	4500–SO_4^{-2}C or D [18th, 19th, 20th].			925.54 [3]
Turbidimetric	375.4		D516–90		426C [30]
66. Sulfide (as S), mg/L:					
Titrimetric (iodine), or	376.1	4500–S^{-2}F [19th, 20th] or 4500–S^{-2}E [18th].		I–3840–85.	

Colorimetric (methylene blue).	376.2	4500–S^{-2}D [18th, 19th, 20th].			
67. Sulfite (as SO_3), mg/L: Titrimetric (iodine-iodate)	377.1	4500–SO_3^{-2}B [18th, 19th, 20th].			
68. Surfactants, mg/L: Colorimetric (methylene blue).	425.1	5540 C [18th, 19th, 20th]	D2330–88.		
69. Temperature, °C: Thermometric	170.1	2550 B [18th, 19th, 20th]			Note 32.
70. Thallium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	279.1	3111 B [18th, 19th].			
AA furnace	279.2.				
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th].			
71. Tin—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	282.1	3111 B [18th, 19th]		I–3850–78[8].	
AA furnace, or	282.2	3113 B [18th, 19th].			
ICP/AES	200.7[5].				
72. Titanium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	283.1	3111 D [18th, 19th].			
AA furnace	283.2.				
DCP					Note 34.
73. Turbidity, NTU: Nephelometric	180.1	2130 B [18th, 19th, 20th]	D1889–94(A)	I–3860–85.	
74. Vanadium—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration	286.1	3111 D [18th, 19th].			
AA furnace	286.2		D3373–93.		
ICP/AES	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50].	
DCP, or			D4190–94		Note 34.
Colorimetric (Gallic Acid)		3500–V B [20th] and 3500–V D [18th, 19th].			
75. Zinc—Total,[4] mg/L; Digestion[4] followed by:					
AA direct aspiration[36]	289.1	3111 B or C [18th, 19th]	D1691–95(A or B)	I–3900–85	974.27,[3] p. 37[9]
AA furnace	289.2.				
ICP/AES[36]	200.7[5]	3120 B [18th, 19th, 20th]		I–4471–97[50].	
DCP,[36] or			D4190–94		Note 34.
Colorimetric (Dithizone) or (Zincon)		3500–Zn E [18th, 19th]. 3500–Zn B [20th] and 3500–Zn F [18th, 19th].			Note 33.

Table 1B Notes:

[1] "Methods for Chemical Analysis of Water and Wastes," Environmental Protection Agency, Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI), EPA–600/4–79–020, Revised March 1983 and 1979 where applicable.

[2] Fishman, M.J., *et al.* "Methods for Analysis of Inorganic Substances in Water and Fluvial Sediments, "U.S. Department of the Interior, Techniques of Water-Resource Investigations of the U.S. Geological Survey, Denver, CO, Revised 1989, unless otherwise stated.

[3] "Official Methods of Analysis of the Association of Official Analytical Chemists," methods manual, 15th ed. (1990).

[4] For the determination of total metals the sample is not filtered before processing. A digestion procedure is required to solubilize suspended material and to destroy possible organic-metal complexes. Two digestion procedures are given in "Methods for Chemical Analysis of Water and Wastes, 1979 and 1983". One (Section 4.1.3), is a vigorous digestion using nitric acid. A less vigorous digestion using nitric and hydrochloric acids (Section 4.1.4) is preferred; however, the analyst should be cautioned that this mild digestion may not suffice for all samples types. Particularly, if a colorimetric procedure is to be employed, it is necessary to ensure that all organo-metallic bonds be broken so that the metal is in a reactive state. In those situations, the vigorous digestion is to be preferred making certain that at no time does the sample go to dryness. Samples containing large amounts of organic materials may also benefit by this vigorous digestion, however, vigorous digestion with concentrated nitric acid will convert antimony and tin to insoluble oxides and render them unavailable for analysis. Use of ICP/AES as well as determinations for certain elements such as antimony, arsenic, the noble metals, mercury, selenium, silver, tin, and titanium require a modified sample digestion procedure and in all cases the method write-up should be consulted for specific instructions and/or cautions.

Note to Table 1B Note 4: If the digestion procedure for direct aspiration AA included in one of the other approved references is different than the above, the EPA procedure must be used. Dissolved metals are defined as those constituents which will pass through a 0.45 micron membrane filter. Following filtration of the sample, the referenced procedure for total metals must be followed. Sample digestion of the filtrate for dissolved metals (or digestion of the original sample solution for total metals) may be omitted for AA (direct aspiration or graphite furnace) and ICP analyses, provided the sample solution to be analyzed meets the following criteria:

a. has a low COD (<20)
b. is visibly transparent with a turbidity measurement of 1 NTU or less
c. is colorless with no perceptible odor, and
d. is of one liquid phase and free of particulate or suspended matter following acidification.

[5] The full text of Method 200.7, "Inductively Coupled Plasma Atomic Emission Spectrometric Method for Trace Element Analysis of Water and Wastes," is given at Appendix C of this Part 136.

[6] Manual distillation is not required if comparability data on representative effluent samples are on company file to show that this preliminary distillation step is not necessary: however, manual distillation will be required to resolve any controversies.

[7] Ammonia, Automated Electrode Method, Industrial Method Number 379–75 WE, dated February 19, 1976, Bran & Luebbe (Technicon) Auto Analyzer II, Bran & Luebbe Analyzing Technologies, Inc., Elmsford, NY 10523.

[8] The approved method is that cited in "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", USGS TWRI, Book 5, Chapter A1 (1979).

[9] American National Standard on Photographic Processing Effluents, Apr. 2, 1975. Available from ANSI, 25 West 43rd Street, New York, NY 10036.

[10] "Selected Analytical Methods Approved and Cited by the United States Environmental Protection Agency", Supplement to the Fifteenth Edition of Standard Methods for the Examination of Water and Wastewater (1981).

[11] The use of normal and differential pulse voltage ramps to increase sensitivity and resolution is acceptable.

[12] Carbonaceous biochemical oxygen demand ($CBOD_5$) must not be confused with the traditional BOD_5 test method which measures "total BOD". The addition of the nitrification inhibitor is not a procedural option, but must be included to report the $CBOD_5$ parameter. A discharger whose permit requires reporting the traditional BOD_5 may not use a nitrification inhibitor in the procedure for reporting the results. Only when a discharger's permit specifically states $CBOD_5$ is required can the permittee report data using a nitrification inhibitor.

[13] OIC Chemical Oxygen Demand Method, Oceanography International Corporation, 1978, 512 West Loop, PO Box 2980, College Station, TX 77840.

[14] Chemical Oxygen Demand, Method 8000, Hach Handbook of Water Analysis, 1979, Hach Chemical Company, PO Box 389, Loveland, CO 80537.

[15] The back titration method will be used to resolve controversy.

[16] Orion Research Instruction Manual, Residual Chlorine Electrode Model 97–70, 1977, Orion Research Incorporated, 840 Memorial Drive, Cambridge, MA 02138. The calibration graph for the Orion residual chlorine method must be derived using a reagent blank and three standard solutions, containing 0.2, 1.0, and 5.0 mL 0.00281 N potassium iodate/100 mL solution, respectively.

[17] The approved method is that cited in Standard Methods for the Examination of Water and Wastewater, 14th Edition, 1976.

[18] National Council of the Paper Industry for Air and Stream Improvement, Inc. Technical Bulletin 253, December 1971.

[19] Copper, Biocinchoninate Method, Method 8506, Hach Handbook of Water Analysis, 1979, Hach Chemical Company, PO Box 389, Loveland, CO 80537.

[20] After the manual distillation is completed, the autoanalyzer manifolds in EPA Methods 335.3 (cyanide) or 420.2 (phenols) are simplified by connecting the re-sample line directly to the sampler. When using the manifold setup shown in Method 335.3, the buffer 7.6 found in Method 335.2.

[21] Hydrogen ion (pH) Automated Electrode Method, Industrial Method Number 378–75WA, October 1976, Bran & Luebbe (Technicon) Autoanalyzer II. Bran & Luebbe Analyzing Technologies, Inc., Elmsford, NY 10523.

[22] Iron, 1,10-Phenanthroline Method, Method 8008, 1980, Hach Chemical Company, PO Box 389, Loveland, CO 80537.

[23] Manganese, Periodate Oxidation Method, Method 8034, Hach Handbook of Wastewater Analysis, 1979, pages 2–113 and 2–117, Hach Chemical Company, Loveland, CO 80537.

[24] Wershaw, R.L., *et al,* "Methods for Analysis of Organic Substances in Water," Techniques of Water-Resources Investigation of the U.S. Geological Survey, Book 5, Chapter A3, (1972 Revised 1987) p. 14.

[25] Nitrogen, Nitrite, Method 8507, Hach Chemical Company, PO Box 389, Loveland, CO 80537.

[26] Just prior to distillation, adjust the sulfuric-acid-preserved sample to pH 4 with 1 + 9 NaOH.

[27] The approved method is cited in Standard Methods for the Examination of Water and Wastewater, 14th Edition. The colorimetric reaction is conducted at a pH of 10.0±0.2. The approved methods are given on pp 576–81 of the 14th Edition: Method 510A for distillation, Method 510B for the manual colorimetric procedure, or Method 510C for the manual spectrometric procedure.

[28] R.F. Addison and R.G. Ackman, "Direct Determination of Elemental Phosphorus by Gas-Liquid Chromatography," Journal of Chromatography, Vol. 47, No. 3, pp. 421–426, 1970.

[29] Approved methods for the analysis of silver in industrial wastewaters at concentrations of 1 mg/L and above are inadequate where silver exists as an inorganic halide. Silver halides such as the bromide and chloride are relatively insoluble in reagents such as nitric acid but are readily soluble in an aqueous buffer of sodium thiosulfate and sodium hydroxide to pH of 12. Therefore, for levels of silver above 1 mg/L, 20 mL of sample should be diluted to 100 mL by adding 40 mL each of 2 M $Na_2S_2O_3$ and NaOH. Standards should be prepared in the same manner. For levels of silver below 1 mg/L the approved method is satisfactory.

[30] The approved method is that cited in Standard Methods for the Examination of Water and Wastewater, 15th Edition.

[31] EPA Methods 335.2 and 335.3 require the NaOH absorber solution final concentration to be adjusted to 0.25 N before colorimetric determination of total cyanide.
[32] Stevens, H.H., Ficke, J.F., and Smoot, G.F., "Water Temperature—Influential Factors, Field Measurement and Data Presentation," Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 1, Chapter D1, 1975.
[33] Zinc, Zincon Method, Method 8009, Hach Handbook of Water Analysis, 1979, pages 2–231 and 2–333, Hach Chemical Company, Loveland, CO 80537.
[34] "Direct Current Plasma (DCP) Optical Emission Spectrometric Method for Trace Elemental Analysis of Water and Wastes, Method AES0029," 1986—Revised 1991, Thermo Jarrell Ash Corporation, 27 Forge Parkway, Franklin, MA 02038.
[35] Precision and recovery statements for the atomic absorption direct aspiration and graphite furnace methods, and for the spectrophotometric SDDC method for arsenic are provided in Appendix D of this part titled, "Precision and Recovery Statements for Methods for Measuring Metals".
[36] "Closed Vessel Microwave Digestion of Wastewater Samples for Determination of Metals", CEM Corporation, PO Box 200, Matthews, NC 28106–0200, April 16, 1992. Available from the CEM Corporation.
[37] When determining boron and silica, only plastic, PTFE, or quartz laboratory ware may be used from start until completion of analysis.
[38] Only use Trichlorotrifluorethane (1,1,2-trichloro-1,2,2-trifluoroethane; CFC–113) extraction solvent when determining Total Recoverable Oil and Grease (analogous to EPA Method 413.1). Only use *n*-hexane extraction solvent when determining Hexane Extractable Material (analogous to EPA Method 1664A). Use of other extraction solvents is strictly prohibited.
[39] Nitrogen, Total Kjeldahl, Method PAI–DK01 (Block Digestion, Steam Distillation, Titrimetric Detection), revised 12/22/94, OI Analytical/ALPKEM, PO Box 9010, College Station, TX 77842.
[40] Nitrogen, Total Kjeldahl, Method PAI–DK02 (Block Digestion, Steam Distillation, Colorimetric Detection), revised 12/22/94, OI Analytical/ALPKEM, PO Box 9010, College Station, TX 77842.
[41] Nitrogen, Total Kjeldahl, Method PAI–DK03 (Block Digestion, Automated FIA Gas Diffusion), revised 12/22/94, OI Analytical/ALPKEM, PO Box 9010, College Station, TX 77842.
[42] Method 1664, Revision A "n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT–HEM; Non-polar Material) by Extraction and Gravimetry" EPA–821–R–98–002, February 1999. Available at NTIS, PB–121949, U.S. Department of Commerce, 5285 Port Royal, Springfield, Virginia 22161.
[43] USEPA. 2002. Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry." September 2002. Office of Water, U.S. Environmental Protection Agency (EPA–821–R–02–019). The application of clean techniques described in EPA's draft Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels (EPA–821–R–96–011) are recommended to preclude contamination at low-level, trace metal determinations.
[44] Available Cyanide, Method OIA–1677 (Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry), ALPKEM, A Division of OI Analytical, PO Box 9010, College Station, TX 77842–9010.
[45] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Ammonia Plus Organic Nitrogen by a Kjeldahl Digestion Method", Open File Report (OFR) 00–170.
[46] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Chromium in Water by Graphite Furnace Atomic Absorption Spectrophotometry', Open File Report (OFR) 93–449.
[47] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Molybdenum by Graphite Furnace Atomic Absorption Spectrophotometry", Open File Report (OFR) 97–198.
[48] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Total Phosphorus by Kjeldahl Digestion Method and an Automated Colorimetric Finish That Includes Dialysis" Open File Report (OFR) 92–146.
[49] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Arsenic and Selenium in Water and Sediment by Graphite Furnace-Atomic Absorption Spectrometry" Open File Report (OFR) 98–639.
[50] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Elements in Whole-water Digests Using Inductively Coupled Plasma-Optical Emission Spectrometry and Inductively Coupled Plasma-Mass Spectrometry", Open File Report (OFR) 98–165.
[51] "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Inorganic and Organic Constituents in Water and Fluvial Sediment", Open File Report (OFR) 93–125.

TABLE IC—LIST OF APPROVED TEST PROCEDURES FOR NON-PESTICIDE ORGANIC COMPOUNDS

Parameter[1]	EPA method number[2,7]			Other approved methods		
	GC	GC/MS	HPLC	*Standard Methods* [Edition(s)]	ASTM	Other
1. Acenaphthene	610	625, 1625B	610	6440 B [18th, 19th, 20th].	D4657–92	Note 9, p.27.
2. Acenaphthylene	610	625, 1625B	610	6440 B, 6410 B [18th, 19th, 20th].	D4657–92	Note 9, p.27.
3. Acrolein	603	624[4], 1624B				
4. Acrylonitrile	603	624[4], 1624B				
5. Anthracene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.

TABLE IC—LIST OF APPROVED TEST PROCEDURES FOR NON-PESTICIDE ORGANIC COMPOUNDS—Continued

Parameter[1]	EPA method number[2,7]			Other approved methods		
	GC	GC/MS	HPLC	*Standard Methods* [Edition(s)]	ASTM	Other
6. Benzene	602	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6220 B [18th, 19th].		
7. Benzidine		625[5], 1625B	605			Note 3, p.1.
8. Benzo(a)anthracene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
9. Benzo(a)pyrene	610,	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
10. Benzo(b)fluoranthene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
11. Benzo(g, h, i)perylene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
12. Benzo(k)fluoranthene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
13. Benzyl chloride						Note 3, p 130: Note 6, p. S102.
14. Benzyl butyl phthalate	606	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
15. Bis(2-chloroethoxy) methane	611	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
16. Bis(2-chloroethyl) ether	611	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
17. Bis(2-ethylhexyl) phthalate	606	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
18. Bromodichloromethane	601	624, 1624B		6200 C [20th] and 6230 B [18th, 19th], 6200 B [20th] and 6210 B [18th, 19th].		
19. Bromoform	601	624, 1624B		6200 C [20th] and 6230 B [18th, 19th], 6200 B [20th] and 6210 B [18th, 19th].		
20. Bromomethane	601	624, 1624B		6200 C [20th] and 6230 B [18th, 19th], 6200 B [20th] and 6210 B [18th, 19th].		
21. 4-Bromophenylphenyl ether	611	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
22. Carbon tetrachloride	601	624, 1624B		6200 C [20th] and 6230 B [18th, 19th].		Note 3, p. 130.
23. 4-Chloro-3-methylphenol	604	625,1625B		6410 B, 6420 B [18th, 19th, 20th].		Note 9, p. 27.

24. Chlorobenzene	601, 602	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6220 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th]..		Note 3, p. 130.
25. Chloroethane	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
26. 2-Chloroethylvinyl ether	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
27. Chloroform:	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		Note 3, p 130.
28. Chloromethane	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th] 6200C [20th] and 6230 B [18th, 19th].		
29. 2-Chloronaphthalene	612	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
30. 2-Chlorophenol	604	625, 1625B		6410 B, 6420 B [18th, 19th, 20th].		Note 9, p. 27.
31. 4-Chlorophenylphenyl ether	611	625, 1625B		6410 B, [18th, 19th, 20th].		Note 9, p. 27.
32. Chrysene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
33. Dibenzo(a,h)anthracene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
34. Dibromochloromethane	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th] 6200 C [20th] and 6230 B [18th, 19th].		
35. 1,2-Dichlorobenzene	601, 602, 612	624, 625, 1625B		6200 C [20th] and 6220 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th], 6410 B [18th, 19th, 20th].		Note 9, p 27.
36. 1,3-Dichlorobenzene	601, 602, 612	624, 625, 1625B		6200 C [20th] and 6220 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th], 6410 B [18th, 19th, 20th].		Note 9, p. 27.

TABLE IC—LIST OF APPROVED TEST PROCEDURES FOR NON-PESTICIDE ORGANIC COMPOUNDS—Continued

Parameter[1]	EPA method number[2,7]			Other approved methods		
	GC	GC/MS	HPLC	*Standard Methods* [Edition(s)]	ASTM	Other
37. 1,4-Dichlorobenzene	601, 602, 612	624, 625, 1625B		6200 C [20th] and 6220 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th], 6410 B [18th, 19th, 20th].		Note 9, p. 27.
38. 3,3-Dichlorobenzidine		625, 1625B	605	6410 B [18th, 19th, 20th].		
39. Dichlorodifluoromethane	601			6200 C [20th] and 6230 B [18th, 19th].		
40. 1,1-Dichloroethane	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
41. 1,2-Dichloroethane	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
42. 1,1-Dichloroethene	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
43. trans-1,2-Dichloroethene	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
44. 2,4-Dichlorophenol	604	625, 1625B		6410 B, 6420 B [18th, 19th, 20th].		Note 9, p. 27.
45. 1,2-Dichloropropane	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
46. cis-1,3-Dichloropropene	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
47. trans-1,3-Dichloropropene	601	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].		
48. Diethyl phthalate	606	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.

49. 2,4-Dimethylphenol	604	625, 1625B		6410 B, 6420 B [18th, 19th, 20th].		Note 9, p. 27.
50. Dimethyl phthalate	606	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
51. Di-n-butyl phthalate	606	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
52. Di-n-octyl phthalate	606	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
53. 2,3-Dinitrophenol	604	625, 1625B		6410 B, 6420 B [18th, 19th, 20th].		
54. 2,4-Dinitrotoluene	609	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
55. 2,6-Dinitrotoluene	609	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
56. Epichlorohydrin						Note 3, p. 130; Note 6, p. S102.
57. Ethylbenzene	602	624, 1624B		6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6220 B [18th, 19th].	D4657–92	Note 9, p. 27.
58. Fluoranthene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
59. Fluorene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
60. 1,2,3,4,6,7,8-Heptachloro- dibenzofuran		1613B				
61. 1,2,3,4,7,8,9-Heptachloro- dibenzofuran		1613B				
62. 1,2,3,4,6,7,8-Heptachloro- dibenzo-p-dioxin		1613B				
63. Hexachlorobenzene	612	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
64. Hexachlorobutadiene	612	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
65. Hexachlorocyclopentadiene	612	[5]625, 1625B		6410 [18th, 19th, 20th]		Note 9, p. 27.
66. 1,2,3,4,7,8-Hexachloro- dibenzofuran		1613B.				
67. 1,2,3,6,7,8-Hexachloro- dibenzofuran		1613B.				
68. 1,2,3,7,8,9-Hexachloro- dibenzofuran		1613B.				
69. 2,3,4,6,7,8-Hexachloro- dibenzofuran		1613B.				
70. 1,2,3,4,7,8-Hexachloro- dibenzo-p-dioxin		1613B.				
71. 1,2,3,6,7,8-Hexachloro- dibenzo-p-dioxin		1613B.				
72. 1,2,3,7,8,9-Hexachloro- dibenzo-p-dioxin		1613B.				
73. Hexachloroethane	616	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
74. Ideno(1,2,3-cd) pyrene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
75. Isophorone	609	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27.
76. Methylene chloride	601	624, 1624B		6200 C [20th] and 6230 B [18th, 19th].		Note 3, p. 130.
77. 2-Methyl-4,6-dinitrophenol	604	625, 1625B		6420 B, 6410 B [18th, 19th, 20th].		Note 9, p. 27.

TABLE IC—LIST OF APPROVED TEST PROCEDURES FOR NON-PESTICIDE ORGANIC COMPOUNDS—Continued

Parameter[1]	EPA method number[2,7]			Other approved methods		
	GC	GC/MS	HPLC	*Standard Methods* [Edition(s)]	ASTM	Other
78. Naphthalene	610	625, 1625B	610	6440 B, 6410 B [18th, 19th, 20th].		Note 9, p. 27.
79. Nitrobenzene	609	625, 1625B		6410 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27.
80. 2-Nitrophenol	604	625, 1625B		6410 B, 6420 B [18th, 19th, 20th].		Note 9, p. 27
81. 4-Nitrophenol	604	625, 1625B		6410 B, 6420 B [18th, 19th, 20th].		Note 9, p. 27
82. N-Nitrosodimethylamine	607	625[5], 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27
83. N-Nitrosodi-n-propylamine	607	625, 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27
84. N-Nitrosodiphenylamine	607	625[5], 1625B		6410 B [18th, 19th, 20th].		Note 9, p. 27
85. Octachlorodibenzofuran		1613B.				
86. Octachlorodibenzo-p-dioxin		1613B.				
87. 2,2'-Oxybis(2-chloropropane) [also known as bis(2-chloroisopropyl) ether].	611	625, 1625B		6410 B [18th, 19th, 20th].		
88. PCB–1016	608	625		6410 B [18th, 19th, 20th].		Note 3, p. 43
89. PCB–1221	608	625		6410 B [18th, 19th, 20th].		Note 3, p. 43
90. PCB–1232	608	625		6410 B [18th, 19th, 20th].		Note 3, p. 43
91. PCB–1242	608	625		6410 B [18th, 19th, 20th].		Note 3, p. 43
92. PCB–1248	608	625.				
93. PCB–1254	608	625		6410 B [18th, 19th, 20th].		Note 3, p. 43
94. PCB–1260	608	625		6410 B, 6630 B [18th, 19th, 20th].		Note 3, p. 43
95. 1,2,3,7,8-Pentachloro- dibenzofuran		1613B.				
96. 2,3,4,7,8-Pentachloro- dibenzofuran		1613B.				
97. 1,2,3,7,8,-Pentachlorodibenzo-p-dioxin		1613B.				
98. Pentachlorophenol	604	625, 1625B		6410 B, 6630 B [18th, 19th, 20th].		Note 3, p. 140; Note 9, p. 27
99. Phenanthrene	610	625, 1625B	610	6410 B, 6440 B [18th, 19th, 20th].	D4657–92	Note 9, p. 27
100. Phenol	604	625, 1625B		6420 B, 6410 B [18th, 19th, 20th].		Note 9, p. 27
101. Pyrene	610	625, 1625B	610	6440 B, 6410 B D4675–92 [18th, 19th, 20th].	D4675–92	Note 9, p. 27

102. 2,3,7,8-Tetrachloro- dibenzofuran	.....	1613B.			.....	
103. 2,3,7,8-Tetrachlorodibenzo-p-dioxin	.....	613, 1613B.			.....	
104. 1,1,2,2-Tetrachloroethane	601	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	Note 3, p. 130
105. Tetrachloroethene	601	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	Note 3, p. 130
106. Toluene	602	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6220 B [18th, 19th].	.....	
107. 1,2,4-Trichlorobenzene	612	625, 1625B	.....	6410 B [18th, 19th, 20th].	.....	Note 3, p. 130; Note 9, p. 27.
108. 1,1,1-Trichloroethane	601	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	
109. 1,1,2-Trichloroethane	601	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	Note 3, p. 130
110. Trichloroethene	601	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	
111. Trichlorofluoromethane	601	624	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	
112. 2,4,6-Trichlorophenol	604	625, 1625B	.....	6420 B, 6410 B [18th, 19th, 20th].	.....	Note 9, p. 27.
113. Vinyl chloride	601	624, 1624B	.....	6200 B [20th] and 6210 B [18th, 19th], 6200 C [20th] and 6230 B [18th, 19th].	.....	

Table IC notes:

[1] All parameters are expressed in micrograms per liter (µg/L) except for Method 1613B in which the parameters are expressed in picograms per liter (pg/L).

[2] The full text of Methods 601–613, 624, 625, 1624B, and 1625B, are given at Appendix A, "Test Procedures for Analysis of Organic Pollutants," of this Part 136. The full text of Method 1613B is incorporated by reference into this Part 136 and is available from the National Technical Information Services as stock number PB95–104774. The standardized test procedure to be used to determine the method detection limit (MDL) for these test procedures is given at Appendix B, "Definition and Procedure for the Determination of the Method Detection Limit," of this Part 136.

[3] "Methods for Benzidine: Chlorinated Organic Compounds, Pentachlorophenol and Pesticides in Water and Wastewater," U.S. Environmental Protection Agency, September, 1978.

[4] Method 624 may be extended to screen samples for Acrolein and Acrylonitrile. However, when they are known to be present, the preferred method for these two compounds is Method 603 or Method 1624B.

[5] Method 625 may be extended to include benzidine, hexachlorocyclopentadiene, N-nitrosodimethylamine, and N-nitrosodiphenylamine. However, when they are known to be present, Methods 605, 607, and 612, orMethod 1625B, are preferred methods for these compounds.

[6] "Selected Analytical Methods Approved and Cited by the United States Environmental Protection Agency," Supplement to the Fifteenth Edition of Standard Methods for the Examination of Water and Wastewater (1981).

[7] Each Analyst must make an initial, one-time demonstration of their ability to generate acceptable precision and accuracy with Methods 601–603, 624, 625, 1624B, and 1625B (See Appendix A of this Part 136) in accordance with procedures each in Section 8.2 of each of these Methods. Additionally, each laboratory, on an on-going basis must spike and analyze 10% (5% for Methods 624 and 625 and 100% for methods 1624B and 1625B) of all samples to monitor and evaluate laboratory data quality in accordance with Sections 8.3 and 8.4 of these Methods. When the recovery of any parameter falls outside the warning limits, the analytical results for that parameter in the unspiked sample are suspect and cannot be reported to demonstrate regulatory compliance.

NOTE: These warning limits are promulgated as an "interim final action with a request for comments."

[8] "Organochlorine Pesticides and PCBs in Wastewater Using Empore TM Disk" 3M Corporation Revised 10/28/94.

[9] USGS Method 0–3116–87 from "Methods of Analysis by U.S. Geological Survey National Water Quality Laboratory—Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments" U.S. Geological Survey, Open File Report 93–125.

TABLE ID—LIST OF APPROVED TEST PROCEDURES FOR PESTICIDES [1]

Parameter	Method	EPA [2, 7]	*Standard Methods* 18th, 19th, 20th Ed.	ASTM	Other
1. Aldrin	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B		
2. Ametryn	GC				Note 3, p. 83; Note 6, p S68.
3. Aminocarb	TLC				Note 3, p. 94; Note 6, p. S16.
4. Atraton	GC				Note 3, p. 83; Note 6, p. S68.
5. Atrazine	GC				Note 3, p. 83; Note 6, p. S68; Note 9.
6. Azinphos methyl	GC				Note 3, p. 25; Note 6, p. S51.
7. Barban	TLC				Note 3, p. 104; Note 6, p. S64.
8. α-BHC	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 8.
	GC/MS	625 [5]	6410 B.		
9. β-BHC	GC	608	6630 C	D3086–90	Note 8.
	GC/MS	625 [5]	6410 B.		
10. δ-BHC	GC	608	6630 C	D3086–90	Note 8.
	GC/MS	625 [5]	6410 B.		
11. γ-BHC (Lindane)	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
12. Captan	GC		6630 B	D3086–90	Note 3, p. 7.
13. Carbaryl	TLC				Note 3, p. 94, Note 6, p. S60.
14. Carbophenothion	GC				Note 4, p. 27; Note 6, p. S73.
15. Chlordane	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
16. Chloropropham	TLC				Note 3, p. 104; Note 6, p. S64.
17. 2,4-D	GC		6640 B		Note 3, p. 115; Note 4, p. 40.
18. 4,4′-DDD	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
19. 4,4′-DDE	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
20. 4,4′-DDT	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
21. Demeton-O	GC				Note 3, p. 25; Note 6, p. S51.
22. Demeton-S	GC				Note 3, p. 25; Note 6, p. S51.
23. Diazinon	GC				Note 3, p. 25; Note 4, p. 27; Note 6, p. S51.
24. Dicamba	GC				Note 3, p. 115.
25. Dichlofenthion	GC				Note 4, p. 27; Note 6, p. S73.
26. Dichloran	GC		6630 B & C		Note 3, p. 7.

27. Dicofol	GC	608	6630 B & C	D3086–90.	
28. Dieldrin	GC	608	6630 B & C		Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
29. Dioxathion	GC				Note 4, p. 27; Note 6, p. S73.
30. Disulfoton	GC				Note 3, p. 25; Note 6 p. S51.
31. Diuron	TLC				Note 3, p. 104; Note 6, p. S64.
32. Endosulfan I	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625 [5]	6410 B.		
33. Endosulfan II	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 8.
	GC/MS	625 [5]	6410 B.		
34. Endosulfan Sulfate	GC	608	6630 C		Note 8.
	GC/MS	625	6410 B.		
35. Endrin	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625 [5]	6410 B.		
36. Endrin aldehyde	GC	608			Note 8.
	GC/MS	625.			
37. Ethion	GC				Note 4, p. 27; Note 6, p. S73.
38. Fenuron	TLC				Note 3, p. 104; Note 6, p. S64.
39. Fenuron-TCA	TLC				Note 3, p. 104; Note 6, p. S64.
40. Heptachlor	GC	608	6630 B & C	3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410 B.		
41. Heptachlor epoxide	GC	608	6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 6, p. S73; Note 8.
	GC/MS	625	6410 B.		Note 4, p. 27; Note 6, p. S73.
42. Isodrin	GC				Note 3, p. 104; Note 6, p. S64.
43. Linuron	GC				Note 3, p. 25; Note 4, p. 27; Note 6, p. S51
44. Malathion	TLC				Note 3, p. 94; Note 6, p. S60.
45. Methiocarb	GC		6630 B & C	D3086–90	Note 3, p. 7; Note 4, p. 27; Note 8.
46. Methoxychlor	TLC				Note 3, p. 94; Note 6, p. S60.
47. Mexacarbate	GC		6630 B & C		Note 3, p. 7; Note 4, p. 27 .
48. Mirex	TLC				Note 3, p. 104; Note 6, p. S64.
49. Monuron	TLC				Note 3, p. 104; Note 6, p. S64.
50. Monuron	TLC				Note 3, p. 104; Note 6, p. S64.
51. Nuburon	GC		6630 C		Note 3, p. 25; Note 4, p. 27.
52. Parathion methyl	GC		6630 C		Note 3, p. 25; Note 4, p. 27.
53. Parathion ethyl	GC		6630 B & C		Note 3, p. 7.
54. PCNB	GC			D3086–90	Note 4, p. 27.
55. Perthane	GC				Note 3, p. 83; Note 6, p. S68; Note 9.
56. Prometron	GC				Note 3, p. 83; Note 6, p. S68; Note 9.
57. Prometryn	GC				Note 3, p. 83; Note 6, p. S68; Note 9.
58. Propazine	TLC				Note 3, p. 104; Note 6, p. S64.
59. Propham	TLC				Note 3, p. 94; Note 6, p. S60.
60. Propoxur	TLC				Note 3, p. 83; Note 6, p. S68.
61. Secbumeton	TLC				Note 3, p. 104; Note 6, p. S64.
62. Siduron	GC				Note 3, p. 83; Note 6, p. S68; Note 9.
63. Simazine	GC		6630 B & C		Note 3, p. 7.
64. Strobane	TLC				Note 3, p. 104; Note 6, p. S64.
65. Swep	GC		6640 B		Note 3, p. 115; Note 4, p. 40.
66. 2,4,5-T					

TABLE ID—LIST OF APPROVED TEST PROCEDURES FOR PESTICIDES[1]—Continued

Parameter	Method	EPA[2, 7]	*Standard Methods* 18th, 19th, 20th Ed.	ASTM	Other
67. 2,4,5-TP (Silvex)	GC		6640 B		Note 3, p. 115; Note 4, p. 40.
68. Terbuthylazine	GC				Note 3, p. 83; Note 6, p. S68.
69. Toxaphene	GC	608	6630 B & C	D3086—90	Note 3, p. 7; Note 4, p. 27; Note 8.
	GC/MS	625	6410B.		
70. Trifluralin	GC		6630 B		Note 3, p. 7; Note 9.

Table ID notes:

[1] Pesticides are listed in this table by common name for the convenience of the reader. Additional pesticides may be found under Table 1C, where entries are listed by chemical name.

[2] The full text of Methods 608 and 625 are given at Appendix A. "Test Procedures for Analysis of Organic Pollutants," of this Part 136. The standardized test procedure to be used to determine the method detection limit (MDL) for these test procedures is given at Appendix B, "Definition and Procedure for the Determination of the Method Detection Limit," of this Part 136.

[3] "Methods for Benzidine, Chlorinated Organic Compounds, Pentachlorophenol and Pesticides in Water and Wastewater," U.S. Environmental Protection Agency, September 1978. This EPA publication includes thin-layer chromatography (TLC) methods.

[4] "Methods for Analysis of Organic Substances in Water and Fluvial Sediments," Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 5, Chapter A3 (1987).

[5] The method may be extended to include α-BHC, γ-BHC, endosulfan I, endosulfan II, and endrin. However, when they are known to exist, Method 608 is the preferred method.

[6] "Selected Analytical Methods Approved and Cited by the United States Environmental Protection Agency." Supplement to the Fifteenth Edition of Standard Methods for the Examination of Water and Wastewater (1981).

[7] Each analyst must make an initial, one-time, demonstration of their ability to generate acceptable precision and accuracy with Methods 608 and 625 (See Appendix A of this Part 136) in accordance with procedures given in Section 8.2 of each of these methods. Additionally, each laboratory, on an on-going basis, must spike and analyze 10% of all samples analyzed with Method 608 or 5% of all samples analyzed with Method 625 to monitor and evaluate laboratory data quality in accordance with Sections 8.3 and 8.4 of these methods. When the recovery of any parameter falls outside the warning limits, the analytical results for that parameter in the unspiked sample are suspect and cannot be reported to demonstrate regulatory compliance. These quality control requirements also apply to the Standard Methods, ASTM Methods, and other Methods cited.

Note: These warning limits are promulgated as an "Interim final action with a request for comments."

[8] "Organochlorine Pesticides and PCBs in Wastewater Using Empore™ Disk", 3M Corporation, Revised 10/28/94.

[9] USGS Method 0–3106–93 from "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Triazine and Other Nitrogen-containing Compounds by Gas Chromatography with Nitrogen Phosphorus Detectors" U.S. Geological Survey Open File Report 94–37.

TABLE IE—LIST OF APPROVED RADIOLOGIC TEST PROCEDURES

Parameter and units	Method	Reference (method number or page)			
		EPA[1]	*Standard Methods* 18th, 19th, 20th Ed.	ASTM	USGS[2]
1. Alpha-Total, pCi per liter	Proportional or scintillation counter	900	7110 B	D1943–90	pp. 75 and 78[3]
2. Alpha-Counting error, pCi per liter	Proportional or scintillation counter	Appendix B	7110 B	D1943–90	p. 79
3. Beta-Total, pCi per liter	Proportional counter	900.0	7110 B	D1890–90	pp. 75 and 78[3]
4. Beta-Counting error, pCi	Proportional counter	Appendix B	7110 B	D1890–90	p. 79
5. (a) Radium Total pCi per liter	Proportional counter	903.0	7500Ra B	D2460–90	
(b) Ra, pCi per liter	Scintillation counter	903.1	7500Ra C	D3454–91	p. 81

Table 1E notes:

[1] "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA–600/4–80–032 (1980), U.S. Environmental Protection Agency, August 1980.

[2] Fishman, M.J. and Brown, Eugene, "Selected Methods of the U.S. Geological Survey of Analysis of Wastewaters," U.S. Geological Survey, Open-File Report 76–177 (1976).

[3] The method found on p. 75 measures only the dissolved portion while the method on p. 78 measures only the suspended portion. Therefore, the two results must be added to obtain the "total".

TABLE IF—LIST OF APPROVED METHODS FOR PHARMACEUTICAL POLLUTANTS

Pharmaceuticals pollutants	CAS registry No.	Analytical method number
acetonitrile	75–05–8	1666/1671/D3371/D3695.
n-amyl acetate	628–63–7	1666/D3695.
n-amyl alcohol	71–41–0	1666/D3695
benzene	71–43–2	D4763/D3695/502.2/524.2.
n-butyl-acetate	123–86–4	1666/D3695.
tert-butyl alcohol	75–65–0	1666.
chlorobenzene	108–90–7	502.2/524.2.
chloroform	67–66–3	502.2/524.2/551.
o-dichlorobenzene	95–50–1	1625C/502.2/524.2.
1,2-dichloroethane	107–06–2	D3695/502.2/524.2.
diethylamine	109–89–7	1666/1671.
dimethyl sulfoxide	67–68–5	1666/1671.
ethanol	64–17–5	1666/1671/D3695.
ethyl acetate	141–78–6	1666/D3695.
n-heptane	142–82–5	1666/D3695.
n-hexane	110–54–3	1666/D3695.
isobutyraldehyde	78–84–2	1666/1667.
isopropanol	67–63–0	1666/D3695.
isopropyl acetate	108–21–4	1666/D3695.
isopropyl ether	108–20–3	1666/D3695.
methanol	67–56–1	1666/1671/D3695.
Methyl Cellosolve Δ	109–86–4	1666/1671
methylene chloride	75–09–2	502.2/524.2
methyl formate	107–31–3	1666.
4-methyl-2-pentanone (MIBK)	108–10–1	1624C/1666/D3695/D4763/524.2.
phenol	108–95–2	D4763.
n-propanol	71–23–8	1666/1671/D3695.
2-propanone (acetone)	67–64–1	D3695/D4763/524.2.
tetrahydrofuran	109–99–9	1666/524.2.
toluene	108–88–3	D3695/D4763/502.2/524.2.
triethlyamine	121–44–8	1666/1671.
xylenes	(Note 1)	1624C/1666.

Table 1F note:
1. 1624C: m-xylene 108–38–3, o,p-xylene E–14095 (Not a CAS number; this is the number provided in the Environmental Monitoring Methods Index (EMMI) database.); 1666: m,p-xylene 136777–61–2, o-xylene 95–47–6.

(b) The full texts of the methods from the following references which are cited in Tables IA, IB, IC, ID, IE,and IF are incorporated by reference into this regulation and may be obtained from the sources identified. All costs cited are subject to change and must be verified from the indicated sources. The full texts of all the test procedures cited are available for inspection at the National Exposure Research Laboratory, Office of Research and Development, U.S. Environmental Protection Agency, 26 West Martin Luther King Dr., Cincinnati, OH 45268 and the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html.*

REFERENCES, SOURCES, COSTS, AND TABLE CITATIONS:

(1) The full texts of Methods 601–613, 624, 625, 1613, 1624, and 1625 are printed in appendix A of this part 136. The full text for determining the method detection limit when using the test procedures is given in appendix B of this part 136. The full text of Method 200.7 is printed in appendix C of this part 136. Cited in: Table IB, Note 5; Table IC, Note 2; and Table ID, Note 2.

(2) USEPA. 1978. Microbiological Methods for Monitoring the Environment, Water, and Wastes. Environmental Monitoring and Support Laboratory, U.S. Environmental Protection Agency, Cincinnati, Ohio. EPA/600/8–78/017. Available from: National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, Publ. No. PB–290329/AS. Cost: $36.95. Table IA, Note 3.

(3) "Methods for Chemical Analysis of Water and Wastes," U.S. Environmental Protection Agency, EPA–600/4–

79–020, March 1979, or "Methods for Chemical Analysis of Water and Wastes," U.S. Environmental Protection Agency, EPA–600/4–79–020, Revised March 1983. Available from: ORD Publications, CERI, U.S. Environmental Protection Agency, Cincinnati, Ohio 45268, Table IB, Note 1.

(4) "Methods for Benzidine, Chlorinated Organic Compounds, Pentachlorophenol and Pesticides in Water and Wastewater," U.S. Environmental Protection Agency, 1978. Available from: ORD Publications, CERI, U.S. Environmental Protection Agency, Cincinnati, Ohio 45268, Table IC, Note 3; Table D, Note 3.

(5) "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," U.S. Environmental Protection Agency, EPA–600/4–80–032, 1980. Available from: ORD Publications, CERI, U.S. Environmental Protection Agency, Cincinnati, Ohio 45268, Table IE, Note 1.

(6) American Public Health Association. 1992, 1995, and 1998. Standard Methods for the Examination of Water and Wastewater. 18th, 19th, and 20th Edition (respectively). Available from: Amer. Publ. Hlth. Assoc., 1015 15th Street, NW., Washington, DC 20005. Table IA, Note 4. Tables IB, IC, ID, IE.

(7) Ibid, 15th Edition, 1980. Table IB, Note 30; Table ID.

(8) Ibid, 14th Edition, 1975. Table IB, Notes 17 and 27.

(9) "Selected Analytical Methods Approved and Cited by the United States Environmental Protection Agency," Supplement to the 15th Edition of Standard Methods for the Examination of Water and Wastewater, 1981. Available from: American Public Health Association, 1015 Fifteenth Street NW., Washington, DC 20036. Cost available from publisher. Table IB, Note 10; Table IC, Note 6; Table ID, Note 6.

(10) Annual Book of ASTM Standards, Water, and Environmental Technology, Section 11, Volumes 11.01 and 11.02, 1994, 1996, 1999, and Volume 11.02, 2000 in 40 CFR 136.3, Tables IA, IB, IC, ID, and IE.

(11) USGS. 1989. U.S. Geological Survey Techniques of Water-Resources Investigations, Book 5, Laboratory Analysis, Chapter A4, Methods for Collection and Analysis of Aquatic Biological and Microbiological Samples, U.S. Geological Survey, U.S. Department of the Interior, Reston, Virginia. Available from: USGS Books and Open-File Reports Section, Federal Center, Box 25425, Denver, Colorado 80225. Cost: $18.00. Table IA, Note 5.

(12) "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments," by M.J. Fishman and Linda C. Friedman, Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 5 Chapter A1 (1989). Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Cost: $108.75 (subject to change). Table IB, Note 2.

(13) "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments," N.W. Skougstad and others, editors. Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 5, Chapter A1 (1979). Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Cost: $10.00 (subject to change), Table IB, Note 8.

(14) "Methods for the Determination of Organic Substances in Water and Fluvial Sediments," Wershaw, R.L., et al, Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 5, Chapter A3 (1987). Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Cost: $0.90 (subject to change). Table IB, Note 24; Table ID, Note 4.

(15) "Water Temperature—Influential Factors, Field Measurement and Data Presentation," by H.H. Stevens, Jr., J. Ficke, and G.F. Smoot, Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 1, Chapter D1, 1975. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Cost: $1.60 (subject to change). Table IB, Note 32.

(16) "Selected Methods of the U.S. Geological Survey of Analysis of Wastewaters," by M.J. Fishman and Eugene Brown; U.S. Geological Survey Open File Report 76–77 (1976). Available from: U.S. Geological Survey, Branch of Distribution, 1200 South Eads Street, Arlington, VA 22202. Cost: $13.50 (subject to change). Table IE, Note 2.

(17) "Official Methods of Analysis of the Association of Official Analytical

Chemicals", Methods manual, 15th Edition (1990). Price: $240.00. Available from: The Association of Official Analytical Chemists, 2200 Wilson Boulevard, Suite 400, Arlington, VA 22201. Table IB, Note 3.

(18) "American National Standard on Photographic Processing Effluents," April 2, 1975. Available from: American National Standards Institute, 1430 Broadway, New York, New York 10018. Table IB, Note 9.

(19) "An Investigation of Improved Procedures for Measurement of Mill Effluent and Receiving Water Color," NCASI Technical Bulletin No. 253, December 1971. Available from: National Council of the Paper Industry for Air and Stream Improvements, Inc., 260 Madison Avenue, New York, NY 10016. Cost available from publisher. Table IB, Note 18.

(20) Ammonia, Automated Electrode Method, Industrial Method Number 379–75WE, dated February 19, 1976. Technicon Auto Analyzer II. Method and price available from Technicon Industrial Systems, Tarrytown, New York 10591. Table IB, Note 7.

(21) Chemical Oxygen Demand, Method 8000, Hach Handbook of Water Analysis, 1979. Method price available from Hach Chemical Company, P.O. Box 389, Loveland, Colorado 80537. Table IB, Note 14.

(22) OIC Chemical Oxygen Demand Method, 1978. Method and price available from Oceanography International Corporation, 512 West Loop, P.O. Box 2980, College Station, Texas 77840. Table IB, Note 13.

(23) ORION Research Instruction Manual, Residual Chlorine Electrode Model 97–70, 1977. Method and price available from ORION Research Incorporation, 840 Memorial Drive, Cambridge, Massachusetts 02138. Table IB, Note 16.

(24) Bicinchoninate Method for Copper. Method 8506, Hach Handbook of Water Analysis, 1979, Method and price available from Hach Chemical Company, P.O. Box 300, Loveland, Colorado 80537. Table IB, Note 19.

(25) Hydrogen Ion (pH) Automated Electrode Method, Industrial Method Number 378–75WA. October 1976. Bran & Luebbe (Technicon) Auto Analyzer II. Method and price available from Bran & Luebbe Analyzing Technologies, Inc. Elmsford, N.Y. 10523. Table IB, Note 21.

(26) 1,10-Phenanthroline Method using FerroVer Iron Reagent for Water, Hach Method 8008, 1980. Method and price available from Hach Chemical Company, P.O. Box 389 Loveland, Colorado 80537. Table IB, Note 22.

(27) Periodate Oxidation Method for Manganese, Method 8034, Hach Handbook for Water Analysis, 1979. Method and price available from Hach Chemical Company, P.O. Box 389, Loveland, Colorado 80537. Table IB, Note 23.

(28) Nitrogen, Nitrite—Low Range, Diazotization Method for Water and Wastewater, Hach Method 8507, 1979. Method and price available from Hach Chemical Company, P.O. Box 389, Loveland, Colorado 80537. Table IB, Note 25.

(29) Zincon Method for Zinc, Method 8009. Hach Handbook for Water Analysis, 1979. Method and price available from Hach Chemical Company, P.O. Box 389, Loveland, Colorado 80537. Table IB, Note 33.

(30) "Direct Determination of Elemental Phosphorus by Gas-Liquid Chromatography," by R.F. Addison and R.G. Ackman, Journal of Chromatography, Volume 47, No. 3, pp. 421–426, 1970. Available in most public libraries. Back volumes of the Journal of Chromatography are available from Elsevier/North-Holland, Inc., Journal Information Centre, 52 Vanderbilt Avenue, New York, NY 10164. Cost available from publisher. Table IB, Note 28.

(31) "Direct Current Plasma (DCP) Optical Emission Spectrometric Method for Trace Elemental Analysis of Water and Wastes", Method AES 0029, 1986-Revised 1991, Fison Instruments, Inc., 32 Commerce Center, Cherry Hill Drive, Danvers, MA 01923. Table B, Note 34.

(32) "Closed Vessel Microwave Digestion of Wastewater Samples for Determination of Metals, CEM Corporation, P.O. Box 200, Matthews, North Carolina 28106–0200, April 16, 1992. Available from the CEM Corporation. Table IB, Note 36.

(33) "Organochlorine Pesticides and PCBs in Wastewater Using Empore ™ Disk" Test Method 3M 0222, Revised 10/28/94. 3M Corporation, 3M Center Building 220–9E–10, St. Paul, MN 55144–1000.

Method available from 3M Corporation. Table IC, Note 8 and Table ID, Note 8.

(34) USEPA. October 2002. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. Fifth Edition. U.S. Environmental Protection Agency, Office of Water, Washington, DC EPA 821–R–02–012. Available from: National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, Pub. No. PB2002–108488. Table IA, Note 29.

(35) "Nitrogen, Total Kjeldahl, Method PAI–DK01 (Block Digestion, Steam Distillation, Titrimetric Detection)", revised 12/22/94. Available from Perstorp Analytical Corporation, 9445 SW Ridder Rd., Suite 310, P.O. Box 648, Wilsonville, OK 97070. Table IB, Note 39.

(36) "Nitrogen, Total Kjeldahl, Method PAI–DK02 (Block Digestion, Steam Distillation, Colorimetric Detection)", revised 12/22/94. Available from Perstorp Analytical Corporation, 9445 SW Ridder Rd., Suite 310, P.O. Box 648, Wilsonville, OK 97070. Table IB, Note 40.

(37) "Nitrogen, Total Kjeldahl, Method PAI–DK03 (Block Digestion, Automated FIA Gas Diffusion)", revised 12/22/94. Available from Perstorp Analytical Corporation, 9445 SW Ridder Rd., Suite 310, P.O. Box 648, Wilsonville, OK 97070. Table IB, Note 41.

(38) USEPA. October 2002. Short-Term Methods for Measuring the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. U.S. Environmental Protection Agency, Office of Water, Washington, DC EPA–821–R–02–013. Available from: National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, Pub. No. PB2002–108489. Table IA, Note 30.

(39) USEPA. October 2002. Short-Term Methods for Measuring the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms. Third Edition. U.S. Environmental Protection Agency, Office of Water, Washington, DC EPA–821–R–02–014. Available from: National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, Pub. No. PB2002–108490. Table IA, Note 31.

(40) EPA Methods 1666, 1667, and 1671 listed in the table above are published in the compendium titled Analytical Methods for the Determination of Pollutants in Pharmaceutical Manufacturing Industry Wastewaters (EPA 821–B–98–016). EPA Methods 502.2 and 524.2 have been incorporated by reference into 40 CFR 141.24 and are in Methods for the Determination of Organic Compounds in Drinking Water, EPA–600/4–88–039, December 1988, Revised, July 1991, and Methods for the Determination of Organic Compounds in Drinking Water-Supplement II, EPA–600/R–92–129, August 1992, respectively. These EPA test method compendia are available from the National Technical Information Service, NTIS PB91–231480 and PB92–207703, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll-free number is 800–553–6847. ASTM test methods D3371, D3695, and D4763 are available from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959.

(41) USEPA. 2002. Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry." September 2002. Office of Water, U.S. Environmental Protection Agency (EPA–821–R–02–019). Available from: National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161. Publication No. PB2002–108220. Cost: $25.50 (subject to change).

(42) [Reserved]

(43) Method OIA–1677, Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry. August 1999. ALPKEM, OI Analytical, Box 648, Wilsonville, Oregon 97070 (EPA–821–R–99–013). Available from: National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161. Publication No. PB99–132011. Cost: $22.50. Table IB, Note 44.

(44) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory Determination of Ammonium Plus Organic Nitrogen by a Kjeldahl Digestion Method and an Automated Photometric Finish that Includes Digest Cleanup by Gas Diffusion", Open File Report (OFR) 00–170.

Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table IB, Note 45.

(45) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Chromium in Water by Graphite Furnace Atomic Absorption Spectrophotometry", Open File Report (OFR) 93–449. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table IB, Note 46.

(46) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Molybdenum in Water by Graphite Furnace Atomic Absorption Spectrophotometry", Open File Report (OFR) 97–198. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table IB, Note 47.

(47) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Total Phosphorus by Kjeldahl Digestion Method and an Automated Colorimetric Finish That Includes Dialysis" Open File Report (OFR) 92–146. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table IB, Note 48.

(48) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Arsenic and Selenium in Water and Sediment by Graphite Furnace—Atomic Absorption Spectrometry" Open File Report (OFR) 98–639. Table IB, Note 49.

(49) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Elements in Whole-Water Digests Using Inductively Coupled Plasma-Optical Emission Spectrometry and Inductively Coupled Plasma-Mass Spectrometry" , Open File Report (OFR) 98–165. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table IB, Note 50.

(50) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Triazine and Other Nitrogen-containing Compounds by Gas Chromatography with Nitrogen Phosphorus Detectors" U.S.Geological Survey Open File Report 94–37. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table ID, Note 9.

(51) "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments", Open File Report (OFR) 93–125. Available from: U.S. Geological Survey, Denver Federal Center, Box 25425, Denver, CO 80225. Table IB, Note 51; Table IC, Note 9.

(52) IDEXX Laboratories, Inc. 2002. Description of Colilert®, Colilert-18®", Quanti-Tray®, Quanti-Tray®/2000, Enterolert® methods are available from IDEXX Laboratories, Inc., One Idexx Drive, Westbrook, Maine 04092. Table IA, Notes 17 and 23.

(53) Hach Company, Inc. Revision 2, 1999. Description of m-ColiBlue24® Method, Total Coliforms and *E. coli,* is available from Hach Company, 100 Dayton Ave., Ames, IA 50010. Table IA, Note 18.

(54) USEPA. 2002. Method 1103.1: *Escherichia coli (E. coli)* in Water by Membrane Filtration Using membrane-Thermotolerant *Escherichia coli* Agar (mTEC). U.S. Environmental Protection Agency, Office of Water, Washington D.C. September 2002, EPA–821–R–02–020. Available at NTIS, PB2003–100125. Table IA, Note 20.

(55) USEPA. 2002. Method 1106.1: Enterococci in Water by Membrane Filtration Using membrane-Enterococcus-Esculin Iron Agar (mE-EIA). U.S. Environmental Protection Agency, Office of Water, Washington D.C. September 2002, EPA–821–R–02–021. Available at NTIS, PB2003–100126. Table IA, Note 24.

(56) USEPA. 2002. Method 1603: *Escherichia coli (E. coli)* in Water by Membrane Filtration Using Modified membrane-Thermotolerant *Escherichia coli* Agar (Modified mTEC). U.S. Environmental Protection Agency, Office of Water, Washington, DC September 2002, EPA–821–R–02–023. Available at NTIS, PB2003–100128. Table IA, Note 21.

(57) Brenner *et al.* 1993. New Medium for the Simultaneous Detection of Total Coliforms and *Escherichia coli* in Water. *Appl. Environ. Microbiol.* 59:3534–

3544. Available from the American Society for Microbiology, 1752 N Street NW., Washington, DC 20036. Table IA, Note 22.

(58) USEPA. 2002. Method 1604: Total Coliforms and *Escherichia coli (E. coli)* in Water by Membrane Filtration using a Simultaneous Detection Technique (MI Medium). U.S. Environmental Protection Agency, Office of Water, Washington D.C.. September 2002, EPA 821–R–02–024. Available from NTIS, PB2003–100129. Table IA, Note 22.

(59) USEPA. 2002. Method 1600: Enterococci in Water by Membrane Filtration using membrane-Enterococcus Indoxyl-β-D-Glucoside Agar (mEI). U.S. Environmental Protection Agency, Office of Water, Washington D.C. September 2002, EPA–821–R–02–022. Available from NTIS, PB2003–100127. Table IA, Note 25.

(60) USEPA. 2001. Method 1622: *Cryptosporidium* in Water by Filtration/IMS/FA. U.S. Environmental Protection Agency, Office of Water, Washington, DC April 2001, EPA–821–R–01–026.

Available from NTIS, PB2002–108709. Table IA, Note 26.

(61) USEPA. 2001. Method 1623: *Cryptosporidium* and *Giardia* in Water by Filtration/IMS/FA. U.S. Environmental Protection Agency, Office of Water, Washington, DC April 2001, EPA–821–R–01–025. Available from NTIS, PB2002–108710. Table IA, Note 27.

(62) AOAC. 1995. Official Methods of Analysis of AOAC International, 16th Edition, Volume I, Chapter 17. AOAC International. 481 North Frederick Avenue, Suite 500, Gaithersburg, Maryland 20877–2417. Table IA, Note 11.

(c) Under certain circumstances the Regional Administrator or the Director in the Region or State where the discharge will occur may determine for a particular discharge that additional parameters or pollutants must be reported. Under such circumstances, additional test procedures for analysis of pollutants may be specified by the Regional Administrator, or the Director upon the recommendation of the Director of the Environmental Monitoring Systems Laboratory—Cincinnati.

(d) Under certain circumstances, the Administrator may approve, upon recommendation by the Director, Environmental Monitoring Systems Laboratory—Cincinnati, additional alternate test procedures for nationwide use.

(e) Sample preservation procedures, container materials, and maximum allowable holding times for parameters cited in Tables IA, IB, IC, ID, and IE are prescribed in Table II. Any person may apply for a variance from the prescribed preservation techniques, container materials, and maximum holding times applicable to samples taken from a specific discharge. Applications for variances may be made by letters to the Regional Administrator in the Region in which the discharge will occur. Sufficient data should be provided to assure such variance does not adversely affect the integrity of the sample. Such data will be forwarded, by the Regional Administrator, to the Director of the Environmental Monitoring Systems Laboratory—Cincinnati, Ohio for technical review and recommendations for action on the variance application. Upon receipt of the recommendations from the Director of the Environmental Monitoring Systems Laboratory, the Regional Administrator may grant a variance applicable to the specific charge to the applicant. A decision to approve or deny a variance will be made within 90 days of receipt of the application by the Regional Administrator.

TABLE II—REQUIRED CONTAINERS, PRESERVATION TECHNIQUES, AND HOLDING TIMES

Parameter No./name	Container [1]	Preservation [2, 3]	Maximum holding time [4]
Table IA—Bacteria Tests:			
1–5 Coliform, total, fecal, and *E. coli*	PP, G	Cool, <10 °C, 0.0008% $Na_2S_2O_3$[5].	6 hours.
6 Fecal *streptococci*	PP, G	Cool, <10° 0.0008% $Na_2S_2O_3$[5]	6 hours.
7 *Enterococci*	PP, G	Cool, <10° 0.0008% $Na_2S_2O_3$[5]	6 hours.
Table IA—Protozoa Tests:			
8 *Cryptosporidium*	LDPE	0–8 °C	96 hours. [17]
9 *Giardia*	LDPE	0–8 °C	96 hours. [17]
Table IA—Aquatic Toxicity Tests:			
6–10 Toxicity, acute and chronic	P,G	Cool, 4 °C [16]	36 hours.

TABLE II—REQUIRED CONTAINERS, PRESERVATION TECHNIQUES, AND HOLDING TIMES—Continued

Parameter No./name	Container [1]	Preservation [2, 3]	Maximum holding time [4]
Table IB—Inorganic Tests:			
1. Acidity	P, G	Cool, 4°C	14 days.
2. Alkalinity	P, G	....do	Do.
4. Ammonia	P, G	Cool, 4°C, H_2SO_4 to pH<2	28 days.
9. Biochemical oxygen demand	P, G	Cool, 4°C	48 hours.
10. Boron	P, PFTE, or Quartz.	HNO_3 TO pH<2	6 months.
11. Bromide	P, G	None required	28 days.
14. Biochemical oxygen demand, carbonaceous	P, G	Cool, 4°C	48 hours.
15. Chemical oxygen demand	P, G	Cool, 4°C, H_2SO_4 to pH<2	28 days.
16. Chloride	P, G	None required	Do.
17. Chlorine, total residual	P, G	....do	Analyze immediately.
21. Color	P, G	Cool, 4°C	48 hours.
23–24. Cyanide, total and amenable to chlorination.	P, G	Cool, 4°C, NaOH to pH>12, 0.6g ascorbic acid [5].	14 days.[6]
25. Fluoride	P	None required	28 days.
27. Hardness	P, G	HNO_3 to pH<2, H_2SO_4 to pH<2	6 months.
28. Hydrogen ion (pH)	P, G	None required	Analyze immediately.
31, 43. Kjeldahl and organic nitrogen	P, G	Cool, 4°C, H_2SO_4 to pH<2	28 days.
Metals:[7]			
18. Chromium VI [7]	P, G	Cool, 4 °C	24 hours.
35. Mercury [17]	P, G	HNO_3 to pH<2	28 days.
3, 5–8, 12,13, 19, 20, 22, 26, 29, 30, 32–34, 36, 37, 45, 47, 51, 52, 58–60, 62, 63, 70–72, 74, 75. Metals except boron, chromium VI and mercury [7].	P, G	do	6 months.
38. Nitrate	P, G	Cool, 4°C	48 hours.
39. Nitrate-nitrite	P, G	Cool, 4°C, H_2SO_4 to pH<2	28 days.
40. Nitrite	P, G	Cool, 4°C	48 hours.
41. Oil and grease	G	Cool to 4°C, HCl or H_2SO_4 to pH<2.	28 days.
42. Organic Carbon	P, G	Cool to 4 °C HC1 or H_2SO4 or H_3PO4, to pH<2.	28 days.
44. Orthophosphate	P, G	Filter immediately, Cool, 4°C	48 hours.
46. Oxygen, Dissolved Probe	G Bottle and top.	None required	Analyze immediately.
47. Winkler	....do	Fix on site and store in dark	8 hours.
48. Phenols	G only	Cool, 4°C, H_2SO_4 to pH<2	28 days.
49. Phosphorus (elemental)	G	Cool, 4°C	48 hours.
50. Phosphorus, total	P, G	Cool, 4°C, H_2SO_4 to pH<2	28 days.
53. Residue, total	P, G	Cool, 4°C	7 days.
54. Residue, Filterable	P, G	....do	7 days.
55. Residue, Nonfilterable (TSS)	P, G	....do	7 days.
56. Residue, Settleable	P, G	....do	48 hours.
57. Residue, volatile	P, G	....do	7 days.
61. Silica	P, PFTE, or Quartz.	Cool, 4 °C	28 days.
64. Specific conductance	P, G	....do	Do.
65. Sulfate	P, G	....do	Do.
66. Sulfide	P, G	Cool, 4°C add zinc acetate plus sodium hydroxide to pH>9.	7 days.
67. Sulfite	P, G	None required	Analyze immediately.
68. Surfactants	P ,G	Cool, 4°C	48 hours.
69. Temperature	P, G	None required	Analyze.
73. Turbidity	P, G	Cool, 4°C	48 hours.
Table IC—Organic Tests [8]			
13, 18–20, 22, 24–28, 34–37, 39–43, 45–47, 56, 76, 104, 105, 108–111, 113. Purgeable Halocarbons.	G, Teflon-lined septum.	Cool, 4 °C, 0.008% $Na_2S_2O_3$ [5].	14 days.
6, 57, 106. Purgeable aromatic hydrocarbons	....do	Cool, 4 °C, 0.008% $Na_2S_2O_3$,[5] HCl to pH2[9].	Do.
3, 4. Acrolein and acrylonitrile	....do	Cool, 4 °C, 0.008% $Na_2S_2O_3$,[5] adjust pH to 4–5[10].	Do.
23, 30, 44, 49, 53, 77, 80, 81, 98, 100, 112. Phenols [11].	G, Teflon-lined cap..	Cool, 4 °C, 0.008% $Na_2S_2O_3$ [5]	7 days until extraction; 40 days after extraction.
7, 38. Benzidines [11]	....do	....do	7 days until extraction.[13]
14, 17, 48, 50–52. Phthalate esters [11]	....do	Cool, 4 °C	7 days until extraction; 40 days after extraction.

TABLE II—REQUIRED CONTAINERS, PRESERVATION TECHNIQUES, AND HOLDING TIMES—Continued

Parameter No./name	Container [1]	Preservation [2, 3]	Maximum holding time [4]
82–84. Nitrosamines [11 14]	.....do	Cool, 4 °C, 0.008% $Na_2S_2O_3$,[5] store in dark.	Do.
88–94. PCBs [11]	.....do	Cool, 4 °C	Do.
54, 55, 75, 79. Nitroaromatics and isophorone [11].	.....do	Cool, 4 °C, 0.008% $Na_2S_2O_3$,[5] store in dark.	Do.
1, 2, 5, 8–12, 32, 33, 58, 59, 74, 78, 99, 101. Polynuclear aromatic hydrocarbons [11].	.....do	.....do	Do.
15, 16, 21, 31, 87. Haloethers [11]	.....do	Cool, 4 °C, 0.008% $Na_2S_2O_3$ [5]	Do.
29, 35–37, 63–65, 73, 107. Chlorinated hydrocarbons [11].	.....do	Cool, 4 °C	Do.
60–62, 66–72, 85, 86, 95–97, 102, 103. CDDs/CDFs [11].			
aqueous: field and lab preservation.	G	Cool, 0–4 °C, pH<9, 0.008% $Na_2S_2O_3$ [5].	1 year.
Solids, mixed phase, and tissue: field preservation..	.....do	Cool, <4 °C	7 days.
Solids, mixed phase, and tissue: lab preservation.	.....do	Freeze, < −10 °C	1 year.
Table ID—Pesticides Tests:			
1–70. Pesticides [11]	.....do	Cool, 4°C, pH 5–9 [15]	Do.
Table IE—Radiological Tests:			
1–5. Alpha, beta and radium	P, G	HNO_3 to pH<2	6 months.

Table II Notes

[1] Polyethylene (P) or glass (G). For microbiology, plastic sample containers must be made of sterilizable materials (polypropylene or other autoclavable plastic).

[2] Sample preservation should be performed immediately upon sample collection. For composite chemical samples each aliquot should be preserved at the time of collection. When use of an automated sampler makes it impossible to preserve each aliquot, then chemical samples may be preserved by maintaining at 4°C until compositing and sample splitting is completed.

[3] When any sample is to be shipped by common carrier or sent through the United States Mails, it must comply with the Department of Transportation Hazardous Materials Regulations (49 CFR part 172). The person offering such material for transportation is responsible for ensuring such compliance. For the preservation requirements of Table II, the Office of Hazardous Materials, Materials Transportation Bureau, Department of Transportation has determined that the Hazardous Materials Regulations do not apply to the following materials: Hydrochloric acid (HCl) in water solutions at concentrations of 0.04% by weight or less (pH about 1.96 or greater); Nitric acid (HNO_3) in water solutions at concentrations of 0.15% by weight or less (pH about 1.62 or greater); Sulfuric acid (H_2SO_4) in water solutions at concentrations of 0.35% by weight or less (pH about 1.15 or greater); and Sodium hydroxide (NaOH) in water solutions at concentrations of 0.080% by weight or less (pH about 12.30 or less).

[4] Samples should be analyzed as soon as possible after collection. The times listed are the maximum times that samples may be held before analysis and still be considered valid. Samples may be held for longer periods only if the permittee, or monitoring laboratory, has data on file to show that for the specific types of samples under study, the analytes are stable for the longer time, and has received a variance from the Regional Administrator under § 136.3(e). Some samples may not be stable for the maximum time period given in the table. A permittee, or monitoring laboratory, is obligated to hold the sample for a shorter time if knowledge exists to show that this is necessary to maintain sample stability. See § 136.3(e) for details. The term "analyze immediately" usually means within 15 minutes or less of sample collection.

[5] Should only be used in the presence of residual chlorine.

[6] Maximum holding time is 24 hours when sulfide is present. Optionally all samples may be tested with lead acetate paper before pH adjustments in order to determine if sulfide is present. If sulfide is present, it can be removed by the addition of cadmium nitrate powder until a negative spot test is obtained. The sample is filtered and then NaOH is added to pH 12.

[7] Samples should be filtered immediately on-site before adding preservative for dissolved metals.

[8] Guidance applies to samples to be analyzed by GC, LC, or GC/MS for specific compounds.

[9] Sample receiving no pH adjustment must be analyzed within seven days of sampling.

[10] The pH adjustment is not required if acrolein will not be measured. Samples for acrolein receiving no pH adjustment must be analyzed within 3 days of sampling.

[11] When the extractable analytes of concern fall within a single chemical category, the specified preservative and maximum holding times should be observed for optimum safeguard of sample integrity. When the analytes of concern fall within two or more chemical categories, the sample may be preserved by cooling to 4°C, reducing residual chlorine with 0.008% sodium thiosulfate, storing in the dark, and adjusting the pH to 6–9; samples preserved in this manner may be held for seven days before extraction and for forty days after extraction. Exceptions to this optional preservation and holding time procedure are noted in footnote 5 (re the requirement for thiosulfate reduction of residual chlorine), and footnotes 12, 13 (re the analysis of benzidine).

[12] If 1,2-diphenylhydrazine is likely to be present, adjust the pH of the sample to 4.0±0.2 to prevent rearrangement to benzidine.

[13] Extracts may be stored up to 7 days before analysis if storage is conducted under an inert (oxidant-free) atmosphere.

[14] For the analysis of diphenylnitrosamine, add 0.008% $Na_2S_2O_3$ and adjust pH to 7–10 with NaOH within 24 hours of sampling.

[15] The pH adjustment may be performed upon receipt at the laboratory and may be omitted if the samples are extracted within 72 hours of collection. For the analysis of aldrin, add 0.008% $Na_2S_2O_3$.

[16] Sufficient ice should be placed with the samples in the shipping container to ensure that ice is still present when the samples arrive at the laboratory. However, even if ice is present when the samples arrive, it is necessary to immediately measure the temperature of the samples and confirm that the 4C temperature maximum has not been exceeded. In the isolated cases where it can be documented that this holding temperature can not be met, the permittee can be given the option of on-site testing or can request a variance. The request for a variance should include supportive data which show that the toxicity of the effluent samples is not reduced because of the increased holding temperature.

[17] Samples collected for the determination of trace level mercury (100 ng/L) using EPA Method 1631 must be collected in tightly-capped fluoropolymer or glass bottles and preserved with BrCl or HCl solution within 48 hours of sample collection. The time to preservation may be extended to 28 days if a sample is oxidized in the sample bottle. Samples collected for dissolved trace level mercury should be filtered in the laboratory. However, if circumstances prevent overnight shipment, samples should be filtered in a designated clean area in the field in accordance with procedures given in Method 1669. Samples that have been collected for determination of total or dissolved trace level mercury must be analyzed within 90 days of sample collection.

[38 FR 28758, Oct. 16, 1973, as amended at 41 FR 52781, Dec. 1, 1976; 49 FR 43251, 43258, 43259, Oct. 26, 1984; 50 FR 691, 692, 695, Jan. 4, 1985; 51 FR 23693, June 30, 1986; 52 FR 33543, Sept. 3, 1987; 55 FR 24534, June 15, 1990; 55 FR 33440, Aug. 15, 1990; 56 FR 50759, Oct. 8, 1991; 57 FR 41833, Sept. 11, 1992; 58 FR 4505, Jan. 31, 1994; 60 FR 17160, Apr. 4, 1995; 60 FR 39588, 39590, Aug. 2, 1995; 60 FR 44672, Aug. 28, 1995; 60 FR 53542, 53543, Oct. 16, 1995; 62 FR 48403, 48404, Sept. 15, 1997; 63 FR 50423, Sept. 21, 1998; 64 FR 4978, Feb. 2, 1999; 64 FR 10392, Mar. 4, 1999; 64 FR 26327, May 14, 1999; 64 FR 30433, 30434, June 8, 1999; 64 FR 73423, Dec. 30, 1999; 66 FR 32776, June 18, 2001; 67 FR 65226, Oct. 23, 2002; 67 FR 65886, Oct. 29, 2002; 67 FR 69971, Nov. 19, 2002; 68 FR 43278, July 21, 2003; 68 FR 54934, Sept. 19, 2003; 69 FR 18803, Apr. 9, 2004]

§ 136.4 Application for alternate test procedures.

(a) Any person may apply to the Regional Administrator in the Region where the discharge occurs for approval of an alternative test procedure.

(b) When the discharge for which an alternative test procedure is proposed occurs within a State having a permit program approved pursuant to section 402 of the Act, the applicant shall submit his application to the Regional Administrator through the Director of the State agency having responsibility for issuance of NPDES permits within such State.

(c) Unless and until printed application forms are made available, an application for an alternate test procedure may be made by letter in triplicate. Any application for an alternate test procedure under this paragraph (c) shall:

(1) Provide the name and address of the responsible person or firm making the discharge (if not the applicant) and the applicable ID number of the existing or pending permit, issuing agency, and type of permit for which the alternate test procedure is requested, and the discharge serial number.

(2) Identify the pollutant or parameter for which approval of an alternate testing procedure is being requested.

(3) Provide justification for using testing procedures other than those specified in Table I.

(4) Provide a detailed description of the proposed alternate test procedure, together with references to published studies of the applicability of the alternate test procedure to the effluents in question.

(d) An application for approval of an alternate test procedure for nationwide use may be made by letter in triplicate to the Director, Analytical Methods Staff, Office of Science and Technology (4303), Office of Water, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Any application for an alternate test procedure under this paragraph (d) shall:

(1) Provide the name and address of the responsible person or firm making the application.

(2) Identify the pollutant(s) or parameter(s) for which nationwide approval of an alternate testing procedure is being requested.

(3) Provide a detailed description of the proposed alternate procedure, together with references to published or other studies confirming the general applicability of the alternate test procedure to the pollutant(s) or parameter(s) in waste water discharges from representative and specified industrial or other categories.

(4) Provide comparability data for the performance of the proposed alternate test procedure compared to the performance of the approved test procedures.

[38 FR 28760, Oct. 16, 1973, as amended at 41 FR 52785, Dec. 1, 1976; 62 FR 30763, June 5, 1997]

§ 136.5 Approval of alternate test procedures.

(a) The Regional Administrator of the region in which the discharge will occur has final responsibility for approval of any alternate test procedure proposed by the responsible person or firm making the discharge.

(b) Within thirty days of receipt of an application, the Director will forward such application proposed by the responsible person or firm making the discharge, together with his recommendations, to the Regional Administrator. Where the Director recommends rejection of the application for scientific and technical reasons which he provides, the Regional Administrator shall deny the application,

and shall forward a copy of the rejected application and his decision to the Director of the State Permit Program and to the Director of the Analytical Methods Staff, Washington, DC.

(c) Before approving any application for an alternate test procedure proposed by the responsible person or firm making the discharge, the Regional Administrator shall forward a copy of the application to the Director of the Analytical Methods Staff, Washington, DC.

(d) Within ninety days of receipt by the Regional Administrator of an application for an alternate test procedure, proposed by the responsible person or firm making the discharge, the Regional Administrator shall notify the applicant and the appropriate State agency of approval or rejection, or shall specify the additional information which is required to determine whether to approve the proposed test procedure. Prior to the expiration of such ninety day period, a recommendation providing the scientific and other technical basis for acceptance or rejection will be forwarded to the Regional Administrator by the Director of the Analytical Methods Staff, Washington, DC. A copy of all approval and rejection notifications will be forwarded to the Director, Analytical Methods Staff, Washington, DC, for the purposes of national coordination.

(e) *Approval for nationwide use.* (1) Within sixty days of the receipt by the Director of the Analytical Methods Staff, Washington, DC, of an application for an alternate test procedure for nationwide use, the Director of the Analytical Methods Staff shall notify the applicant in writing whether the application is complete. If the application is incomplete, the applicant shall be informed of the information necessary to make the application complete.

(2) Within ninety days of the receipt of a complete package, the Analytical Methods Staff shall perform any analysis necessary to determine whether the alternate method satisfies the applicable requirements of this part, and the Director of the Analytical Methods Staff shall recommend to the Administrator that he/she approve or reject the application and shall also notify the applicant of such recommendation.

(3) As expeditiously as practicable, an alternate method determined by the Administrator to satisfy the applicable requirements of this part shall be proposed by EPA for incorporation in subsection 136.3 of 40 CFR part 136. EPA shall make available for review all the factual bases for its proposal, including any performance data submitted by the applicant and any available EPA analysis of those data.

(4) Following a period of public comment, EPA shall, as expeditiously as practicable, publish in the FEDERAL REGISTER a final decision to approve or reject the alternate method.

[38 FR 28760, Oct. 16, 1973, as amended at 41 FR 52785, Dec. 1, 1976; 55 FR 33440, Aug. 15, 1990; 62 FR 30763, June 5, 1997]

APPENDIX A TO PART 136—METHODS FOR ORGANIC CHEMICAL ANALYSIS OF MUNICIPAL AND INDUSTRIAL WASTEWATER

METHOD 601—PURGEABLE HALOCARBONS

1. Scope and Application

1.1 This method covers the determination of 29 purgeable halocarbons.

The following parameters may be determined by this method:

Parameter	STORET No.	CAS No.
Bromodichloromethane	32101	75–27–4
Bromoform	32104	75–25–2
Bromomethane	34413	74–83–9
Carbon tetrachloride	32102	56–23–5
Chlorobenzene	34301	108–90–7
Chloroethane	34311	75–00–3
2-Chloroethylvinyl ether	34576	100–75–8
Chloroform	32106	67–66–3
Chloromethane	34418	74–87–3
Dibromochloromethane	32105	124–48–1
1,2-Dichlorobenzene	34536	95–50–1
1,3-Dichlorobenzene	34566	541–73–1
1,4-Dichlorobenzene	34571	106–46–7
Dichlorodifluoromethane	34668	75–71–8
1,1-Dichloroethane	34496	75–34–3
1,2-Dichloroethane	34531	107–06–2
1,1-Dichloroethene	34501	75–35–4
trans-1,2-Dichloroethene	34546	156–60–5
1,2-Dichloropropane	34541	78–87–5
cis-1,3-Dichloropropene	34704	10061–01–5
trans-1,3-Dichloropropene	34699	10061–02–6
Methylene chloride	34423	75–09–2
1,1,2,2-Tetrachloroethane	34516	79–34–5
Tetrachloroethene	34475	127–18–4
1,1,1-Trichloroethane	34506	71–55–6
1,1,2-Trichloroethane	34511	79–00–5
Tetrachloroethene	39180	79–01–6
Trichlorofluoromethane	34488	75–69–4
Vinyl chloride	39715	75–01–4

1.2 This is a purge and trap gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 624 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for most of the parameters listed above.

1.3 The method detection limit (MDL, defined in Section 12.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.5 This method is restricted to use by or under the supervision of analysts experienced in the operation of a purge and trap system and a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 An inert gas is bubbled through a 5-mL water sample contained in a specially-designed purging chamber at ambient temperature. The halocarbons are efficiently transferred from the aqueous phase to the vapor phase. The vapor is swept through a sorbent trap where the halocarbons are trapped. After purging is completed, the trap is heated and backflushed with the inert gas to desorb the halocarbons onto a gas chromatographic column. The gas chromatograph is temperature programmed to separate the halocarbons which are then detected with a halide-specific detector.[2,3]

2.2 The method provides an optional gas chromatographic column that may be helpful in resolving the compounds of interest from interferences that may occur.

3. Interferences

3.1 Impurities in the purge gas and organic compounds outgassing from the plumbing ahead of the trap account for the majority of contamination problems. The analytical system must be demonstrated to be free from contamination under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3. The use of non-Teflon plastic tubing, non-Teflon thread sealants, or flow controllers with rubber components in the purge and trap system should be avoided.

3.2 Samples can be contaminated by diffusion of volatile organics (particularly fluorocarbons and methylene chloride) through the septum seal ilto the sample during shipment and storage. A field reagent blank prepared from reagent water and carried through the sampling and handling protocol can serve as a check on such contamination.

3.3 Contamination by carry-over can occur whenever high level and low level samples are sequentially analyzed. To reduce carry-over, the purging device and sample syringe must be rinsed with reagent water between sample analyses. Whenever an unusually concentrated sample is encountered, it should be followed by an analysis of reagent water to check for cross contamination. For samples containing large amounts of water-soluble materials, suspended solids, high boiling compounds or high organohalide levels, it may be necessary to wash out the purging device with a detergent solution, rinse it with distilled water, and then dry it in a 105°C oven between analyses. The trap and other parts of the system are also subject to contamination; therefore, frequent bakeout and purging of the entire system may be required.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4–6] for the information of the analyst.

4.2 The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: carbon tetrachloride, chloroform, 1,4-dichlorobenzene, and vinyl chloride. Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete sampling.

5.1.1 Vial—25-mL capacity or larger, equipped with a screw cap with a hole in the center (Pierce #13075 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C before use.

5.1.2 Septum—Teflon-faced silicone (Pierce #12722 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C for 1 h before use.

5.2 Purge and trap system—The purge and trap system consists of three separate pieces of equipment: a purging device, trap, and desorber. Several complete systems are now commercially available.

5.2.1 The purging device must be designed to accept 5-mL samples with a water column at least 3 cm deep. The gaseous head space between the water column and the trap must have a total volume of less than 15 mL. The purge gas must pass through the water column as finely divided bubbles with a diameter of less than 3 mm at the origin. The purge gas must be introduced no more than 5 mm from the base of the water column. The purging device illustrated in Figure 1 meets these design criteria.

5.2.2 The trap must be at least 25 cm long and have an inside diameter of at least 0.105 in. The trap must be packed to contain the following minimum lengths of adsorbents: 1.0 cm of methyl silicone coated packing (Section 6.3.3), 7.7 cm of 2,6-diphenylene oxide polymer (Section 6.3.2), 7.7 cm of silica gel (Section 6.3.4), 7.7 cm of coconut charcoal (Section 6.3.1). If it is not necessary to analyze for dichlorodifluoromethane, the charcoal can be eliminated, and the polymer section lengthened to 15 cm. The minimum specifications for the trap are illustrated in Figure 2.

5.2.3 The desorber must be capable of rapidly heating the trap to 180 °C. The polymer section of the trap should not be heated higher than 180 °C and the remaining sections should not exceed 200 °C. The desorber illustrated in Figure 2 meets these design criteria.

5.2.4 The purge and trap system may be assembled as a separate unit or be coupled to a gas chromatograph as illustrated in Figures 3 and 4.

5.3 Gas chromatograph—An analytical system complete with a temperature programmable gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.3.1 Column 1—8 ft long × 0.1 in. ID stainless steel or glass, packed with 1% SP–1000 on Carbopack B (60/80 mesh) or equivalent. This column was used to develop the method performance statements in Section 12. Guidelines for the use of alternate column packings are provided in Section 10.1.

5.3.2 Column 2—6 ft long × 0.1 in. ID stainless steel or glass, packed with chemically bonded n-octane on Porasil-C (100/120 mesh) or equivalent.

5.3.3 Detector—Electrolytic conductivity or microcoulometric detector. These types of detectors have proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1). The electrolytic conductivity detector was used to develop the method performance statements in Section 12. Guidelines for the use of alternate detectors are provided in Section 10.1.

5.4 Syringes—5-mL glass hypodermic with Luerlok tip (two each), if applicable to the purging device.

5.5 Micro syringes—25-μL, 0.006 in. ID needle.

5.6 Syringe valve—2-way, with Luer ends (three each).

5.7 Syringe—5-mL, gas-tight with shut-off valve.

5.8 Bottle—15-mL, screw-cap, with Teflon cap liner.

5.9 Balance—Analytical, capable of accurately weighing 0.0001 g.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.1.1 Reagent water can be generated by passing tap water through a carbon filter bed containing about 1 lb of activated carbon (Filtrasorb-300, Calgon Corp., or equivalent).

6.1.2 A water purification system (Millipore Super-Q or equivalent) may be used to generate reagent water.

6.1.3 Reagent water may also be prepared by boiling water for 15 min. Subsequently, while maintaining the temperature at 90 °C, bubble a contaminant-free inert gas through the water for 1 h. While still hot, transfer the water to a narrow mouth screw-cap bottle and seal with a Teflon-lined septum and cap.

6.2 Sodium thiosulfate—(ACS) Granular.

6.3 Trap Materials:

6.3.1 Coconut charcoal—6/10 mesh sieved to 26 mesh, Barnabey Cheney, CA–580–26 lot # M–2649 or equivalent.

6.3.2 2,6-Diphenylene oxide polymer—Tenax, (60/80 mesh), chromatographic grade or equivalent.

6.3.3 Methyl silicone packing—3% OV–1 on Chromosorb-W (60/80 mesh) or equivalent.

6.3.4 Silica gel—35/60 mesh, Davison, grade-15 or equivalent.

6.4 Methanol—Pesticide quality or equivalent.

6.5 Stock standard solutions—Stock standard solutions may be prepared from

pure standard materials or purchased as certified solutions. Prepare stock standard solutions in methanol using assayed liquids or gases as appropriate. Because of the toxicity of some of the organohalides, primary dilutions of these materials should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be used when the analyst handles high concentrations of such materials.

6.5.1 Place about 9.8 mL of methanol into a 10-mL ground glass stoppered volumetric flask. Allow the flask to stand, unstoppered, for about 10 min or until all alcohol wetted surfaces have dried. Weigh the flask to the learest 0.1 mg.

6.5.2 Add the assayed reference material:

6.5.2.1 Liquid—Using a 100 µL syringe, immediately add two or more drops of assayed reference material to the flask, then reweigh. Be sure that the drops fall directly into the alcohol without contacting the neck of the flask.

6.5.2.2 Gases—To prepare standards for any of the six halocarbons that boil below 30 °C (bromomethane, chloroethane, chloromethane, dichlorodifluoromethane, trichlorofluoromethane, vinyl chloride), fill a 5-mL valved gas-tight syringe with the reference standard to the 5.0-mL mark. Lower the needle to 5 mm above the methanol meniscus. Slowly introduce the reference standard above the surface of the liquid (the heavy gas will rapidly dissolve into the methanol).

6.5.3 Reweigh, dilute to volume, stopper, then mix by inverting the flask several times. Calculate the concentration in µg/µL from the net gain in weight. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the malufacturer or by an independent source.

6.5.4 Transfer the stock standard solution into a Teflon-sealed screw-cap bottle. Store, with minimal headspace, at −10 to −20 °C and protect from light.

6.5.5 Prepare fresh standards weekly for the six gases and 2-chloroethylvinyl ether. All other standards must be replaced after one month, or sooner if comparison with check standards indicates a problem.

6.6 Secondary dilution standards—Using stock standard solutions, prepare secondary dilution standards in methanol that contain the compounds of interest, either singly or mixed together. The secondary dilution standards should be prepared at concentrations such that the aqueous calibration standards prepared in Section 7.3.1 or 7.4.1 will bracket the working range of the analytical system. Secondary dilution standards should be stored with minimal headspace and should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Assemble a purge and trap system that meets the specifications in Section 5.2. Condition the trap overnight at 180 °C by backflushing with an inert gas flow of at least 20 mL/min. Condition the trap for 10 min once daily prior to use.

7.2 Connect the purge and trap system to a gas chromatograph. The gas chromatograph must be operated using temperature and flow rate conditions equivalent to those given in Table 1. Calibrate the purge and trap-gas chromatographic system using either the external standard technique (Section 7.3) or the internal standard technique (Section 7.4).

7.3 External standard calibration procedure:

7.3.1 Prepare calibration standards at a miminum of three concentration levels for each parameter by carefully adding 20.0 µL of one or more secondary dilution standards to 100, 500, or 1000 µL of reagent water. A 25-µL syringe with a 0.006 in. ID needle should be used for this operation. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector. These aqueous standards can be stored up to 24 h, if held in sealed vials with zero headspace as described in Section 9.2. If not so stored, they must be discarded after 1 h.

7.3.2 Analyze each calibration standard according to Section 10, and tabulate peak height or area responses versus the concentration in the standard. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to concentration (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.4 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples. The compounds recommended for use as surrogate spikes in Section 8.7 have been used successfully as internal standards, because of their generally unique retention times.

7.4.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest as described in Section 7.3.1.

7.4.2 Prepare a spiking solution containing each of the internal standards using the procedures described in Sections 6.5 and 6.6. It is recommended that the secondary dilution standard be prepared at a concentration of 15 µg/mL of each internal standard compound. The addition of 10 µL of this standard to 5.0 mL of sample or calibration standard would be equivalent to 30 µg/L.

7.4.3 Analyze each calibration standard according to Section 10, adding 10 µL of internal standard spiking solution directly to the syringe (Section 10.4). Tabulate peak height or area responses against concentration for each compound and internal standard, and calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard.

C_s=Concentration of the parameter to be measured.

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.5 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of a QC check sample.

7.5.1 Prepare the QC check sample as described in Section 8.2.2.

7.5.2 Analyze the QC check sample according to Section 10.

7.5.3 For each parameter, compare the response (Q) with the corresponding calibration acceptance criteria found in Table 2. If the responses for all parameters of interest fall within the designated ranges, analysis of actual samples can begin. If any individual Q falls outside the range, proceed according to Section 7.5.4.

NOTE: The large number of parameters in Table 2 present a substantial probability that one or more will not meet the calibration acceptance criteria when all parameters are analyzed.

7.5.4 Repeat the test only for those parameters that failed to meet the calibration acceptance criteria. If the response for a parameter does not fall within the range in this second test, a new calibration curve, calibration factor, or RF must be prepared for that parameter according to Section 7.3 or 7.4.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Section 10.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Each day, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system are under control.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 10 µg/mL in methanol. The QC check sample concentrate must be obtained from the U.S.

Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Prepare a QC check sample to contain 20 µg/L of each parameter by adding 200 µL of QC check sample concentrate to 100 mL of reagent water.

8.2.3 Analyze four 5-mL aliquots of the well-mixed QC check sample according to Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter of interest using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, then the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 2 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.3.

8.2.6.2 Beginning with Section 8.2.3, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.3.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 20 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.2 Analyze one 5-mL sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second 5-mL sample aliquot with 10 µL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than 20 µg/L, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory. If the entire list of parameters in Table 2 must be measured in the sample in Section 8.3, the probability that the analysis of a QC check standard will be required is high. In this case the QC check standard should be routinely analyzed with the spiked sample.

8.4.1 Prepare the QC check standard by adding 10 µL of QC check sample concentrate

(Section 8.2.1 or 8.3.2) to 5 mL of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{p}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

8.7 The analyst should monitor both the performance of the analytical system and the effectiveness of the method in dealing with each sample matrix by spiking each sample, standard, and reagent water blank with surrogate halocarbons. A combination of bromochloromethane, 2-bromo-1-chloropropane, and 1,4-dichlorobutane is recommended to encompass the range of the temperature program used in this method. From stock standard solutions prepared as in Section 6.5, add a volume to give 750 μg of each surrogate to 45 mL of reagent water contained in a 50-mL volumetric flask, mix and dilute to volume for a concentration of 15 ng/μL. Add 10 μL of this surrogate spiking solution directly into the 5-mL syringe with every sample and reference standard analyzed. Prepare a fresh surrogate spiking solution on a weekly basis. If the internal standard calibration procedure is being used, the surrogate compounds may be added directly to the internal standard spiking solution (Section 7.4.2).

9. Sample Collection, Preservation, and Handling

9.1 All samples must be iced or refrigerated from the time of collection until analysis. If the sample contains free or combined chlorine, add sodium thiosulfate preservative (10 mg/40 mL is sufficient for up to 5 ppm Cl_2) to the empty sample bottle just prior to shipping to the sampling site. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[8] Field test kits are available for this purpose.

9.2 Grab samples must be collected in glass containers having a total volume of at least 25 mL. Fill the sample bottle just to overflowing in such a manner that no air bubbles pass through the sample as the bottle is being filled. Seal the bottle so that no air bubbles are entrapped in it. If preservative has been added, shake vigorously for 1 min. Maintain the hermetic seal on the sample bottle until time of analysis.

9.3 All samples must be analyzed within 14 days of collection.[3]

10. Procedure

10.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are estimated retention times and MDL that can be achieved under these conditions. An example of the separations achieved by Column 1 is shown in Figure 5. Other packed columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

10.2 Calibrate the system daily as described in Section 7.

10.3 Adjust the purge gas (nitrogen or helium) flow rate to 40 mL/min. Attach the trap inlet to the purging device, and set the purge and trap system to purge (Figure 3). Open the syringe valve located on the purging device sample introduction needle.

10.4 Allow the sample to come to ambient temperature prior to introducing it to the syringe. Remove the plunger from a 5-mL syringe and attach a closed syringe valve. Open the sample bottle (or standard) and carefully pour the sample into the syringe barrel to just short of overflowing. Replace the syringe plunger and compress the sample. Open the syringe valve and vent any residual air while adjusting the sample volume to 5.0 mL. Since this process of taking an aliquot destroys the validity of the sample for future

analysis, the analyst should fill a second syringe at this time to protect against possible loss of data. Add 10.0 μL of the surrogate spiking solution (Section 8.7) and 10.0 μL of the internal standard spiking solution (Section 7.4.2), if applicable, through the valve bore, then close the valve.

10.5 Attach the syringe-syringe valve assembly to the syringe valve on the purging device. Open the syringe valves and inject the sample into the purging chamber.

10.6 Close both valves and purge the sample for 11.0±0.1 min at ambient temperature.

10.7 After the 11-min purge time, attach the trap to the chromatograph, adjust the purge and trap system to the desorb mode (Figure 4), and begin to temperature program the gas chromatograph. Introduce the trapped materials to the GC column by rapidly heating the trap to 180 °C while backflushing the trap with an inert gas between 20 and 60 mL/min for 4 min. If rapid heating of the trap cannot be achieved, the GC column must be used as a secondary trap by cooling it to 30 °C (subambient temperature, if poor peak geometry or random retention time problems persist) instead of the initial program temperature of 45 °C

10.8 While the trap is being desorbed into the gas chromatograph, empty the purging chamber using the sample introduction syringe. Wash the chamber with two 5-mL flushes of reagent water.

10.9 After desorbing the sample for 4 min, recondition the trap by returning the purge and trap system to the purge mode. Wait 15 s then close the syringe valve on the purging device to begin gas flow through the trap. The trap temperature should be maintained at 180 °C After approximately 7 min, turn off the trap heater and open the syringe valve to stop the gas flow through the trap. When the trap is cool, the next sample can be analyzed.

10.10 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

10.11 If the response for a peak exceeds the working range of the system, prepare a dilution of the sample with reagent water from the aliquot in the second syringe and reanalyze.

11. Calculations

11.1 Determine the concentration of individual compounds in the sample.

11.1.1 If the external standard calibration procedure is used, calculate the concentration of the parameter being measured from the peak response using the calibration curve or calibration factor determined in Section 7.3.2.

11.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.4.3 and Equation 2.

Equation 2

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(C_{is})}{(A_{is})(RF)}$$

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard.

11.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

12. Method Performance

12.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentration listed in Table 1 were obtained using reagent water.[11]. Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

12.2 This method is recommended for use in the concentration range from the MDL to 1000×MDL. Direct aqueous injection techniques should be used to measure concentration levels above 1000×MDL.

12.3 This method was tested by 20 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 8.0 to 500 μg/L.[9] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
Chloromethane	1.50	5.28	0.08
Bromomethane	2.17	7.05	1.18
Dichlorodifluoromethane	2.62	nd	1.81
Vinyl chloride	2.67	5.28	0.18
Chloroethane	3.33	8.68	0.52
Methylene chloride	5.25	10.1	0.25
Trichlorofluoromethane	7.18	nd	nd
1,1-Dichloroethene	7.93	7.72	0.13
1,1-Dichloroethane	9.30	12.6	0.07
trans-1,2-Dichloroethene	10.1	9.38	0.10
Chloroform	10.7	12.1	0.05
1,2-Dichloroethane	11.4	15.4	0.03
1,1,1-Trichloroethane	12.6	13.1	0.03
Carbon tetrachloride	13.0	14.4	0.12
Bromodichloromethane	13.7	14.6	0.10
1,2-Dichloropropane	14.9	16.6	0.04
cis-1,3-Dichloropropene	15.2	16.6	0.34
Trichloroethene	15.8	13.1	0.12
Dibromochloromethane	16.5	16.6	0.09
1,1,2-Trichloroethane	16.5	18.1	0.02
trans-1,3-Dichloropropene	16.5	18.0	0.20
2-Chloroethylvinyl ether	18.0	nd	0.13
Bromoform	19.2	19.2	0.20
1,1,2,2-Tetrachloroethane	21.6	nd	0.03
Tetrachloroethene	21.7	15.0	0.03
Chlorobenzene	24.2	18.8	0.25
1,3-Dichlorobenzene	34.0	22.4	0.32
1,2-Dichlorobenzene	34.9	23.5	0.15
1,4-Dichlorobenzene	35.4	22.3	0.24

Column 1 conditions: Carbopack B (60/80 mesh) coated with 1% SP–1000 packed in an 8 ft × 0.1 in. ID stainless steel or glass column with helium carrier gas at 40 mL/min flow rate. Column temperature held at 45 °C for 3 min then programmed at 8 °C/min to 220 °C and held for 15 min.

Column 2 conditions: Porisil-C (100/120 mesh) coated with n-octane packed in a 6 ft × 0.1 in. ID stainless steel or glass column with helium carrier gas at 40 mL/min flow rate. Column temperature held at 50 °C for 3 min then programmed at 6 °C/min to 170 °C and held for 4 min.

nd=not determined.

TABLE 2—CALIBRATION AND QC ACCEPTANCE CRITERIA—METHOD 601 [a]

Parameter	Range for Q (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range P, P_s (%)
Bromodichloromethane	15.2–24.8	4.3	10.7–32.0	42–172
Bromoform	14.7–25.3	4.7	5.0–29.3	13–159
Bromomethane	11.7–28.3	7.6	3.4–24.5	D–144
Carbon tetrachloride	13.7–26.3	5.6	11.8–25.3	43–143
Chlorobenzene	14.4–25.6	5.0	10.2–27.4	38–150
Chloroethane	15.4–24.6	4.4	11.3–25.2	46–137
2-Chloroethylvinyl ether	12.0–28.0	8.3	4.5–35.5	14–186
Chloroform	15.0–25.0	4.5	12.4–24.0	49–133
Chloromethane	11.9–28.1	7.4	D–34.9	D–193
Dibromochloromethane	13.1–26.9	6.3	7.9–35.1	24–191
1,2-Dichlorobenzene	14.0–26.0	5.5	1.7–38.9	D–208
1,3-Dichlorobenzene	9.9–30.1	9.1	6.2–32.6	7–187
1,4-Dichlorobenzene	13.9–26.1	5.5	11.5–25.5	42–143
1,1-Dichloroethane	16.8–23.2	3.2	11.2–24.6	47–132
1,2-Dichloroethane	14.3–25.7	5.2	13.0–26.5	51–147
1,1-Dichloroethene	12.6–27.4	6.6	10.2–27.3	28–167
trans-1,2-Dichloroethene	12.8–27.2	6.4	11.4–27.1	38–155
1,2-Dichloropropane	14.8–25.2	5.2	10.1–29.9	44–156
cis-1,3-Dichloropropene	12.8–27.2	7.3	6.2–33.8	22–178
trans-1,3-Dichloropropene	12.8–27.2	7.3	6.2–33.8	22–178
Methylene chloride	15.5–24.5	4.0	7.0–27.6	25–162
1,1,2,2-Tetrachloroethane	9.8–30.2	9.2	6.6–31.8	8–184
Tetrachloroethene	14.0–26.0	5.4	8.1–29.6	26–162
1,1,1-Trichloroethane	14.2–25.8	4.9	10.8–24.8	41–138
1,1,2-Trichloroethane	15.7–24.3	3.9	9.6–25.4	39–136
Trichloroethene	15.4–24.6	4.2	9.2–26.6	35–146
Trichlorofluoromethane	13.3–26.7	6.0	7.4–28.1	21–156
Vinyl chloride	13.7–26.3	5.7	8.2–29.9	28–163

[a] Criteria were calculated assuming a QC check sample concentration of 20 μg/L.
Q=Concentration measured in QC check sample, in μg/L (Section 7.5.3).
s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
X=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 601

Parameter	Accuracy, as recovery, $\bar{X}'$ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S' (μg/L)
Bromodichloromethane	$1.12C - 1.02$	$0.11\bar{X}+0.04$	$0.20\bar{X}+1.00$
Bromoform	$0.96C - 2.05$	$0.12\bar{X}+0.58$	$0.21\bar{X}+2.41$
Bromomethane	$0.76C - 1.27$	$0.28\bar{X}+0.27$	$0.36\bar{X}+0.94$
Carbon tetrachloride	$0.98C - 1.04$	$0.15\bar{X}+0.38$	$0.20\bar{X}+0.39$
Chlorobenzene	$1.00C - 1.23$	$0.15\bar{X} - 0.02$	$0.18\bar{X}+1.21$
Choroethane	$0.99C - 1.53$	$0.14\bar{X} - 0.13$	$0.17\bar{X}+0.63$
2-Chloroethylvinyl ether [a]	1.00C	$0.20\bar{X}$	$0.35\bar{X}$
Chloroform	$0.93C - 0.39$	$0.13\bar{X}+0.15$	$0.19\bar{X} - 0.02$
Chloromethane	$0.77C+0.18$	$0.28\bar{X} - 0.31$	$0.52\bar{X}+1.31$
Dibromochloromethane	$0.94C+2.72$	$0.11\bar{X}+1.10$	$0.24\bar{X}+1.68$
1,2-Dichlorobenzene	$0.93C+1.70$	$0.20\bar{X}+0.97$	$0.13\bar{X}+6.13$
1,3-Dichlorobenzene	$0.95C+0.43$	$0.14\bar{X}+2.33$	$0.26\bar{X}+2.34$
1,4-Dichlorobenzene	$0.93C - 0.09$	$0.15\bar{X}+0.29$	$0.20\bar{X}+0.41$
1,1-Dichloroethane	$0.95C - 1.08$	$0.09\bar{X}+0.17$	$0.14\bar{X}+0.94$
1,2-Dichloroethane	$1.04C - 1.06$	$0.11\bar{X}+0.70$	$0.15\bar{X}+0.94$
1,1-Dichloroethene	$0.98C - 0.87$	$0.21\bar{X} - 0.23$	$0.29\bar{X} - 0.40$
trans-1,2-Dichloroethene	$0.97C - 0.16$	$0.11\bar{X}+1.46$	$0.17\bar{X}+1.46$
1,2-Dichloropropane [a]	1.00C	$0.13\bar{X}$	$0.23\bar{X}$
cis-1,3-Dichloropropene [a]	1.00C	$0.18\bar{X}$	$0.32\bar{X}$
trans-1,3-Dichloropropene [a]	1.00C	$0.18\bar{X}$	$0.32\bar{X}$
Methylene chloride	$0.91C - 0.93$	$0.11\bar{X}+0.33$	$0.21\bar{X}+1.43$
1,1,2,2-Tetrachloroethene	$0.95C+0.19$	$0.14\bar{X}+2.41$	$0.23\bar{X}+2.79$
Tetrachloroethene	$0.94C+0.06$	$0.14\bar{X}+0.38$	$0.18\bar{X}+2.21$
1,1,1-Trichloroethane	$0.90C - 0.16$	$0.15\bar{X}+0.04$	$0.20\bar{X}+0.37$
1,1,2-Trichloroethane	$0.86C+0.30$	$0.13\bar{X} - 0.14$	$0.19\bar{X}+0.67$
Trichloroethene	$0.87C+0.48$	$0.13\bar{X} - 0.03$	$0.23\bar{X}+0.30$
Trichlorofluoromethane	$0.89C - 0.07$	$0.15\bar{X}+0.67$	$0.26\bar{X}+0.91$
Vinyl chloride	$0.97C - 0.36$	$0.13\bar{X}+0.65$	$0.27\bar{X}+0.40$

$\bar{X}'$=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.

s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in µg/L.
S^1=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in µg/L.
C=True value for the concentration, in µg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in µg/L.
[a] Estimates based upon the performance in a single laboratory.[10]

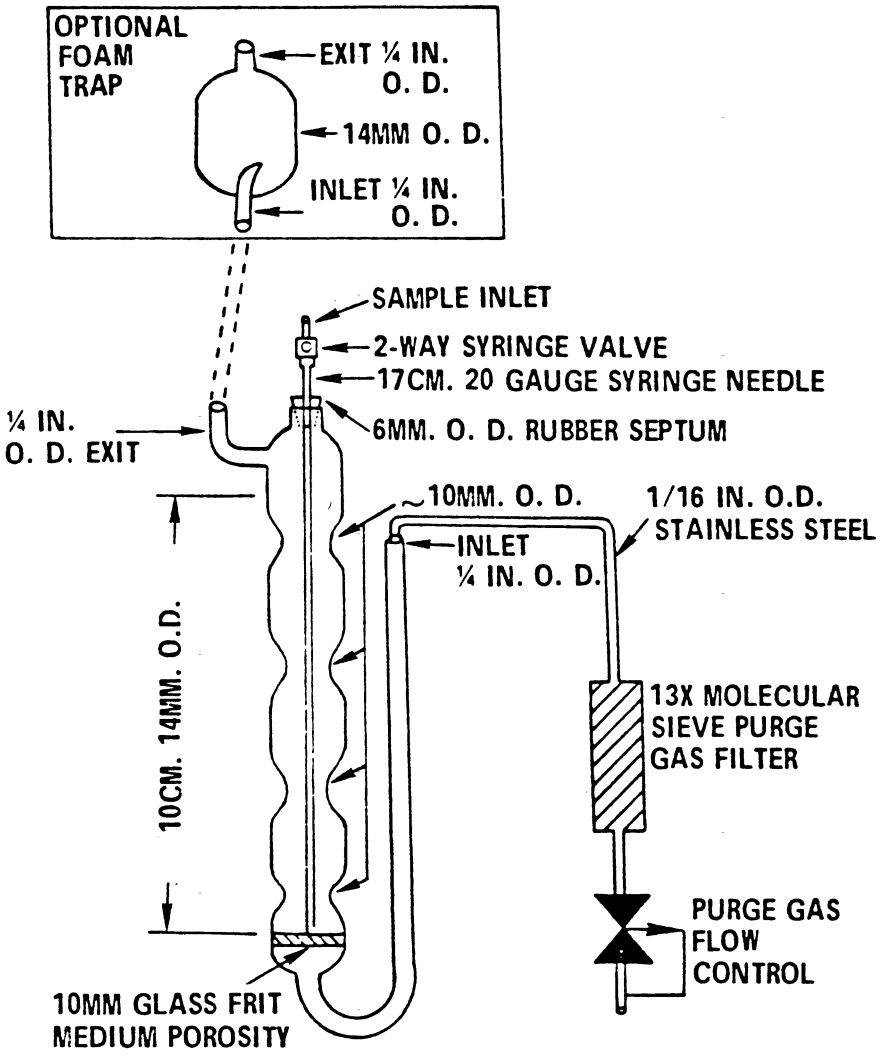

Figure 1. Purging device.

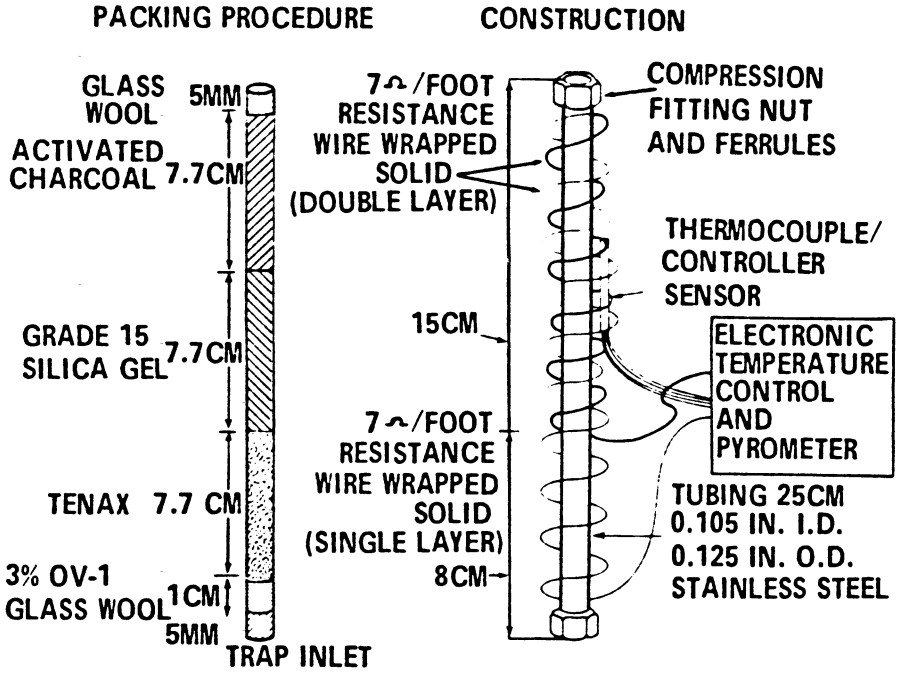

Figure 2. Trap packings and construction to include desorb capability

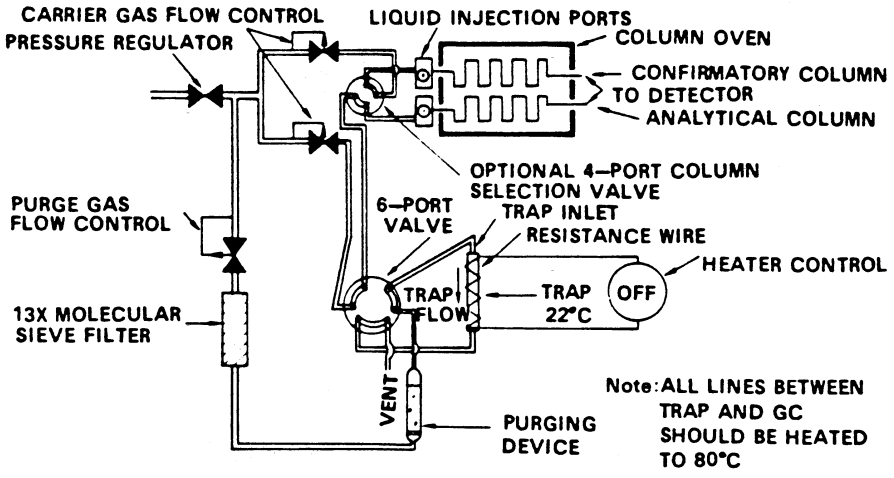

Figure 3. Purge and trap system-purge mode.

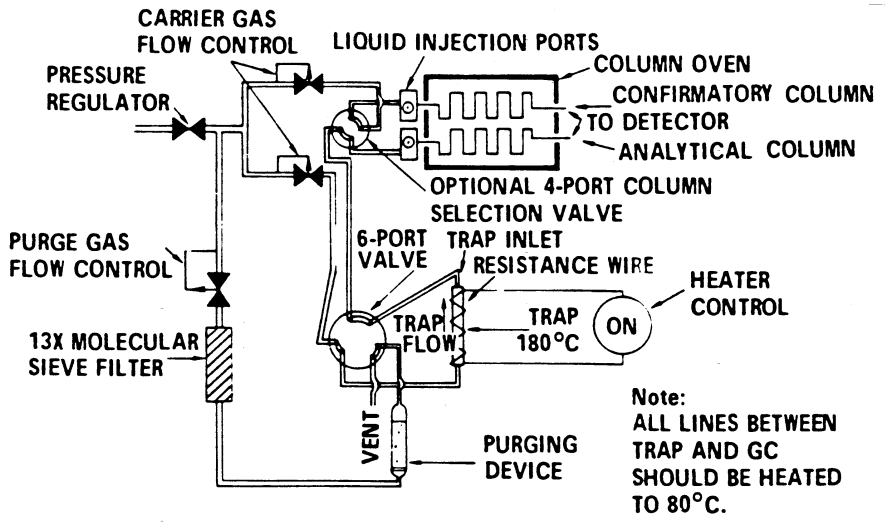

Figure 4. Purge and trap system - desorb mode.

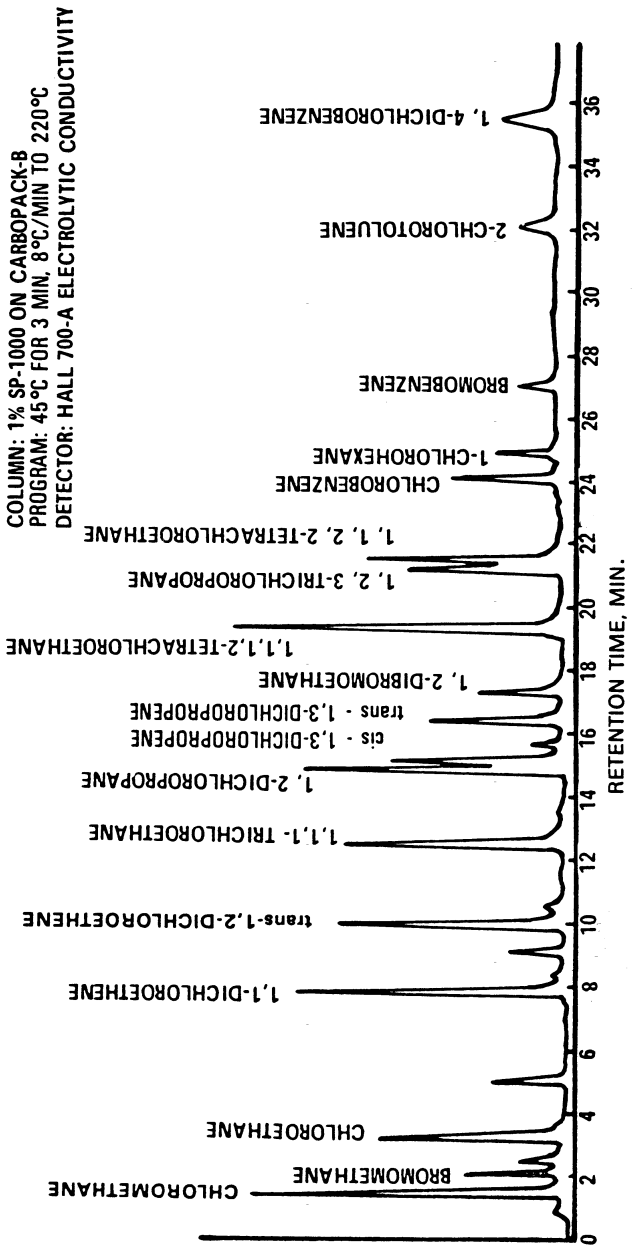

Figure 5. Gas chromatogram of purgeable halocarbons.

METHOD 602—PURGEABLE AROMATICS

1. Scope and Application

1.1 This method covers the determination of various purgeable aromatics. The following parameters may be determined by this method:

Parameter	STORET No.	CAS No.
Benzene	34030	71–43–2
Chlorobenzene	34301	108–90–7
1,2-Dichlorobenzene	34536	95–50–1
1,3-Dichlorobenzene	34566	541–73–1
1,4-Dichlorobenzene	34571	106–46–7
Ethylbenzene	34371	100–41–4
Toluene	34010	108–88–3

1.2 This is a purge and trap gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 624 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above.

1.3 The method detection limit (MDL, defined in Section 12.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.5 This method is restricted to use by or under the supervision of analysts experienced in the operation of a purge and trap system and a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 An inert gas is bubbled through a 5-mL water sample contained in a specially-designed purging chamber at ambient temperature. The aromatics are efficiently transferred from the aqueous phase to the vapor phase. The vapor is swept through a sorbent trap where the aromatics are trapped. After purging is completed, the trap is heated and backflushed with the inert gas to desorb the aromatics onto a gas chromatographic column. The gas chromatograph is temperature programmed to separate the aromatics which are then detected with a photoionization detector.[2, 3]

2.2 The method provides an optional gas chromatographic column that may be helpful in resolving the compounds of interest from interferences that may occur.

3. Interferences

3.1 Impurities in the purge gas and organic compounds outgassing from the plumbing ahead of the trap account for the majority of contamination problems. The analytical system must be demonstrated to be free from contamination under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3. The use of non-Teflon plastic tubing, non-Teflon thread sealants, or flow controllers with rubber components in the purge and trap system should be avoided.

3.2 Samples can be contaminated by diffusion of volatile organics through the septum seal into the sample during shipment and storage. A field reagent blank prepared from reagent water and carried through the sampling and handling protocol can serve as a check on such contamination.

3.3 Contamination by carry-over can occur whenever high level and low level samples are sequentially analyzed. To reduce carry-over, the purging device and sample syringe must be rinsed with reagent water between sample analyses. Whenever an unusually concentrated sample is encountered, it should be followed by an analysis of reagent water to check for cross contamination. For samples containing large amounts of water-soluble materials, suspended solids, high boiling compounds or high aromatic levels, it may be necessary to wash the purging device with a detergent solution, rinse it with distilled water, and then dry it in an oven at 105 °C between analyses. The trap and other parts of the system are also subject to contamination; therefore, frequent bakeout and purging of the entire system may be required.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety

are available and have been identified[4–6] for the information of the analyst.

4.2 The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: benzene and 1,4-dichlorobenzene. Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete sampling.

5.1.1 Vial]25-mL capacity or larger, equipped with a screw cap with a hole in the center (Pierce #13075 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C before use.

5.1.2 Septum—Teflon-faced silicone (Pierce #12722 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C for 1 h before use.

5.2 Purge and trap system—The purge and trap system consists of three separate pieces of equipment: A purging device, trap, and desorber. Several complete systems are now commercially available.

5.2.1 The purging device must be designed to accept 5-mL samples with a water column at least 3 cm deep. The gaseous head space between the water column and the trap must have a total volume of less than 15 mL. The purge gas must pass through the water column as finely divided bubbles with a diameter of less than 3 mm at the origin. The purge gas must be introduced no more than 5 mm from the base of the water column. The purging device illustrated in Figure 1 meets these design criteria.

5.2.2 The trap must be at least 25 cm long and have an inside diameter of at least 0.105 in.

5.2.2.1 The trap is packed with 1 cm of methyl silicone coated packing (Section 6.4.2) and 23 cm of 2,6-diphenylene oxide polymer (Section 6.4.1) as shown in Figure 2. This trap was used to develop the method performance statements in Section 12.

5.2.2.2 Alternatively, either of the two traps described in Method 601 may be used, although water vapor will preclude the measurement of low concentrations of benzene.

5.2.3 The desorber must be capable of rapidly heating the trap to 180 °C. The polymer section of the trap should not be heated higher than 180 °C and the remaining sections should not exceed 200 °C. The desorber illustrated in Figure 2 meets these design criteria.

5.2.4 The purge and trap system may be assembled as a separate unit or be coupled to a gas chromatograph as illustrated in Figures 3, 4, and 5.

5.3 Gas chromatograph—An analytical system complete with a temperature programmable gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.3.1 Column 1—6 ft long × 0.082 in. ID stainless steel or glass, packed with 5% SP–1200 and 1.75% Bentone-34 on Supelcoport (100/120 mesh) or equivalent. This column was used to develop the method performance statements in Section 12. Guidelines for the use of alternate column packings are provided in Section 10.1.

5.3.2 Column 2—8 ft long × 0.1 in ID stainless steel or glass, packed with 5% 1,2,3-Tris(2-cyanoethoxy)propane on Chromosorb W–AW (60/80 mesh) or equivalent.

5.3.3 Detector—Photoionization detector (h-Nu Systems, Inc. Model PI–51–02 or equivalent). This type of detector has been proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 12. Guidelines for the use of alternate detectors are provided in Section 10.1.

5.4 Syringes—5-mL glass hypodermic with Luerlok tip (two each), if applicable to the purging device.

5.5 Micro syringes—25-μL, 0.006 in. ID needle.

5.6 Syringe valve—2-way, with Luer ends (three each).

5.7 Bottle—15-mL, screw-cap, with Teflon cap liner.

5.8 Balance—Analytical, capable of accurately weighing 0.0001 g.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.1.1 Reagent water can be generated by passing tap water through a carbon filter bed containing about 1 lb of activated carbon (Filtrasorb-300, Calgon Corp., or equivalent).

6.1.2 A water purification system (Millipore Super-Q or equivalent) may be used to generate reagent water.

6.1.3 Reagent water may also be prepared by boiling water for 15 min. Subsequently, while maintaining the temperature at 90 °C, bubble a contaminant-free inert gas through the water for 1 h. While still hot, transfer the water to a narrow mouth screw-cap bottle and seal with a Teflon-lined septum and cap.

6.2 Sodium thiosulfate—(ACS) Granular.

6.3 Hydrochloric acid (1+1)—Add 50 mL of concentrated HCl (ACS) to 50 mL of reagent water.

6.4 Trap Materials:

6.4.1 2,6-Diphenylene oxide polymer—Tenax, (60/80 mesh), chromatographic grade or equivalent.

6.4.2 Methyl silicone packing—3% OV–1 on Chromosorb-W (60/80 mesh) or equivalent.

6.5 Methanol—Pesticide quality or equivalent.

6.6 Stock standard solutions—Stock standard solutions may be prepared from pure standard materials or purchased as certified solutions. Prepare stock standard solutions in methanol using assayed liquids. Because of the toxicity of benzene and 1,4-dichlorobenzene, primary dilutions of these materials should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be used when the analyst handles high concentrations of such materials.

6.6.1 Place about 9.8 mL of methanol into a 10–mL ground glass stoppered volumetric flask. Allow the flask to stand, unstoppered, for about 10 min or until all alcohol wetted surfaces have dried. Weigh the flask to the nearest 0.1 mg.

6.6.2 Using a 100–μL syringe, immediately add two or more drops of assayed reference material to the flask, then reweigh. Be sure that the drops fall directly into the alcohol without contacting the neck of the flask.

6.6.3 Reweigh, dilute to volume, stopper, then mix by inverting the flask several times. Calculate the concentration in μg/μL from the net gain in weight. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.6.4 Transfer the stock standard solution into a Teflon-sealed screw-cap bottle. Store at 4 °C and protect from light.

6.6.5 All standards must be replaced after one month, or sooner if comparison with check standards indicates a problem.

6.7 Secondary dilution standards—Using stock standard solutions, prepare secondary dilution standards in methanol that contain the compounds of interest, either singly or mixed together. The secondary dilution standards should be prepared at concentrations such that the aqueous calibration standards prepared in Section 7.3.1 or 7.4.1 will bracket the working range of the analytical system. Secondary solution standards must be stored with zero headspace and should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.8 Quality control check sample concentrate—See Section 8.2.1.

7. *Calibration*

7.1 Assemble a purge and trap system that meets the specifications in Section 5.2. Condition the trap overnight at 180 °C by backflushing with an inert gas flow of at least 20 mL/min. Condition the trap for 10 min once daily prior to use.

7.2 Connect the purge and trap system to a gas chromatograph. The gas chromatograph must be operated using temperature and flow rate conditions equivalent to those given in Table 1. Calibrate the purge and trap-gas chromatographic system using either the external standard technique (Section 7.3) or the internal standard technique (Section 7.4).

7.3 External standard calibration procedure:

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter by carefully adding 20.0 μL of one or more secondary dilution standards to 100, 500, or 1000 mL of reagent water. A 25–μL syringe with a 0.006 in. ID needle should be used for this operation. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector. These aqueous standards must be prepared fresh daily.

7.3.2 Analyze each calibration standard according to Section 10, and tabulate peak height or area responses versus the concentration in the standard. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to concentration (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.4 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples. The compound, α,α,α,-trifluorotoluene, recommended as a surrogate spiking compound in Section 8.7 has been used successfully as an internal standard.

7.4.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest as described in Section 7.3.1.

7.4.2 Prepare a spiking solution containing each of the internal standards using the procedures described in Sections 6.6 and 6.7. It is recommended that the secondary dilution standard be prepared at a concentration of 15 μg/mL of each internal standard compound. The addition of 10 μl of this

standard to 5.0 mL of sample or calibration standard would be equivalent to 30 µg/L.

7.4.3 Analyze each calibration standard according to Section 10, adding 10 µL of internal standard spiking solution directly to the syringe (Section 10.4). Tabulate peak height or area responses against concentration for each compound and internal standard, and calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard

C_s=Concentration of the parameter to be measured.

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.5 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of a QC check sample.

7.5.1 Prepare the QC check sample as described in Section 8.2.2.

7.5.2 Analyze the QC check sample according to Section 10.

7.5.3 For each parameter, compare the response (Q) with the corresponding calibration acceptance criteria found in Table 2. If the responses for all parameters of interest fall within the designated ranges, analysis of actual samples can begin. If any individual Q falls outside the range, a new calibration curve, calibration factor, or RF must be prepared for that parameter according to Section 7.3 or 7.4.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The mimimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Section 10.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Each day, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system are under control.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 10 µg/mL in methanol. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Prepare a QC check sample to contain 20 µg/L of each parameter by adding 200 µL of QC check sample concentrate to 100 mL of reagant water.

8.2.3 Analyze four 5-mL aliquots of the well-mixed QC check sample according to Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter of interest using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria

for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 2 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.3.

8.2.6.2 Beginning with Section 8.2.3, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.3.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 20 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.2 Analyze one 5-mL sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second 5-mL sample aliquot with 10 µL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than 20 µg/L, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T) ±2.44(100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 10 µL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 5 mL of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$)

and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

8.7 The analyst should monitor both the performance of the analytical system and the effectiveness of the method in dealing with each sample matrix by spiking each sample, standard, and reagent water blank with surrogate compounds (e.g. α, α, α,-trifluorotoluene) that encompass the range of the temperature program used in this method. From stock standard solutions prepared as in Section 6.6, add a volume to give 750 µg of each surrogate to 45 mL of reagent water contained in a 50-mL volumetric flask, mix and dilute to volume for a concentration of 15 mg/µL. Add 10 µL of this surrogate spiking solution directly into the 5-mL syringe with every sample and reference standard analyzed. Prepare a fresh surrogate spiking solution on a weekly basis. If the internal standard calibration procedure is being used, the surrogate compounds may be added directly to the internal standard spiking solution (Section 7.4.2).

9. Sample Collection, Preservation, and Handling

9.1 The samples must be iced or refrigerated from the time of collection until analysis. If the sample contains free or combined chlorine, add sodium thiosulfate preservative (10 mg/40 mL is sufficient for up to 5 ppm Cl_2) to the empty sample bottle just prior to shipping to the sampling site. EPA Method 330.4 or 330.5 may be used for measurement of residual chlorine.[8] Field test kits are available for this purpose.

9.2 Collect about 500 mL of sample in a clean container. Adjust the pH of the sample to about 2 by adding 1+1 HCl while stirring. Fill the sample bottle in such a manner that no air bubbles pass through the sample as the bottle is being filled. Seal the bottle so that no air bubbles are entrapped in it. Maintain the hermetic seal on the sample bottle until time of analysis.

9.3 All samples must be analyzed within 14 days of collection.[3]

10. Procedure

10.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are estimated retention times and MDL that can be achieved under these conditions. An example of the separations achieved by Column 1 is shown in Figure 6. Other packed columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

10.2 Calibrate the system daily as described in Section 7.

10.3 Adjust the purge gas (nitrogen or helium) flow rate to 40 mL/min. Attach the trap inlet to the purging device, and set the purge and trap system to purge (Figure 3). Open the syringe valve located on the purging device sample introduction needle.

10.4 Allow the sample to come to ambient temperature prior to introducing it to the syringe. Remove the plunger from a 5-mL syringe and attach a closed syringe valve. Open the sample bottle (or standard) and carefully pour the sample into the syringe barrel to just short of overflowing. Replace the syringe plunger and compress the sample. Open the syringe valve and vent any residual air while adjusting the sample volume to 5.0 mL. Since this process of taking an aliquot destroys the validity of the sample for future analysis, the analyst should fill a second syringe at this time to protect against possible loss of data. Add 10.0 µL of the surrogate spiking solution (Section 8.7) and 10.0 µL of the internal standard spiking solution (Section 7.4.2), if applicable, through the valve bore, then close the valve.

10.5 Attach the syringe-syringe valve assembly to the syringe valve on the purging device. Open the syringe valves and inject the sample into the purging chamber.

10.6 Close both valves and purge the sample for 12.0±0.1 min at ambient temperature.

10.7 After the 12-min purge time, disconnect the purging device from the trap. Dry the trap by maintaining a flow of 40 mL/min of dry purge gas through it for 6 min (Figure 4). If the purging device has no provision for bypassing the purger for this step, a dry purger should be inserted into the device to minimize moisture in the gas. Attach the trap to the chromatograph, adjust the purge and trap system to the desorb mode (Figure 5), and begin to temperature program the gas chromatograph. Introduce the trapped materials to the GC column by rapidly heating the trap to 180 °C while backflushing the trap with an inert gas between 20 and 60 mL/min for 4 min. If rapid heating of the trap cannot be achieved, the GC column must be used as

a secondary trap by cooling it to 30 °C (subambient temperature, if poor peak geometry and random retention time problems persist) instead of the initial program temperature of 50 °C.

10.8 While the trap is being desorbed into the gas chromatograph column, empty the purging chamber using the sample introduction syringe. Wash the chamber with two 5-mL flushes of reagent water.

10.9 After desorbing the sample for 4 min, recondition the trap by returning the purge and trap system to the purge mode. Wait 15 s, then close the syringe valve on the purging device to begin gas flow through the trap. The trap temperature should be maintained at 180 °C. After approximately 7 min, turn off the trap heater and open the syringe valve to stop the gas flow through the trap. When the trap is cool, the next sample can be analyzed.

10.10 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

10.11 If the response for a peak exceeds the working range of the system, prepare a dilution of the sample with reagent water from the aliquot in the second syringe and reanalyze.

11. Calculations

11.1 Determine the concentration of individual compounds in the sample.

11.1.1 If the external standard calibration procedure is used, calculate the concentration of the parameter being measured from the peak response using the calibration curve or calibration factor determined in Section 7.3.2.

11.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.4.3 and Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(C_{is})}{(A_{is})(RF)}$$

Equation 2

where:

A_s = Response for the parameter to be measured.

A_{is} = Response for the internal standard.

C_{is} = Concentration of the internal standard.

11.2 Report results in µg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

12. Method Performance

12.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[9] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

12.2 This method has been demonstrated to be applicable for the concentration range from the MDL to 100 × MDL.[9] Direct aqueous injection techniques should be used to measure concentration levels above 1000 × MDL.

12.3 This method was tested by 20 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 2.1 to 550 µg/L.[9] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

References

1. 40 CFR part 136, appendix B.

2. Lichtenberg, J.J. "Determining Volatile Organics at Microgram-per-Litre-Levels by Gas Chromatography," Journal American Water Works Association, *66*, 739 (1974).

3. Bellar, T.A., and Lichtenberg, J.J. "Semi-Automated Headspace Analysis of Drinking Waters and Industrial Waters for Purgeable Volatile Organic Compounds," Proceedings of Symposium on Measurement of Organic Pollutants in Water and Wastewater. American Society for Testing and Materials, STP 686, C.E. Van Hall, editor, 1978.

4. "Carcinogens—Working with Carcinogens," Department of Health, Education, and Welfare, Public Health Service, Center for Disease Control, National Institute for Occupational Safety and Health. Publication No. 77–206, August 1977.

5. "OSHA Safety and Health Standards, General Industry," (29 CFR part 1910), Occupational Safety and Health Administration, OSHA 2206 (Revised, January 1976).

6. "Safety in Academic Chemistry Laboratories," American Chemical Society Publication, Committee on Safety, 3rd Edition, 1979.

7. Provost, L.P., and Elder, R.S. "Interpretation of Percent Recovery Data," *American Laboratory, 15,* 58-63 (1983). (The value 2.44 used in the equation in Section 8.3.3. is two times the value 1.22 derived in this report.)

8."Methods 330.4 (Titrimetric, DPD–FAS) and 330.5 (Spectrophotometric, DPD) for Chlorine, Total Residual," Methods for Chemical Analysis of Water and Wastes, EPA–600/4–79–020, U.S. Environmental Protection Agency, Office of Research and Development, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268. March 1979.

9. "EPA Method Study 25, Method 602, Purgeable Aromatics," EPA 600/4–84–042, National Technical Information Service, PB84–196682, Springfield, Virginia 22161, May 1984.

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
Benzene	3.33	2.75	0.2

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS—Continued

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
Toluene	5.75	4.25	0.2
Ethylbenzene	8.25	6.25	0.2
Chlorobenzene	9.17	8.02	0.2
1,4-Dichlorobenzene	16.8	16.2	0.3
1,3-Dichlorobenzene	18.2	15.0	0.4
1,2-Dichlorobenzene	25.9	19.4	0.4

Column 1 conditions: Supelcoport (100/120 mesh) coated with 5% SP–1200/1.75% Bentone-34 packed in a 6 ft × 0.085 in. ID stainless steel column with helium carrier gas at 36 mL/min flow rate. Column temperature held at 50 °C for 2 min then programmed at 6 °C/min to 90 °C for a final hold.

Column 2 conditions: Chromosorb W–AW (60/80 mesh) coated with 5% 1,2,3-Tris(2-cyanoethyoxy)propane packed in a 6 ft × 0.085 in. ID stainless steel column with helium carrier gas at 30 mL/min flow rate. Column temperature held at 40 °C for 2 min then programmed at 2 °C/min to 100 °C for a final hold.

TABLE 2—CALIBRATION AND QC ACCEPTANCE CRITERIA—METHOD 602 [a]

Parameter	Range for Q (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s(%)
Benzene	15.4–24.6	4.1	10.0–27.9	39–150
Chlorobenzene	16.1–23.9	3.5	12.7–25.4	55–135
1,2-Dichlorobenzene	13.6–26.4	5.8	10.6–27.6	37–154
1,3-Dichlorobenzene	14.5–25.5	5.0	12.8–25.5	50–141
1,4-Dichlorobenzene	13.9–26.1	5.5	11.6–25.5	42–143
Ethylbenzene	12.6–27.4	6.7	10.0–28.2	32–160
Toluene	15.5–24.5	4.0	11.2–27.7	46–148

Q=Concentration measured in QC check sample, in μg/L (Section 7.5.3).
s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P_s, P=Percent recovery measured (Section 8.3.2, Section 8.4.2).
[a] Criteria were calculated assuming a QC check sample concentration of 20 μg/L.

Note: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 602

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s′ (μg/L)	Overall precision, S′ (μg/L)
Benzene	0.92C+0.57	0.09$\bar{X}$+0.59	0.21$\bar{X}$+0.56
Chlorobenzene	0.95C+0.02	0.09$\bar{X}$+0.23	0.17$\bar{X}$+0.10
1,2-Dichlorobenzene	0.93C+0.52	0.17$\bar{X}$ − 0.04	0.22$\bar{X}$+0.53
1,3-Dichlorobenzene	0.96C − 0.05	0.15$\bar{X}$ − 0.10	0.19$\bar{X}$+0.09
1,4-Dichlorobenzene	0.93C − 0.09	0.15$\bar{X}$+0.28	0.20$\bar{X}$+0.41
Ethylbenzene	0.94C+0.31	0.17$\bar{X}$+0.46	0.26$\bar{X}$+0.23
Toluene	0.94C+0.65	0.09$\bar{X}$+0.48	0.18$\bar{X}$+0.71

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
S′=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in X μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the Concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

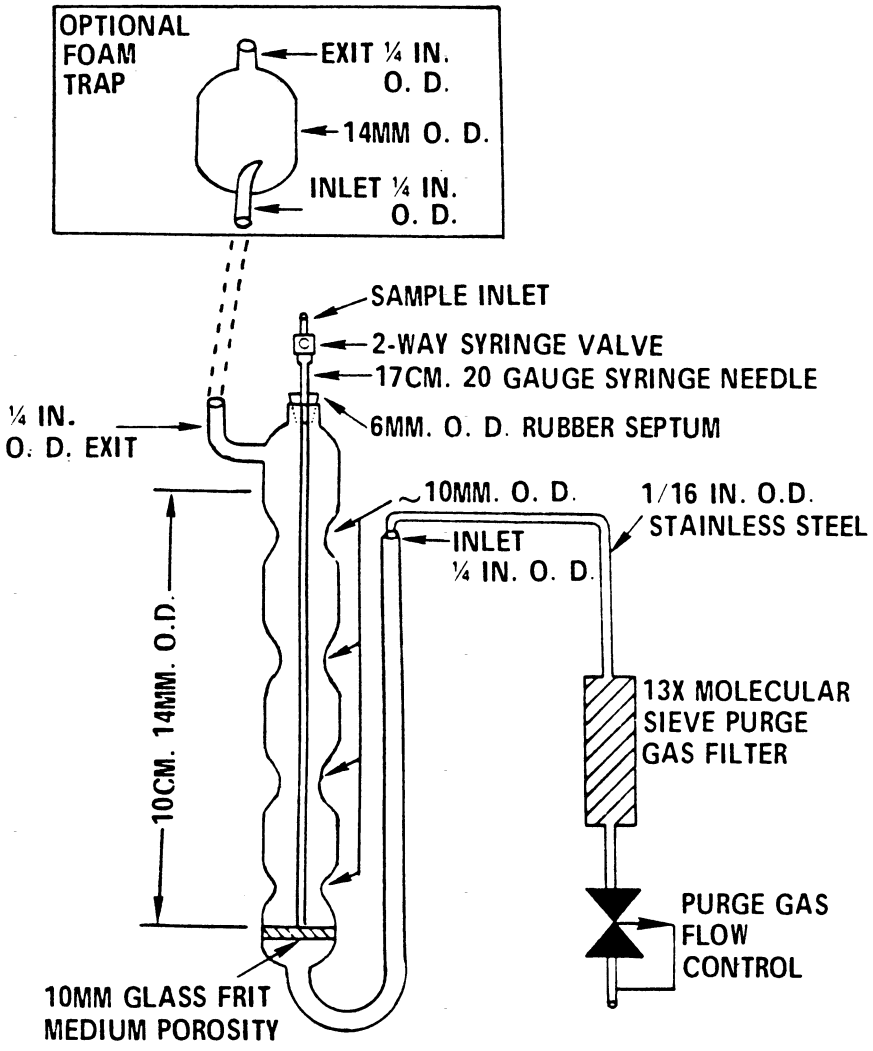

Figure 1. Purging device.

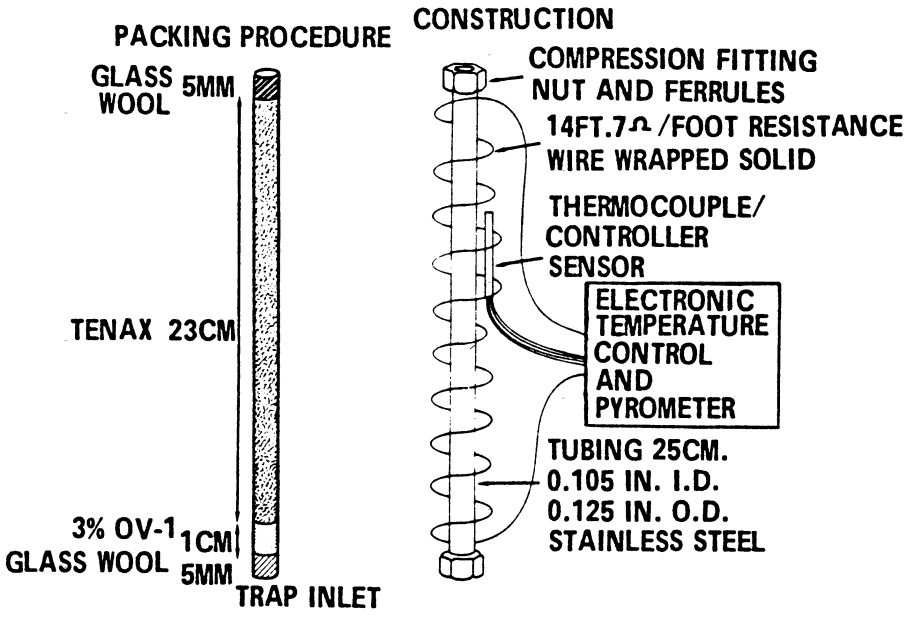

Figure 2. Trap packings and construction to include desorb capability.

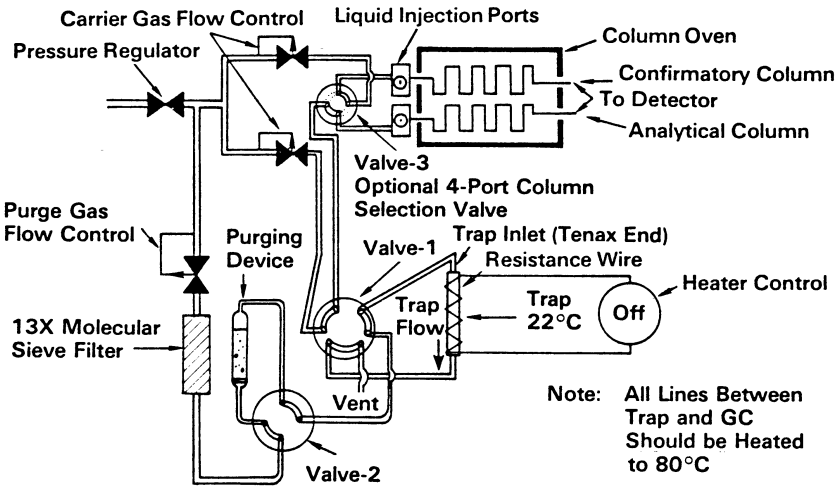

Figure 3. Purge and trap system - purge mode.

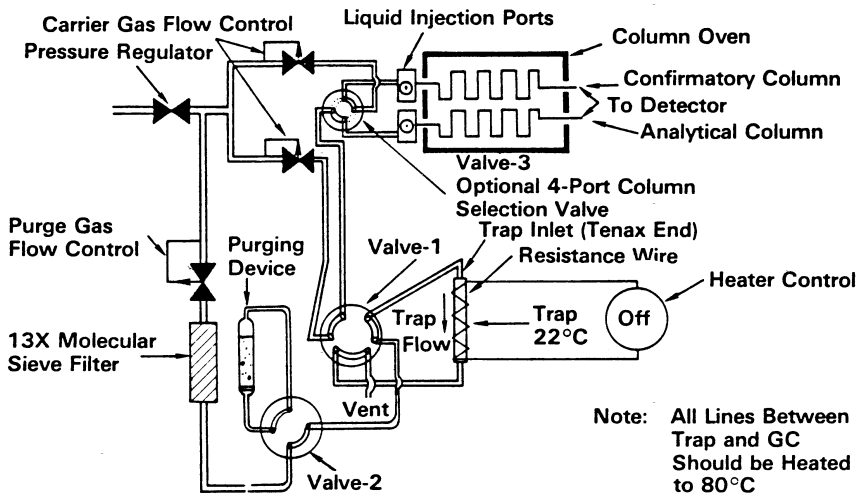

Figure 4. Purge and trap system-dry mode.

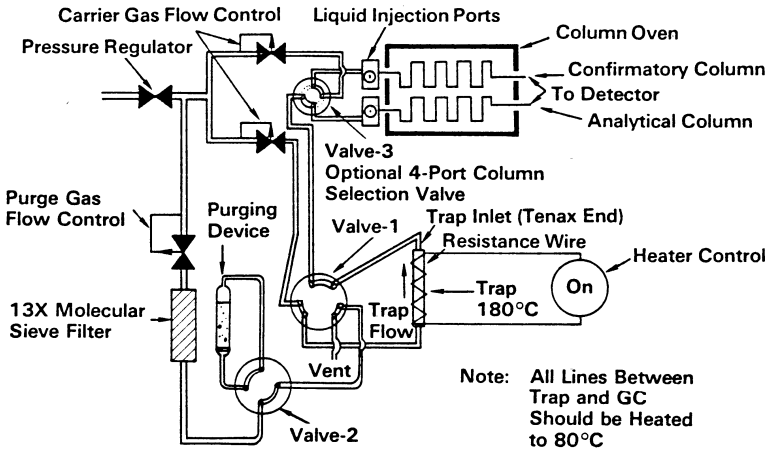

Figure 5. Purge and trap system-desorb mode.

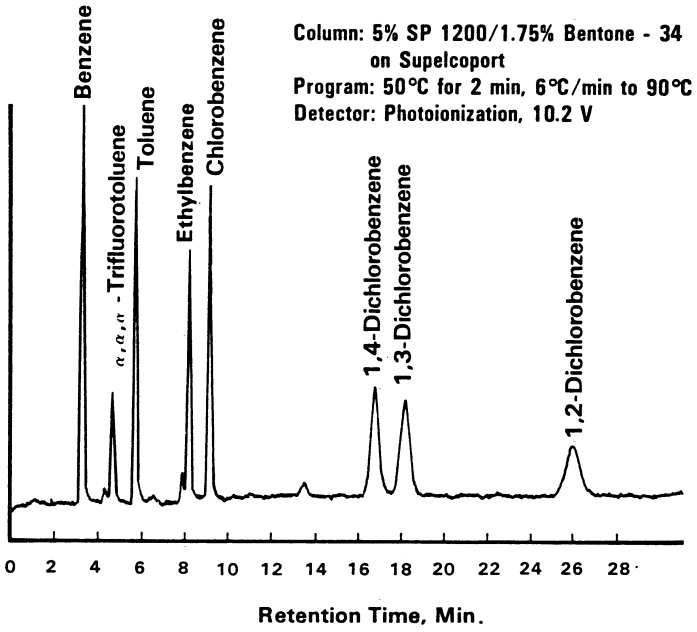

Figure 6. Gas chromatogram of purgeable aromatics.

METHOD 603—ACROLEIN AND ACRYLONITRILE

1. Scope and Application

1.1 This method covers the determination of acrolein and acrylonitrile. The following parameters may be determined by this method:

Parameter	STORET No.	CAS No.
Acrolein	34210	107–02–8
Acrylonitrile	34215	107–13–1

1.2 This is a purge and trap gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for either or both of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 624 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for the parameters listed above, if used with the purge and trap conditions described in this method.

1.3 The method detection limit (MDL, defined in Section 12.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.5 This method is restricted to use by or under the supervision of analysts experienced in the operation of a purge and trap system and a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 An inert gas is bubbled through a 5-mL water sample contained in a heated purging chamber. Acrolein and acrylonitrile are transferred from the aqueous phase to the vapor phase. The vapor is swept through a sorbent trap where the analytes are trapped. After the purge is completed, the trap is heated and backflushed with the inert gas to desorb the compound onto a gas chromatographic column. The gas chromatograph is temperature programmed to separate the analytes which are then detected with a flame ionization detector.[2, 3]

2.2 The method provides an optional gas chromatographic column that may be helpful in resolving the compounds of interest from the interferences that may occur.

3. Interferences

3.1 Impurities in the purge gas and organic compound outgassing from the plumbing of the trap account for the majority of contamination problems. The analytical system must be demonstrated to be free from contamination under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3. The use of non-Teflon plastic tubing, non-Teflon thread sealants, or flow controllers with rubber components in the purge and trap system should be avoided.

3.2 Samples can be contaminated by diffusion of volatile organics through the septum seal into the sample during shipment and storage. A field reagent blank prepared from reagent water and carried through the sampling and handling protocol can serve as a check on such contamination.

3.3 Contamination by carry-over can occur whenever high level and low level samples are sequentially analyzed. To reduce carry-over, the purging device and sample syringe must be rinsed between samples with reagent water. Whenever an unusually concentrated sample is encountered, it should be followed by an analysis of reagent water to check for cross contamination. For samples containing large amounts of water-soluble materials, suspended solids, high boiling compounds or high analyte levels, it may be necessary to wash the purging device with a detergent solution, rinse it with distilled water, and then dry it in an oven at 105 °C between analyses. The trap and other parts of the system are also subject to contamination, therefore, frequent bakeout and purging of the entire system may be required.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this view point, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4, 6] for the information of the analyst.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete sampling.

5.1.1 Vial—25-mL capacity or larger, equipped with a screw cap with a hole in the center (Pierce #13075 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C before use.

5.1.2 Septum—Teflon-faced silicone (Pierce #12722 or equivalent). Detergent wash, rinse with tap and distilled water and dry at 105 °C for 1 h before use.

5.2 Purge and trap system—The purge and trap system consists of three separate pieces of equipment: a purging device, trap, and desorber. Several complete systems are now commercially available.

5.2.1 The purging device must be designed to accept 5-mL, samples with a water column at least 3 cm deep. The gaseous head space between the water column and the trap must have a total volume of less than 15 mL. The purge gas must pass through the water column as finely divided bubbles with a diameter of less than 3 mm at the origin. The purge gas must be introduced no more than 5 mm from the base of the water column. The purging device must be capable of being heated to 85 °C within 3.0 min after transfer of the sample to the purging device and being held at 85 ±2 °C during the purge cycle. The entire water column in the purging device must be heated. Design of this modification to the standard purging device is optional, however, use of a water bath is suggested.

5.2.1.1 Heating mantle—To be used to heat water bath.

5.2.1.2 Temperature controller—Equipped with thermocouple/sensor to accurately control water bath temperature to ±2 °C. The purging device illustrated in Figure 1 meets these design criteria.

5.2.2 The trap must be at least 25 cm long and have an inside diameter of at least 0.105 in. The trap must be packed to contain 1.0 cm of methyl silicone coated packing (Section 6.5.2) and 23 cm of 2,6-diphenylene oxide polymer (Section 6.5.1). The minimum specifications for the trap are illustrated in Figure 2.

5.2.3 The desorber must be capable of rapidly heating the trap to 180 °C, The desorber illustrated in Figure 2 meets these design criteria.

5.2.4 The purge and trap system may be assembled as a separate unit as illustrated in Figure 3 or be coupled to a gas chromatograph.

5.3 pH paper—Narrow pH range, about 3.5 to 5.5 (Fisher Scientific Short Range Alkacid No. 2, #14–837–2 or equivalent).

5.4 Gas chromatograph—An analytical system complete with a temperature programmable gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.4.1 Column 1—10 ft long × 2 mm ID glass or stainless steel, packed with Porapak-QS (80/100 mesh) or equivalent. This column was used to develop the method performance statements in Section 12. Guidelines for the use of alternate column packings are provided in Section 10.1.

5.4.2 Column 2—6 ft long × 0.1 in. ID glass or stainless steel, packed with Chromosorb 101 (60/80 mesh) or equivalent.

5.4.3 Detector—Flame ionization detector. This type of detector has proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 12. Guidelines for the use of alternate detectors are provided in Section 10.1.

5.5 Syringes—5-mL, glass hypodermic with Luerlok tip (two each).

5.6 Micro syringes—25-μL, 0.006 in. ID needle.

5.7 Syringe valve—2-way, with Luer ends (three each).

5.8 Bottle—15-mL, screw-cap, with Teflon cap liner.

5.9 Balance—Analytical, capable of accurately weighing 0.0001 g.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.1.1 Reagent water can be generated by passing tap water through a carbon filter bed containing about 1 lb of activated carbon (Filtrasorb-300, Calgon Corp., or equivalent).

6.1.2 A water purification system (Millipore Super-Q or equivalent) may be used to generate reagent water.

6.1.3 Regent water may also be prepared by boiling water for 15 min. Subsequently, while maintaining the temperature at 90 °C, bubble a contaminant-free inert gas through the water for 1 h. While still hot, transfer the water to a narrow mouth screw-cap bottle and seal with a Teflon-lined septum and cap.

6.2 Sodium thiosulfate—(ACS) Granular.

6.3 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.4 Hydrochloric acid (1+1)—Slowly, add 50 mL of concentrated HCl (ACS) to 50 mL of reagent water.

6.5 Trap Materials:

6.5.1 2,6-Diphenylene oxide polymer—Tenax (60/80 mesh), chromatographic grade or equivalent.

6.5.2 Methyl silicone packing—3% OV–1 on Chromosorb–W (60/80 mesh) or equivalent.

6.6 Stock standard solutions—Stock standard solutions may be prepared from pure standard materials or purchased as certified solutions. Prepare stock standard solutions in reagent water using assayed liquids. Since acrolein and acrylonitrile are lachrymators, primary dilutions of these compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be used when the analyst handles high concentrations of such materials.

6.6.1 Place about 9.8 mL of reagent water into a 10-mL ground glass stoppered volumetric flask. For acrolein standards the reagent water must be adjusted to pH 4 to 5. Weight the flask to the nearest 0.1 mg.

6.6.2 Using a 100-µL syringe, immediately add two or more drops of assayed reference material to the flask, then reweigh. Be sure that the drops fall directly into the water without contacting the neck of the flask.

6.6.3 Reweigh, dilute to volume, stopper, then mix by inverting the flask several times. Calculate the concentration in µg/µL from the net gain in weight. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock staldard. Optionally, stock standard solutions may be prepared using the pure standard material by volumetrically measuring the appropriate amounts and determining the weight of the material using the density of the material. Commercially prepared stock standards may be used at any concentration if they are certified by the manufactaurer or by an independent source.

6.6.4 Transfer the stock standard solution into a Teflon-sealed screw-cap bottle. Store at 4 °C and protect from light.

6.6.5 Prepare fresh standards daily.

6.7 Secondary dilution standards—Using stock standard solutions, prepare secondary dilution standards in reagent water that contain the compounds of interest, either singly or mixed together. The secondary dilution standards should be prepared at concentrations such that the aqueous calibration standards prepared in Section 7.3.1 or 7.4.1 will bracket the working range of the analytical system. Secondary dilution standards should be prepared daily and stored at 4 °C.

6.8 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Assemble a purge and trap system that meets the specifications in Section 5.2. Condition the trap overnight at 180 °C by backflushing with an inert gas flow of at least 20 mL/min. Condition the trap for 10 min once daily prior to use.

7.2 Connect the purge and trap system to a gas chromatograph. The gas chromatograph must be operated using temperature and flow rate conditions equivalent to those given in Table 1. Calibrate the purge and trap-gas chromatographic system using either the external standard technique (Section 7.3) or the internal standard technique (Section 7.4).

7.3 External standard calibration procedure:

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter by carefully adding 20.0 µL of one or more secondary dilution standards to 100, 500, or 1000 mL of reagent water. A 25-µL syringe with a 0.006 in. ID needle should be used for this operation. One of the external standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector. These standards must be prepared fresh daily.

7.3.2 Analyze each calibration standard according to Section 10, and tabulate peak height or area responses versus the concentration of the standard. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to concentration (calibration factor) is a constant over the working range (< 10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.4 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.4.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest as described in Section 7.3.1.

7.4.2 Prepare a spiking solution containing each of the internal standards using the procedures described in Sections 6.6 and 6.7. It is recommended that the secondary dilution standard be prepared at a concentration of 15 µg/mL of each internal standard compound. The addition of 10 µL of this standard to 5.0 mL of sample or calibration standard would be equivalent to 30 µg/L.

7.4.3 Analyze each calibration standard according to Section 10, adding 10 µL of internal standard spiking solution directly to the syringe (Section 10.4). Tabulate peak height or area responses against concentration for each compound and internal standard, and calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
C_{is}=Concentration of the internal standard.
C_s=Concentration of the parameter to be measured.

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.5 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of a QC check sample.

7.5.1 Prepare the QC check sample as described in Section 8.2.2.

7.5.2 Analyze the QC check sample according to Section 10.

7.5.3 For each parameter, compare the response (Q) with the corresponding calibration acceptance criteria found in Table 2. If the responses for all parameters of interest fall within the designated ranges, analysis of actual samples can begin. If any individual Q falls outside the range, a new calibration curve, calibration factor, or RF must be prepared for that parameter according to Section 7.3 or 7.4.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Section 10.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Each day, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system are under control.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 25 µg/mL in reagent water. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Prepare a QC check sample to contain 50 µg/L of each parameter by adding 200 µL of QC check sample concentrate to 100 mL of reagent water.

8.2.3 Analyze four 5-mL aliquots of the well-mixed QC check sample according to Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 3. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If either s exceeds the precision limit or $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter. Locate and correct the source of the

problem and repeat the test for each compound of interest.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 50 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.2 Analyze one 5-mL sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second 5-mL sample aliquot with 10 µL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 3. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 10 µL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 5 mL of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 3. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 All samples must be iced or refrigerated from the time of collection until analysis. If the sample contains free or combined chlorine, add sodium thiosulfate preservative (10 mg/40 mL is sufficient for up to 5 ppm Cl_2) to the empty sample bottle just prior to shipping to the sampling site. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[8] Field test kits are available for this purpose.

9.2 If acrolein is to be analyzed, collect about 500 mL of sample in a clean glass container. Adjust the pH of the sample to 4 to 5 using acid or base, measuring with narrow

range pH paper. Samples for acrolein analysis receiving no pH adjustment must be analyzed within 3 days of sampling.

9.3 Grab samples must be collected in glass containers having a total volume of at least 25 mL. Fill the sample bottle just to overflowing in such a manner that no air bubbles pass through the sample as the bottle is being filled. Seal the bottle so that no air bubbles are entrapped in it. If preservative has been added, shake vigorously for 1 min. Maintain the hermetic seal on the sample bottle until time of analysis.

9.4 All samples must be analyzed within 14 days of collection.[3]

10. Procedure

10.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are estimated retention times and MDL that can be achieved under these conditions. An example of the separations achieved by Column 1 is shown in Figure 5. Other packed columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

10.2 Calibrate the system daily as described in Section 7.

10.3 Adjust the purge gas (nitrogen or helium) flow rate to 20 mL-min. Attach the trap inlet to the purging device, and set the purge and trap system to purge (Figure 3). Open the syringe valve located on the purging device sample introduction needle.

10.4 Remove the plunger from a 5-mL syringe and attach a closed syringe valve. Open the sample bottle (or standard) and carefully pour the sample into the syringe barrel to just short of overflowing. Replace the syringe plunger and compress the sample. Open the syringe valve and vent any residual air while adjusting the sample volume to 5.0 mL. Since this process of taking an aliquot destroys the validity of the sample for future analysis, the analyst should fill a second syringe at this time to protect against possible loss of data. Add 10.0 µL of the internal standard spiking solution (Section 7.4.2), if applicable, through the valve bore then close the valve.

10.5 Attach the syringe-syringe valve assembly to the syringe valve on the purging device. Open the syringe valves and inject the sample into the purging chamber.

10.6 Close both valves and purge the sample for 15.0 ± 0.1 min while heating at 85 ± 2 °C.

10.7 After the 15-min purge time, attach the trap to the chromatograph, adjust the purge and trap system to the desorb mode (Figure 4), and begin to temperature program the gas chromatograph. Introduce the trapped materials to the GC column by rapidly heating the trap to 180 °C while backflushing the trap with an inert gas between 20 and 60 mL/min for 1.5 min.

10.8 While the trap is being desorbed into the gas chromatograph, empty the purging chamber using the sample introduction syringe. Wash the chamber with two 5-mL flushes of reagent water.

10.9 After desorbing the sample for 1.5 min, recondition the trap by returning the purge and trap system to the purge mode. Wait 15 s then close the syringe valve on the purging device to begin gas flow through the trap. The trap temperature should be maintained at 210 °C. After approximately 7 min, turn off the trap heater and open the syringe valve to stop the gas flow through the trap. When the trap is cool, the next sample can be analyzed.

10.10 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

11. Calculations

11.1 Determine the concentration of individual compounds in the sample.

11.1.1 If the external standard calibration procedure is used, calculate the concentration of the parameter being measured from the peak response using the calibration curve or calibration factor determined in Section 7.3.2.

11.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.4.3 and Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(C_{is})}{(A_{is})(RF)}$$

Equation 2

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard.

11.2 Report results in µg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

12. Method Performance

12.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above

zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[9] The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

12.2 This method is recommended for the concentration range from the MDL to 1,000×MDL. Direct aqueous injection techniques should be used to measure concentration levels above 1,000×MDL.

12.3 In a single laboratory (Battelle-Columbus), the average recoveries and standard deviations presented in Table 2 were obtained.[9] Seven replicate samples were analyzed at each spike level.

References

1. 40 CFR part 136, appendix B.

2. Bellar, T.A., and Lichtenberg, J.J. "Determining Volatile Organics at Microgram-per-Litre-Levels by Gas Chromatography," *Journal American Water Works Association, 66,* 739 (1974).

3. "Evaluate Test Procedures for Acrolein and Acrylonitrile," Special letter report for EPA Project 4719–A, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268, 27 June 1979.

4. "Carcinogens—Working With Carcinogens," Department of Health, Education, and Welfare, Public Health Service, Center for Disease Control, National Institute for Occupational Safety and Health, Publication No. 77–206, August 1977.

5. "OSHA Safety and Health Standards, General Industry," (29 CFR part 1910), Occupational Safety and Health Administration, OSHA 2206 (Revised, January 1976).

6. "Safety in Academic Chemistry Laboratories," American Chemical Society Publication, Committee on Chemical Safety, 3rd Edition, 1979.

7. Provost, L.P., and Elder, R.S. "Interpretation of Percent Recovery Data," *American Laboratory, 15,* 58–63 (1983).

8. "Methods 330.4 (Titrimetric, DPD–FAS) and 330.5 (Spectrophotometric, DPD) for Chlorine, Total Residual," Methods for Chemical Analysis of Water and Wastes, EPA–600/4–79–020, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268, March 1979.

9. "Evaluation of Method 603 (Modified)," EPA–600/4–84–ABC, National Technical Information Service, PB84–, Springfield, Virginia 22161, Nov. 1984.

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
Acrolein	10.6	8.2	0.7
Acrylonitrile	12.7	9.8	0.5

Column 1 conditions: Porapak-QS (80/100 mesh) packed in a 10 ft × 2 mm ID glass or stainless steel column with helium carrier gas at 30 mL/min flow rate. Column temperature held isothermal at 110 °C for 1.5 min (during desorption), then heated as rapidly as possible to 150 °C and held for 20 min; column bakeout at 190 °C for 10 min.[9]

Column 2 conditions: Chromosorb 101 (60/80 mesh) packed in a 6 ft. × 0.1 in. ID glass or stainless steel column with helium carrier gas at 40 mL/min flow rate. Column temperature held isothermal at 80 °C for 4 min, then programmed at 50 °C/min to 120 °C and held for 12 min.

TABLE 2—SINGLE LABORATORY ACCURACY AND PRECISION—METHOD 603

Parameter	Sample matrix	Spike conc. (μg/L)	Average recovery (μg/L)	Standard deviation (μg/L)	Average percent recovery
Acrolein	RW	5.0	5.2	0.2	104
	RW	50.0	51.4	0.7	103
	POTW	5.0	4.0	0.2	80
	POTW	50.0	44.4	0.8	89
	IW	5.0	0.1	0.1	2
	IW	100.0	9.3	1.1	9
Acrylonitrile	RW	5.0	4.2	0.2	84
	RW	50.0	51.4	1.5	103
	POTW	20.0	20.1	0.8	100
	POTW	100.0	101.3	1.5	101
	IW	10.0	9.1	0.8	91
	IW	100.0	104.0	3.2	104

ARW=Reagent water.
APOTW=Prechlorination secondary effluent from a municipal sewage treatment plant.
AIW=Industrial wastewater containing an unidentified acrolein reactant.

TABLE 3—CALIBRATION AND QC ACCEPTANCE CRITERIA—METHOD 603[A]

Parameter	Range for Q (μg/L)	Limit for S (μg/L)	Range for X (μg/L)	Range for P, P_s (%)
Acrolein	45.9–54.1	4.6	42.9–60.1	88–118

TABLE 3—CALIBRATION AND QC ACCEPTANCE CRITERIA—METHOD 603 [A]—Continued

Parameter	Range for Q (μg/L)	Limit for S (μg/L)	Range for X (μg/L)	Range for P, P_s (%)
Acrylonitrile	41.2–58.8	9.9	33.1–69.9	71–135

[a]=Criteria were calculated assuming a QC check sample concentration of 50 μg/L.[9]
Q=Concentration measured in QC check sample, in μg/L (Section 7.5.3).
s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
X=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).

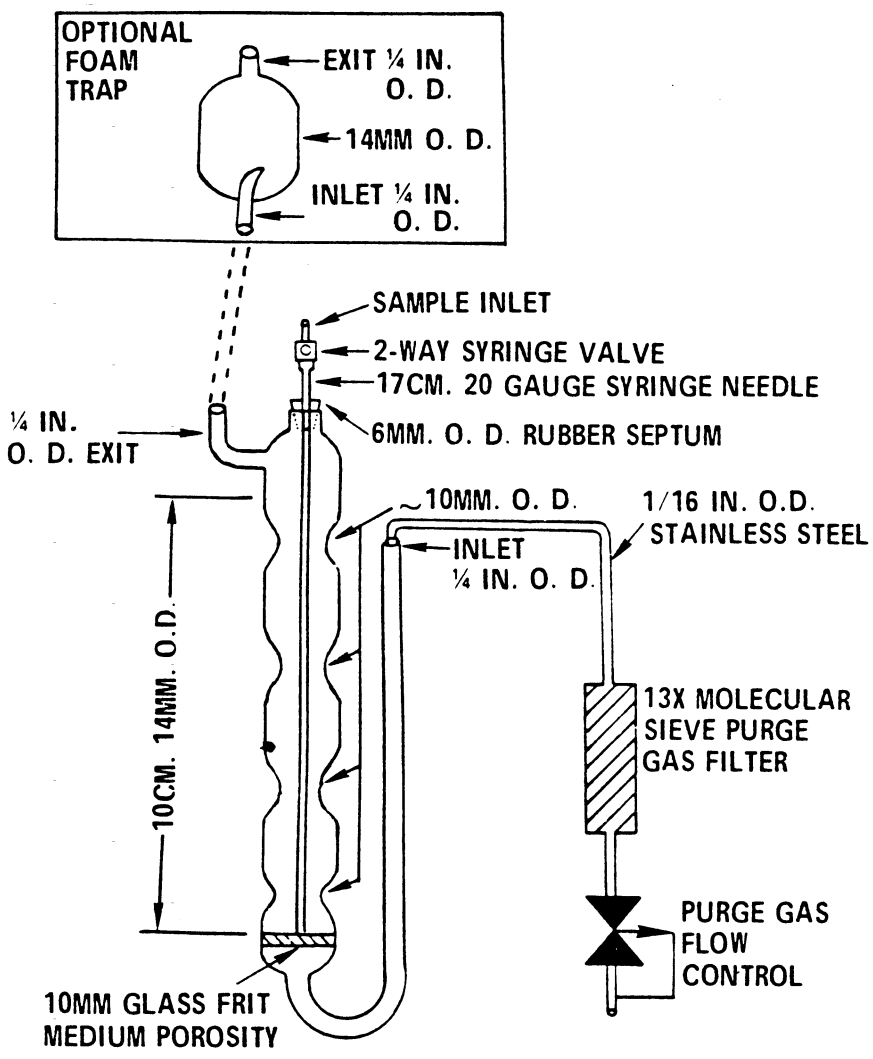

Figure 1. Purging device.

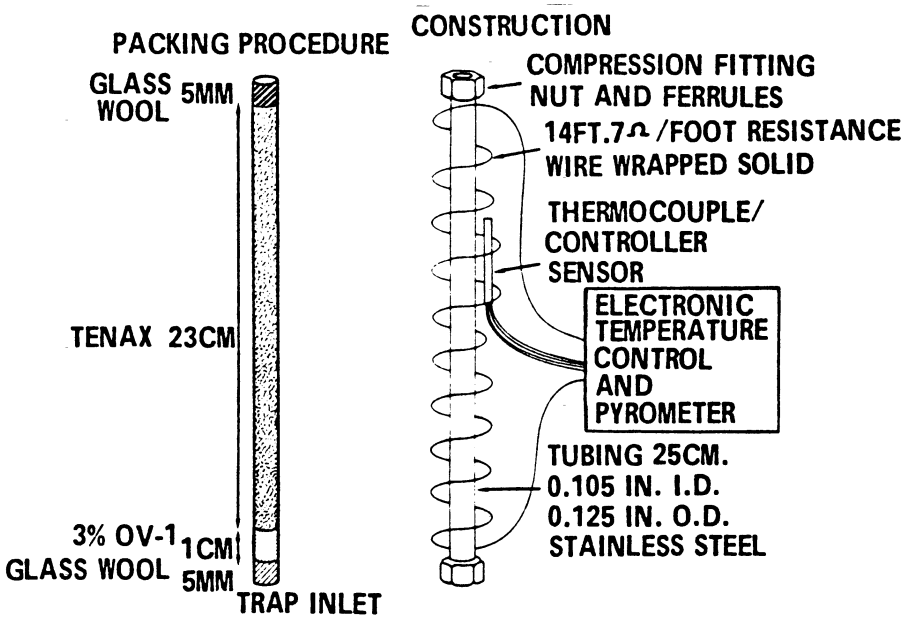

Figure 2. Trap packings and construction to include desorb capability.

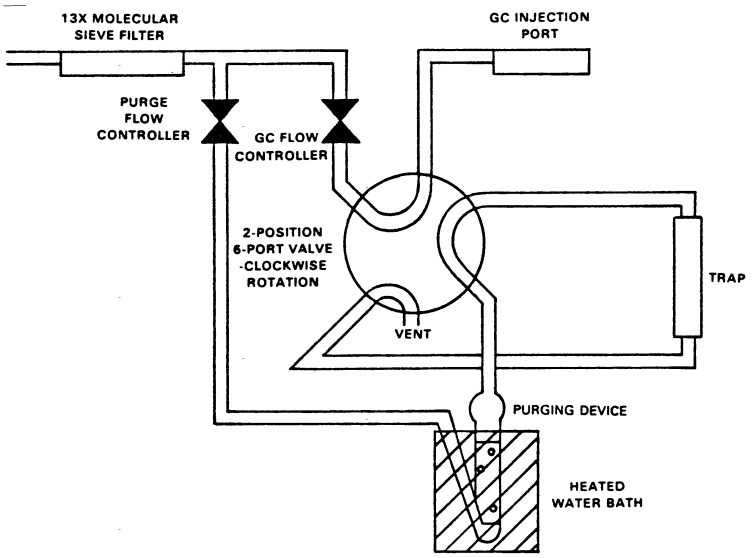

Figure 3. Purge and trap system-purge mode.

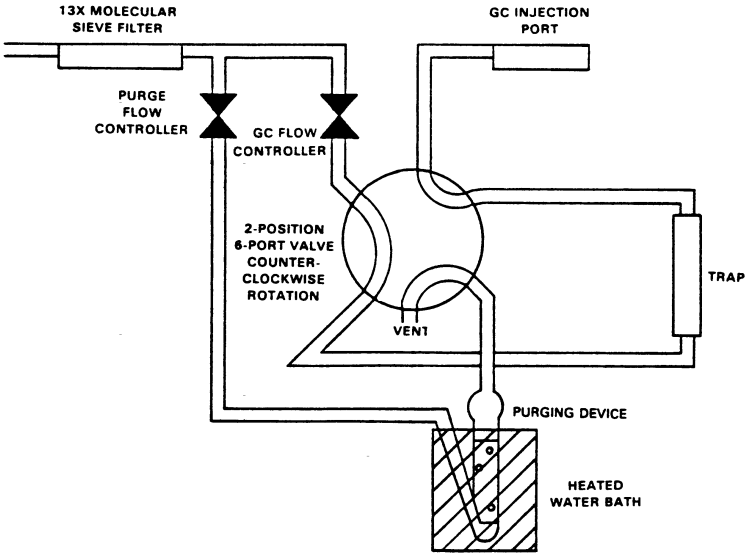

Figure 4. Purge and trap system-desorb mode.

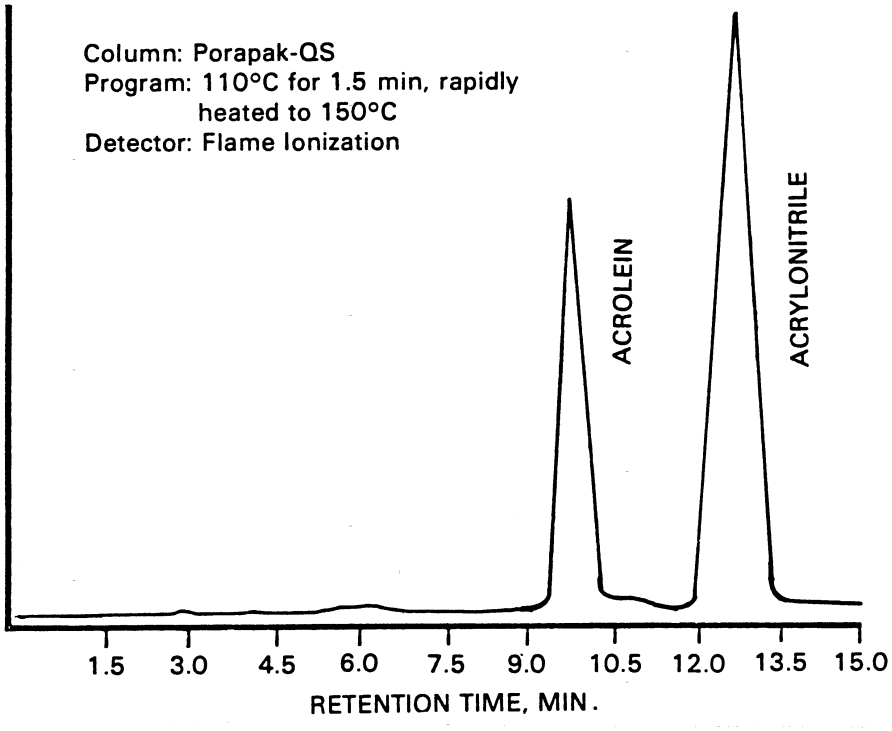

Figure 5. Gas chromatogram of acrolein and acrylonitrile.

METHOD 604—PHENOLS

1. Scope and Application

1.1 This method covers the determination of phenol and certain substituted phenols. The following parameters may be determined by this method:

Parameter	STORET No.	CAS No.
4-Chloro-3-methylphenol	34452	59–50–7
2—Chlorophenol	34586	95–57–8
2,4-Dichlorophenol	34601	120–83–2
2,4-Dimethylphenol	34606	105–67–9
2,4-Dinitrophenol	34616	51–28–5
2-Methyl-4,6-dinitrophenol	34657	534–52–1
2-Nitrophenol	34591	88–75–5
4-Nitrophenol	34646	100–02–7
Pentachlorophenol	39032	87–86–5
Phenol	34694	108–95–2
2,4,6-Trichlorophenol	34621	88–06–2

1.2 This is a flame ionization detector gas chromatographic (FIDGC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for derivatization, cleanup, and electron capture detector gas chromatography (ECDGC) that can be used to confirm measurements made by FIDGC. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix. The MDL listed in Table 1 for each parameter was achieved with a flame ionization detector (FID). The MDLs that were achieved when the derivatization cleanup and electron capture detector (ECD) were employed are presented in Table 2.

1.4 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.5 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1-L, is acidified and extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and exchanged to 2-propanol during concentration to a volume of 10 mL or less. The extract is separated by gas chromatography and the phenols are then measured with an FID.[2]

2.2 A preliminary sample wash under basic conditions can be employed for samples having high general organic and organic base interferences.

2.3 The method also provides for a derivatization and column chromatography cleanup procedure to aid in the elimination of interferences.[2,3] The derivatives are analyzed by ECDGC.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[4] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are coextracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The derivatization cleanup procedure in Section 12 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Tables 1 and 2.

3.3 The basic sample wash (Section 10.2) may cause significantly reduced recovery of phenol and 2,4-dimethylphenol. The analyst must recognize that results obtained under these conditions are minimum concentrations.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this mothod has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[5—7] for the information of analyst.

4.2 Special care should be taken in handling pentafluorobenzyl bromide, which is a lachrymator, and 18-crown-6-ether, which is highly toxic.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be

used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Chromatographic column—100 mm long × 10 mm ID, with Teflon stopcock.

5.2.4 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.5 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.6 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.7 Snyder column, Kuderna-Danish—Two-ball micro (Kontes K–569001–0219 or equivalent).

5.2.8 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.2.9 Reaction flask—15 to 25-mL round bottom flask, with standard tapered joint, fitted with a water-cooled condenser and U-shaped drying tube containing granular calcium chloride.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2°C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighting 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with a temperature programmable gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column for underivatized phenols—1.8 m long × 2 mm ID glass, packed with 1% SP–1240DA on Supelcoport (80/100 mesh) or equivalent. This column was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 11.1.

5.6.2 Column for derivatized phenols—1.8 m long × 2 mm ID glass, packed with 5% OV–17 on Chromosorb W–AW–DMCS (80/100 mesh) or equivalent. This column has proven effective in the analysis of wastewaters for derivatization products of the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 11.1.

5.6.3 Detectors—Flame ionization and electron capture detectors. The FID is used when determining the parent phenols. The ECD is used when determining the derivatized phenols. Guidelines for the use of alternatve detectors are provided in Section 11.1.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.3 Sodium hydroxide solution (1 N)—Dissolve 4 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.4 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400°C for 4 h in a shallow tray.

6.5 Sodium thiosulfate—(ACS) Granular.

6.6 Sulfuric acid (1+1)—Slowly, add 50 mL of H_2SO_4 (ACS, sp. gr. 1.84) to 50 mL of reagent water.

6.7 Sulfuric acid (1 N)—Slowly, add 58 mL of H_2SO_4 (ACS, sp. gr. 1.84) to reagent water and dilute to 1 L.

6.8 Potassium carbonate—(ACS) Powdered.

6.9 Pentafluorobenzyl bromide (α-Bromopentafluorotoluene)—97% minimum purity.

NOTE: This chemical is a lachrymator. (See Section 4.2.)

6.10 18-crown-6-ether (1,4,7,10,13,16-Hexaoxacyclooctadecane)—98% minimum purity.

NOTE: This chemical is highly toxic.

6.11 Derivatization reagent—Add 1 mL of pentafluorobenzyl bromide and 1 g of 18-crown-6-ether to a 50-mL volumetric flask and dilute to volume with 2-propanol. Prepare fresh weekly. This operation should be carried out in a hood. Store at 4 °C and protect from light.

6.12 Acetone, hexane, methanol, methylene chloride, 2-propanol, toluene—Pesticide quality or equivalent.

6.13 Silica gel—100/200 mesh, Davison, grade-923 or equivalent. Activate at 130 °C overnight and store in a desiccator.

6.14 Stock standard solutions (1.00 μg/μL)—Stock standard solutions may be prepared from pure standard materials or purchased as certified solutions.

6.14.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in 2-propanol

and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.14.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.14.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.15 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 To calibrate the FIDGC for the anaylsis of underivatized phenols, establish gas chromatographic operating conditions equivalent to those given in Table 1. The gas chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure for FIDGC:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with 2-propanol. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 µl, analyze each calibration standard according to Section 11 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure for FIDGC—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with 2-propanol. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 11 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound.

7.5 To calibrate the ECDGC for the analysis of phenol derivatives, establish gas chromatographic operating conditions equivalent to those given in Table 2.

7.5.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with 2-propanol. One of the external standards should be at a concentration near, but above, the MDL (Table 2) and the other concentrations should correspond to the expected

range of concentrations found in real samples or should define the working range of the detector.

7.5.2 Each time samples are to be derivatized, simultaneously treat a 1-mL aliquot of each calibration standard as described in Section 12.

7.5.3 After derivatization, analyze 2 to 5 µL of each column eluate collected according to the method beginning in Section 12.8 and tabulate peak height or area responses against the calculated equivalent mass of underivatized phenol injected. The results can be used to prepare a calibration curve for each compound.

7.6 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.6 and 11.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 100 µg/mL in 2-propanol. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at a concentration of 100 µg/L by adding 1.00 mL of QC check sample concentrate to each of four 1-L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 3. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Talbe 3 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.2.6.2 Beginning with Section 8.2.2, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 100 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any, or, if none, (2) the larger of either 5 times higher than the expected background concentration or 100 µg/L.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 3. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[8] If spiking was performed at a concentration lower than 100 µg/L, the analyst must use either the QC acceptance criteria in Table 3, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 4, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 4, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[8]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 3. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6. It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates

may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[9] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C from the time of collection until extraction. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[10] Field test kits are available for this purpose.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of sample bottle for later determination of sample volume. Pour the entire sample into a 2-L separatory funnel.

10.2 For samples high in organic content, the analyst may solvent wash the sample at basic pH as prescribed in Sections 10.2.1 and 10.2.2 to remove potential method interferences. Prolonged or exhaustive contact with solvent during the wash may result in low recovery of some of the phenols, notably phenol and 2,4-dimethylphenol. For relatively clean samples, the wash should be omitted and the extraction, beginning with Section 10.3, should be followed.

10.2.1 Adjust the pH of the sample to 12.0 or greater with sodium hydroxide solution.

10.2.2 Add 60 mL of methylene chloride to the sample by shaking the funnel for 1 min with periodic venting to release excess pressure. Discard the solvent layer. The wash can be repeated up to two additional times if significant color is being removed.

10.3 Adjust the sample to a pH of 1 to 2 with sulfuric acid.

10.4 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.5 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.6 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.7 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.8 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.9 Increase the temperature of the hot water bath to 95 to 100 °C. Remove the Synder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of 2-propanol. A 5-mL syringe is recommended for this operation. Attach a two-ball micro-Snyder column to the concentrator tube and prewet the column by adding about 0.5 mL of 2-propanol to the top. Place the micro-K–D apparatus on the water bath so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete

concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches 2.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Add an additional 2 mL of 2-propanol through the top of the micro-Snyder column and resume concentrating as before. When the apparent volume of liquid reaches 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.10 Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with a minimum amount of 2-propanol. Adjust the extract volume to 1.0 mL. Stopper the concentrator tube and store refrigerated at 4 °C if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with FIDGC analysis (Section 11). If the sample requires further cleanup, proceed to Section 12.

10.11 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Flame Ionization Detector Gas Chromatography

11.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. An example of the separations achieved by this column is shown in Figure 1. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

11.2 Calibrate the system daily as described in Section 7.

11.3 If the internal standard calibration procedure is used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the gas chromatograph.

11.4 Inject 2 to 5 μL of the sample extract or standard into the gas chromatograph using the solvent-flush technique.[11] Smaller (1.0 μL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, and the resulting peak size in area or peak height units.

11.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound may be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

11.6 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

11.7 If the measurement of the peak response is prevented by the presence of interferences, an alternative gas chromatographic procedure is required. Section 12 describes a derivatization and column chromatographic procedure which has been tested and found to be a practical means of analyzing phenols in complex extracts.

12. Derivatization and Electron Capture Detector Gas Chromatography

12.1 Pipet a 1.0-mL aliquot of the 2-propanol solution of standard or sample extract into a glass reaction vial. Add 1.0 mL of derivatizing reagent (Section 6.11). This amount of reagent is sufficient to derivatize a solution whose total phenolic content does not exceed 0.3 mg/mL.

12.2 Add about 3 mg of potassium carbonate to the solution and shake gently.

12.3 Cap the mixture and heat it for 4 h at 80 °C in a hot water bath.

12.4 Remove the solution from the hot water bath and allow it to cool.

12.5 Add 10 mL of hexane to the reaction flask and shake vigorously for 1 min. Add 3.0 mL of distilled, deionized water to the reaction flask and shake for 2 min. Decant a portion of the organic layer into a concentrator tube and cap with a glass stopper.

12.6 Place 4.0 g of silica gel into a chromatographic column. Tap the column to settle the silica gel and add about 2 g of anhydrous sodium sulfate to the top.

12.7 Preelute the column with 6 mL of hexane. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, pipet onto the column 2.0 mL of the hexane solution (Section 12.5) that contains the derivatized sample or standard. Elute the column with 10.0 mL of hexane and discard the eluate. Elute the column, in order, with: 10.0 mL of 15% toluene in hexane (Fraction 1); 10.0 mL of 40% toluene in hexane (Fraction 2); 10.0 mL of 75% toluene in hexane (Fraction 3); and 10.0 mL of 15% 2-propanol in toluene (Fraction 4). All elution mixtures are prepared on a volume: volume basis. Elution patterns for the phenolic derivatives are shown in Table 2. Fractions may be combined as desired, depending upon the specific phenols of interest or level of interferences.

12.8 Analyze the fractions by ECDGC. Table 2 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. An example of the separations

achieved by this column is shown in Figure 2.

12.9 Calibrate the system daily with a minimum of three aliquots of calibration standards, containing each of the phenols of interest that are derivatized according to Section 7.5.

12.10 Inject 2 to 5 μL of the column fractions into the gas chromatograph using the solvent-flush technique. Smaller (1.0 μL) volumes can be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, and the resulting peak size in area or peak height units. If the peak response exceeds the linear range of the system, dilute the extract and reanalyze.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample analyzed by FIDGC (without derivatization) as indicated below.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:

A=Amount of material injected (ng).

V_i=Volume of extract injected (μL).

V_t=Volume of total extract (μL).

V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

I_s=Amount of internal standard added to each extract (μg).

V_o=Volume of water extracted (L).

13.2 Determine the concentration of individual compounds in the sample analyzed by derivatization and ECDGC according to Equation 4.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)(B)(D)}{(V_i)(V_s)(C)(E)}$$

Equation 4

where:

A=Mass of underivatized phenol represented by area of peak in sample chromatogram, determined from calibration curve in Section 7.5.3 (ng).

V_i=Volume of eluate injected (μL).

V_t=Total volume of column eluate or combined fractions from which V_i was taken (μL).

V_s=Volume of water extracted in Section 10.10 (mL).

B=Total volume of hexane added in Section 12.5 (mL).

C=Volume of hexane sample solution added to cleanup column in Section 12.7 (mL).

D=Total volume of 2-propanol extract prior to derivatization (mL).

E=Volume of 2-propanol extract carried through derivatization in Section 12.1 (mL).

13.3 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Tables 1 and 2 were obtained using reagent water.[12] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method was tested by 20 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked as six concentrations over the range 12 to 450 μg/L.[13] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships for a flame ionization detector are presented in Table 4.

References

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)	Method detection limit (μg/L)
2-Chlorophenol	1.70	0.31
2-Nitrophenol	2.00	0.45
Phenol	3.01	0.14
2,4-Dimethylphenol	4.03	0.32
2,4-Dichlorophenol	4.30	0.39
2,4,6-Trichlorophenol	6.05	0.64
4-Chloro-3-methylphenol	7.50	0.36
2,4-Dinitrophenol	10.00	13.0
2-Methyl-4,6-dinitrophenol	10.24	16.0
Pentachlorophenol	12.42	7.4
4-Nitrophenol	24.25	2.8

Column conditions: Supelcoport (80/100 mesh) coated with 1% SP–1240DA packed in a 1.8 m long × 2 mm ID glass column with nitrogen carrier gas at 30 mL/min flow rate. Column temperature was 80 °C at injection, programmed immediately at 8 °C/min to 150 °C final temperature. MDL were determined with an FID.

TABLE 2—SILICA GEL FRACTIONATION AND ELECTRON CAPTURE GAS CHROMATOGRAPHY OF PFBB DERIVATIVES

Parent compound	Percent recovery by fraction[a]				Retention time (min)	Method detection limit (μg/L)
	1	2	3	4		
2-Chlorophenol	.....	90	1	.....	3.3	0.58
2-Nitrophenol	.....	.....	9	90	9.1	0.77
Phenol	.....	90	10	.....	1.8	2.2
2,4-Dimethylphenol	.....	95	7	.....	2.9	0.63
2,4-Dichlorophenol	.....	95	1	.....	5.8	0.68
2,4,6-Trichlorophenol	50	50	.....	.....	7.0	0.58
4-Chloro-3-methylphenol	.....	84	14	.....	4.8	1.8
Pentachlorophenol	75	20	.....	.....	28.8	0.59
4-Nitrophenol	.....	.....	1	90	14.0	0.70

Column conditions: Chromosorb W–AW–DMCS (80/100 mesh) coated with 5% OV–17 packed in a 1.8 m long × 2.0 mm ID glass column with 5% methane/95% argon carrier gas at 30 mL/min flow rate. Column temperature held isothermal at 200 °C. MDL were determined with an ECD.

[a] Eluant composition:
Fraction 1—15% toluene in hexane.
Fraction 2—40% toluene in hexane.
Fraction 3—75% toluene in hexane.
Fraction 4—15% 2-propanol in toluene.

TABLE 3—QC ACCEPTANCE CRITERIA—METHOD 604

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s (percent)
4-Chloro-3-methylphenol	100	16.6	56.7–113.4	49–122
2-Chlorophenol	100	27.0	54.1–110.2	38–126
2,4-Dichlorophenol	100	25.1	59.7–103.3	44–119
2,4-Dimethylphenol	100	33.3	50.4–100.0	24–118
4,6-Dinitro-2-methylphenol	100	25.0	42.4–123.6	30–136
2,4-Dinitrophenol	100	36.0	31.7–125.1	12–145
2-Nitrophenol	100	22.5	56.6–103.8	43–117
4-Nitrophenol	100	19.0	22.7–100.0	13–110
Pentachlorophenol	100	32.4	56.7–113.5	36–134
Phenol	100	14.1	32.4–100.0	23–108
2,4,6-Trichlorophenol	100	16.6	60.8–110.4	53–119

s—Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$—Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s—Percent recovery measured (Section 8.3.2, Section 8.4.2).

NOTE: These criteria are based directly upon the method performance data in Table 4. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 4.

TABLE 4—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 604

Parameter	Accuracy, as recovery, X' (μg/L)	Single Analyst precision, s_r' (μg/L)	Overall precision, S' (μg/L)
4-Chloro-3-methylphenol	0.87C–1.97	$0.11\bar{X}$–0.21	$0.16\bar{X}$+1.41
2-Chlorophenol	0.83C–0.84	$0.18\bar{X}$+0.20	$0.21\bar{X}$+0.75
2,4-Dichlorophenol	0.81C+0.48	$0.17\bar{X}$–0.02	$0.18\bar{X}$+0.62
2,4-Dimethylphenol	0.62C–1.64	$0.30\bar{X}$–0.89	$0.25\bar{X}$+0.48
4,6-Dinitro-2-methylphenol	0.84C–1.01	$0.15\bar{X}$+1.25	$0.19\bar{X}$+5.85
2,4-Dinitrophenol	0.80C–1.58	$0.27\bar{X}$–1.15	$0.29\bar{X}$+4.51
2-Nitrophenol	0.81C–0.76	$0.15\bar{X}$+0.44	$0.14\bar{X}$+3.84
4-Nitrophenol	0.46C+0.18	$0.17\bar{X}$+2.43	$0.19\bar{X}$+4.79
Pentachlorophenol	0.83C+2.07	$0.22\bar{X}$–0.58	$0.23\bar{X}$+0.57
Phenol	0.43C+0.11	$0.20\bar{X}$–0.88	$0.17\bar{X}$+0.77
2,4,6-Trichlorophenol	0.86C–0.40	$0.10\bar{X}$+0.53	$0.13\bar{X}$+2.40

X'=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S'=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

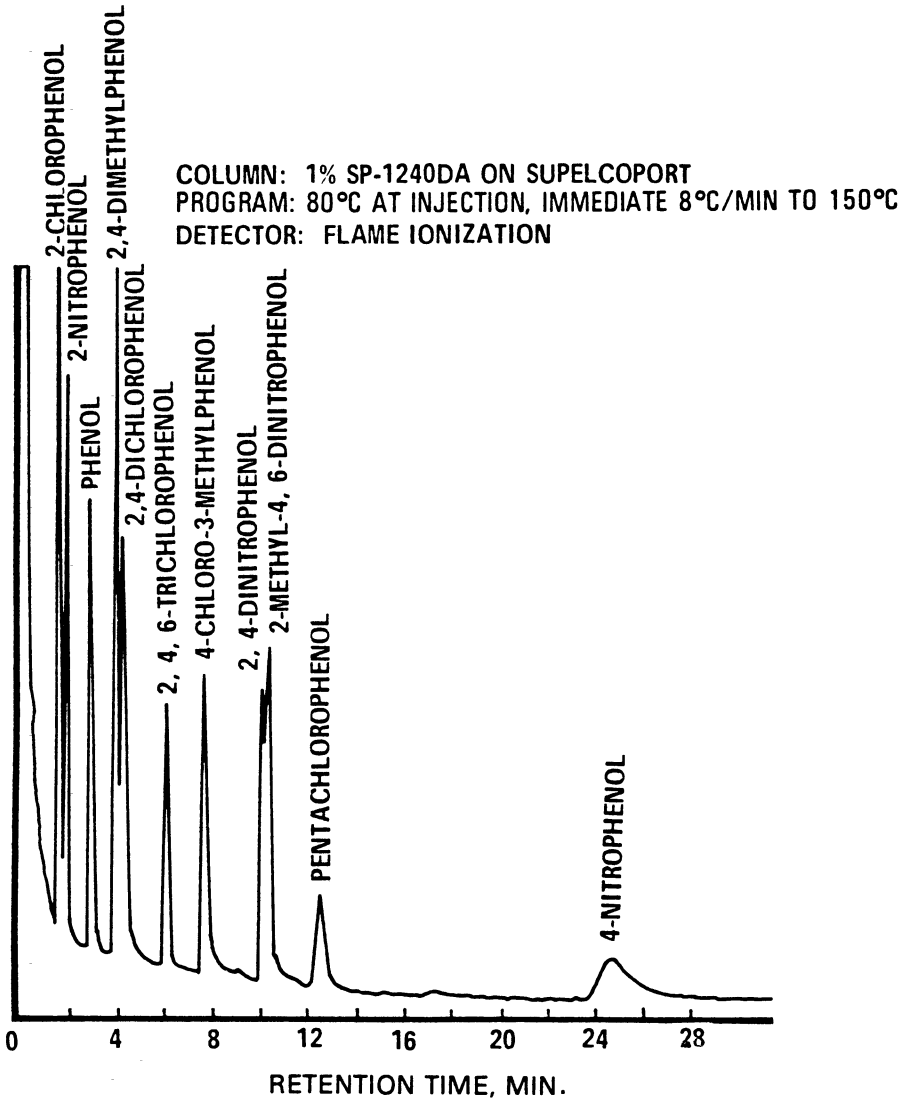

Figure 1. Gas chromatogram of phenols.

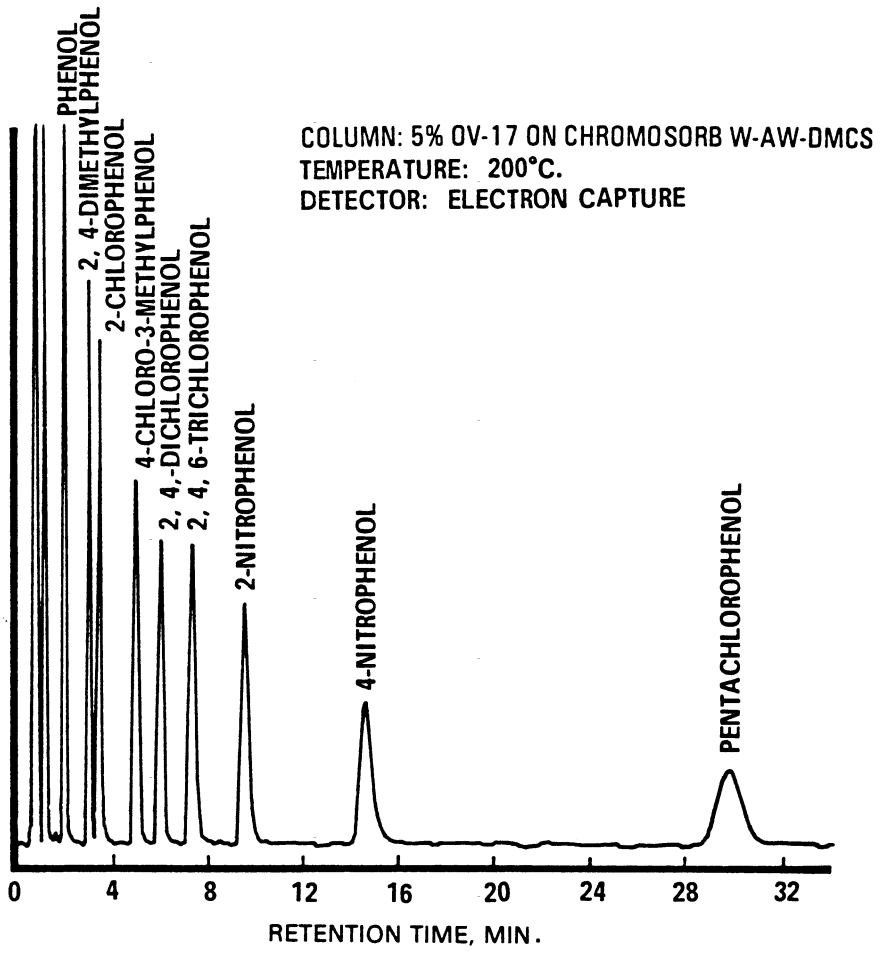

Figure 2. Gas chromatogram of PFB derivatives of phenols.

METHOD 605—BENZIDINES

1. Scope and Application

1.1 This method covers the determination of certain benzidines. The following parameters can be determined by this method:

Parameter	Storet No	CAS No.
Benzidine	39120	92–87–5
3,3′-Dichlorobenzidine	34631	91–94–1

1.2 This is a high performance liquid chromatography (HPLC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for the compounds above, identifications should be supported by at least one additional qualitative technique. This method describes electrochemical conditions at a second potential which can be used to confirm measurements made with this method. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is

listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of the interferences in the sample matrix.

1.4 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.5 This method is restricted to use by or under the supervision of analysts experienced in the use of HPLC instrumentation and in the interpretation of liquid chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with chloroform using liquid-liquid extractions in a separatory funnel. The chloroform extract is extracted with acid. The acid extract is then neutralized and extracted with chloroform. The final chloroform extract is exchanged to methanol while being concentrated using a rotary evaporator. The extract is mixed with buffer and separated by HPLC. The benzidine compounds are measured with an electrochemical detector.[2]

2.2 The acid back-extraction acts as a general purpose cleanup to aid in the elimination of interferences.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedures that are inherent in the extraction step are used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

3.3 Some dye plant effluents contain large amounts of components with retention times closed to benzidine. In these cases, it has been found useful to reduce the electrode potential in order to eliminate interferences and still detect benzidine. (See Section 12.7.)

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health harzard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified [4–6] for the information of the analyst.

4.2 The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: benzidine and 3,3′-dichlorobenzidine. Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

4.3 Exposure to chloroform should be minimized by performing all extractions and extract concentrations in a hood or other well-ventiliated area.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene

chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4°C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested):

5.2.1 Separatory funnels—2000, 1000, and 250-mL, with Teflon stopcock.

5.2.2 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.2.3 Rotary evaporator.

5.2.4 Flasks—Round bottom, 100–mL, with 24/40 joints.

5.2.5 Centrifuge tubes—Conical, graduated, with Teflon-lined screw caps.

5.2.6 Pipettes—Pasteur, with bulbs.

5.3 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.4 High performance liquid chromatograph (HPLC)—An analytical system complete with column supplies, high pressure syringes, detector, and compatible recorder. A data system is recommended for measuring peak areas and retention times.

5.4.1 Solvent delivery system—With pulse damper, Altex 110A or equivalent.

5.4.2 Injection valve (optional)—Waters U6K or equivalent.

5.4.3 Electrochemical detector—Bioanalytical Systems LC–2A with glassy carbon electrode, or equivalent. This detector has proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 14. Guidelines for the use of alternate detectors are provided in Section 12.1.

5.4.4 Electrode polishing kit—Princeton Applied Research Model 9320 or equivalent.

5.4.5 Column—Lichrosorb RP–2, 5 micron particle diameter, in a 25 cm × 4.6 mm ID stainless steel column. This column was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 12.1.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium hydroxide solution (5 N)—Dissolve 20 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.3 Sodium hydroxide solution (1 M)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 1 L.

6.4 Sodium thiosulfate—(ACS) Granular.

6.5 Sodium tribasic phosphate (0.4 M)—Dissolve 160 g of trisodium phosphate decahydrate (ACS) in reagent water and dilute to 1 L.

6.6 Sulfuric acid (1+1)—Slowly, add 50 mL of H_2SO_4 (ACS, sp. gr. 1.84) to 50 mL of reagent water.

6.7 Sulfuric acid (1 M)—Slowly, add 58 mL of H_2SO_4 (ACS, sp. gr. 1.84) to reagent water and dilute to 1 L.

6.8 Acetate buffer (0.1 M, pH 4.7)—Dissolve 5.8 mL of glacial acetic acid (ACS) and 13.6 g of sodium acetate trihydrate (ACS) in reagent water which has been purified by filtration through a RO–4 Millipore System or equivalent and dilute to 1 L.

6.9 Acetonitrile, chloroform (preserved with 1% ethanol), methanol—Pesticide quality or equivalent.

6.10 Mobile phase—Place equal volumes of filtered acetonitrile (Millipore type FH filter or equivalent) and filtered acetate buffer (Millipore type GS filter or equivalent) in a narrow-mouth, glass container and mix thoroughly. Prepare fresh weekly. Degas daily by sonicating under vacuum, by heating an stirring, or by purging with helium.

6.11 Stock standard solutions (1.00 μg/μL)—Stock standard solutions may be prepared from pure standard materials or purchased as certified solutions.

6.11.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in methanol and dilute to volume in a 10–mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.11.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.11.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.12 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish chromatographic operating conditions equivalent to those given in Table 1. The HPLC system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with mobile phase. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using syringe injections of 5 to 25 µL or a constant volume injection loop, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with mobile phase. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using syringe injections of 5 to 25 µL or a constant volume injection loop, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound. If serious loss of response occurs, polish the electrode and recalibrate.

7.5 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.9, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to

the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing benzidine and/or 3,3′-dichlorobenzidine at a concentration of 50 µg/mL each in methanol. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at a concentration of 50 µg/L by adding 1.00 mL of QC check sample concentrate to each of four 1–L-L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter. Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 50 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or 50 µg/L.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than 50 µg/L, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting

the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Sections 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as HPLC with a dissimilar column, gas chromatography, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[8] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4°C and stored in the dark from the time of collection until extraction. Both benzidine and 3,3′-dichlorobenzidine are easily oxidized. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[9] Field test kits are available for this purpose. After mixing, adjust the pH of the sample to a range of 2 to 7 with sulfuric acid.

9.3 If 1,2-diphenylhydrazine is likely to be present, adjust the pH of the sample to 4.0± 0.2 to prevent rearrangement to benzidine.

9.4 All samples must be extracted within 7 days of collection. Extracts may be held up to 7 days before analysis, if stored under an inert (oxidant free) atmosphere.[2] The extract should be protected from light.

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel. Check the pH of the sample with wide-range pH paper and adjust to within the range of 6.5 to 7.5 with sodium hydroxide solution or sulfuric acid.

10.2 Add 100 mL of chloroform to the sample bottle, seal, and shake 30 s to rinse the inner surface. (Caution: Handle chloroform in a well ventilated area.) Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass

wool, centrifugation, or other physical methods. Collect the chloroform extract in a 250-mL separatory funnel.

10.3 Add a 50-mL volume of chloroform to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the separatory funnel. Perform a third extraction in the same manner.

10.4 Separate and discard any aqueous layer remaining in the 250-mL separatory funnel after combining the organic extracts. Add 25 mL of 1 M sulfuric acid and extract the sample by shaking the funnel for 2 min. Transfer the aqueous layer to a 250-mL beaker. Extract with two additional 25-mL portions of 1 M sulfuric acid and combine the acid extracts in the beaker.

10.5 Place a stirbar in the 250-mL beaker and stir the acid extract while carefully adding 5 mL of 0.4 M sodium tribasic phosphate. While monitoring with a pH meter, neutralize the extract to a pH between 6 and 7 by dropwise addition of 5 N sodium hydroxide solution while stirring the solution vigorously. Approximately 25 to 30 mL of 5 N sodium hydroxide solution will be required and it should be added over at least a 2-min period. Do not allow the sample pH to exceed 8.

10.6 Transfer the neutralized extract into a 250-mL separatory funnel. Add 30 mL of chloroform and shake the funnel for 2 min. Allow the phases to separate, and transfer the organic layer to a second 250-mL separatory funnel.

10.7 Extract the aqueous layer with two additional 20-mL aliquots of chloroform as before. Combine the extracts in the 250-mL separatory funnel.

10.8 Add 20 mL of reagent water to the combined organic layers and shake for 30 s.

10.9 Transfer the organic extract into a 100-mL round bottom flask. Add 20 mL of methanol and concentrate to 5 mL with a rotary evaporator at reduced pressure and 35 °C. An aspirator is recommended for use as the source of vacuum. Chill the receiver with ice. This operation requires approximately 10 min. Other concentration techniques may be used if the requirements of Section 8.2 are met.

10.10 Using a 9-in. Pasteur pipette, transfer the extract to a 15-mL, conical, screw-cap centrifuge tube. Rinse the flask, including the entire side wall, with 2-mL portions of methanol and combine with the original extract.

10.11 Carefully concentrate the extract to 0.5 mL using a gentle stream of nitrogen while heating in a 30 °C water bath. Dilute to 2 mL with methanol, reconcentrate to 1 mL, and dilute to 5 mL with acetate buffer. Mix the extract thoroughly. Cap the centrifuge tube and store refrigerated and protected from light if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with HPLC analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.12 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1,000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure.

12. High Performance Liquid Chromatography

12.1 Table 1 summarizes the recommended operating conditions for the HPLC. Included in this table are retention times, capacity factors, and MDL that can be achieved under these conditions. An example of the separations achieved by this HPLC column is shown in Figure 1. Other HPLC columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met. When the HPLC is idle, it is advisable to maintain a 0.1 mL/min flow through the column to prolong column life.

12.2 Calibrate the system daily as described in Section 7.

12.3 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the instrument.

12.4 Inject 5 to 25 µL of the sample extract or standard into the HPLC. If constant volume injection loops are not used, record the volume injected to the nearest 0.05 µL, and the resulting peak size in area or peak height units.

12.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.6 If the response for a peak exceeds the working range of the system, dilute the extract with mobile phase and reanalyze.

12.7 If the measurement of the peak response for benzidine is prevented by the presence of interferences, reduce the electrode

potential to +0.6 V and reanalyze. If the benzidine peak is still obscured by interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (μL).
V_t=Volume of total extract (μL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (μg).
V_o=Volume of water extracted (L).

13.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[10] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 7×MDL to 3000×MDL.[10]

14.3 This method was tested by 17 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 1.0 to 70 μg/L.[11] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

References

1. 40 CFR part 136, appendix B.

2. "Determination of Benzidines in Industrial and Muncipal Wastewaters," EPA 600/4–82–022, National Technical Information Service, PB82–196320, Springfield, Virginia 22161, April 1982.

3. ASTM Annual Book of Standards, Part 31, D3694–78. "Standard Practices for Preparation of Sample Containers and for Preservation of Organic Constituents," American Society for Testing and Materials, Philadelphia.

4. "Carcinogens—Working With Carcinogens," Department of Health, Education, and Welfare, Public Health Service, Center for Disease Control, National Institute for Occupational Safety and Health, Publication No. 77–206, August 1977.

5. "OSHA Safety and Health Standards, General Industry," (29 CFR part 1910), Occupational Safety and Health Administration, OSHA 2206 (Revised, January 1976).

6. "Safety in Academic Chemistry Laboratories," American Chemical Society Publication, Committee on Chemical Safety, 3rd Edition, 1979.

7. Provost, L.P., and Elder, R.S. "Interpretation of Percent Recovery Data," *American* Laboratory, 15, 58–63 (1983). (The value 2.44 used in the equation in Section 8.3.3 is two times the value 1.22 derived in this report.)

8. ASTM Annual Book of Standards, Part 31, D3370–76. "Standard Practices for Sampling Water," American Society for Testing and Materials, Philadelphia.

9. "Methods 330.4 (Titrimetric, DPD–FAS) and 330.5 (Spectrophotometric, DPD) for Chlorine Total Residual," Methods for Chemical Analysis of Water and Wastes, EPA–600/4–79–020, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268, March 1979.

10. "EPA Method Study 15, Method 605 (Benzidines)," EPA 600/4–84–062, National Technical Information Service, PB84–211176, Springfield, Virginia 22161, June 1984.

11. "EPA Method Validation Study 15, Method 605 (Benzidines)," Report for EPA Contract 68–03–2624 (In preparation).

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)	Column capacity factor (k′)	Method detection limit (μg/L)
Benzidine	6.1	1.44	0.08
3,3′-Dichlorobenzidine	12.1	3.84	0.13

HPLC Column conditions: Lichrosorb RP–2, 5 micron particle size, in a 25 cm×4.6 mm ID stainless steel column. Mobile Phase: 0.8 mL/min of 50% acetonitrile/50% 0.1M pH 4.7 acetate buffer. The MDL were determined using an electrochemical detector operated at +0.8 V.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 605

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s (percent)
Benzidine	50	18.7	9.1–61.0	D–140
3.3′-Dichlorobenzidine	50	23.6	18.7–50.0	5–128

s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

Note: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 605

Parameter	Accuracy, as recovery, X′(μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
Benzidine	0.70C+0.06	$0.28\bar{X}+0.19$	$0.40\bar{X}+0.18$
3,3′-Dichlorobenzidine	0.66C+0.23	$0.39\bar{X}-0.05$	$0.38\bar{X}+0.02$

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

COLUMN: LICHROSORB RP-2
MOBILE PHASE: 50% ACETONITRILE IN ACETATE BUFFER
DETECTOR: ELECTROCHEMICAL AT + 0.8 V

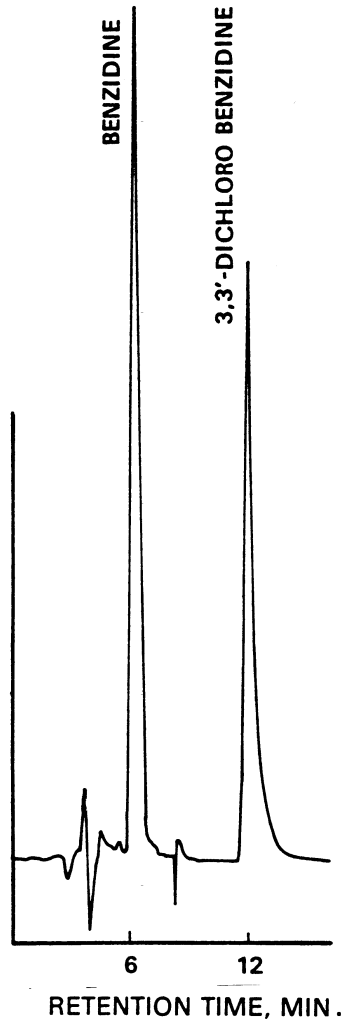

Figure 1. Liquid chromatogram of benzidines.

METHOD 606—PHTHALATE ESTER

1. Scope and Application

1.1 This method covers the determination of certain phthalate esters. The following parameters can be determined by this method:

Parameter	STORET No.	CAS No.
Bis(2-ethylhexyl) phthalate	39100	117–81–7
Butyl benzyl phthalate	34292	85–68–7
Di-n-butyl phthalate	39110	84–74–2
Diethyl phthalate	34336	84–66–2
Dimethyl phthalate	34341	131–11–3
Di-n-octyl phthalate	34596	117–84–0

1.2 This is a gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 The sample extraction and concentration steps in this method are essentially the same as in Methods 608, 609, 611, and 612. Thus, a single sample may be extracted to measure the parameters included in the scope of each of these methods. When cleanup is required, the concentration levels must be high enough to permit selecting aliquots, as necessary, to apply appropriate cleanup procedures. The analyst is allowed the latitude, under Section 12, to select chromatographic conditions appropriate for the simultaneous measurement of combinations of these parameters.

1.5 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and exchanged to hexane during concentration to a volume of 10 mL or less. The extract is separated by gas chromatography and the phthalate esters are then measured with an electron capture detector.[2]

2.2 Analysis for phthalates is especially complicated by their ubiquitous occurrence in the environment. The method provides Florisil and alumina column cleanup procedures to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Phthalate esters are contaminants in many products commonly found in the laboratory. It is particularly important to avoid the use of plastics because phthalates are commonly used as plasticizers and are easily extracted from plastic materials. Serious phthalate contamination can result at any time, if consistent quality control is not practiced. Great care must be experienced to prevent such contamination. Exhaustive cleanup of reagents and glassware may be required to eliminate background phthalate contamination.[4,5]

3.3 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedures in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified [6-8] for the information of the analyst.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1–qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only).

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Chromatographic column—300 mm long × 10 mm ID, with Teflon stopcock and coarse frit filter disc at bottom (Kontes K–420540–0213 or equivalent).

5.2.4 Concentrator tube, Kuderna-Danish—10–mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.5 Evaporative flask, Kuderna-Danish—500–mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.6 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.7 Snyder column, Kuderna-Danish—Two-ball micro (Kontes K–569001–0219 or equivalent).

5.2.8 Vials—10 to 15–mL, amber glass, with Teflon-lined screw cap.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column 1—1.8 m long × 4 mm ID glass, packed with 1.5% SP–2250/1.95% SP–2401 Supelcoport (100/120 mesh) or equivalent. This column was used to develop the method performance statemelts in Section 14. Guidelines for the use of alternate column packings are provided in Section 12.1.

5.6.2 Column 2—1.8 m long × 4 mm ID glass, packed with 3% OV–1 on Supelcoport (100/120 mesh) or equivalent.

5.6.3 Detector—Electron capture detector. This detector has proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 14. Guidelines for the use of alternate detectors are provided in Section 12.1.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Acetone, hexane, isooctane, methylene chloride, methanol—Pesticide quality or equivalent.

6.3 Ethyl ether—nanograde, redistilled in glass if necessary.

6.3.1 Ethyl ether must be shown to be free of peroxides before it is used as indicated by

EM Laboratories Quant test strips. (Available from Scientific Products Co., Cat. No. P1126–8, and other suppliers.)

6.3.2 Procedures recommended for removal of peroxides are provided with the test strips. After cleanup, 20 mL of ethyl alcohol preservative must be added to each liter of ether.

6.4 Sodium sulfate—(ACS) Granular, anhydrous. Several levels of purification may be required in order to reduce background phthalate levels to an acceptable level: 1) Heat 4 h at 400 °C in a shallow tray, 2) Heat 16 h at 450 to 500 °C in a shallow tray, 3) Soxhlet extract with methylene chloride for 48 h.

6.5 Florisil—PR grade (60/100 mesh). Purchase activated at 1250 °F and store in the dark in glass containers with ground glass stoppers or foil-lined screw caps. To prepare for use, place 100 g of Florisil into a 500-mL beaker and heat for approximately 16 h at 40 °C. After heating transfer to a 500-mL reagent bottle. Tightly seal and cool to room temperature. When cool add 3 mL of reagent water. Mix thoroughly by shaking or rolling for 10 min and let it stand for at least 2 h. Keep the bottle sealed tightly.

6.6 Alumina—Neutral activity Super I, W200 series (ICN Life Sciences Group, No. 404583). To prepare for use, place 100 g of alumina into a 500-mL beaker and heat for approximately 16 h at 400 °C. After heating transfer to a 500-mL reagent bottle. Tightly seal and cool to room temperature. When cool add 3 mL of reagent water. Mix thoroughly by shaking or rolling for 10 min and let it stand for at least 2 h. Keep the bottle sealed tightly.

6.7 Stock standard solutions (1.00 μg/μL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.7.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in isooctane and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.7.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.8 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatograph operating conditions equivalent to those given in Table 1. The gas chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepared calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with isooctane. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 μL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flash. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with isooctane. One of the standards should be at a concentraton near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
C_{is}=Concentration of the internal standard (µg/L).
C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound.

7.5 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality contrml (QC) check sample concentrate is required containing each parameter of interest at the following concentrations in acetone: butyl benzyl phthalate, 10 µg/mL; bis(2-ethylhexyl) phthalate, 50 µg/mL; di-n-octyl phthalate, 50 µg/mL; any other phthlate, 25 µg/mL. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agancy, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at the test concentrations shown in Table 2 by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter. Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at the test concentration in Section 8.2.2 or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or the test concentration in Section 8.2.2.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A-B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[9] If spiking was performed at a concentration lower than the test concentration in Section 8.2.2, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[9]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%.

Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[10] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C from the time of collection until extraction.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel.

10.2 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phrase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentrator devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.7 Increase the temperature of the hot water bath to about 80 °C. Momentarily remove the Snyder column, add 50 mL of hexane and a new boiling chip, and reattach the Snyder column. Concentrate the extract as in Section 10.6, except use hexane to prewet the column. The elapsed time of concentration should be 5 to 10 min.

10.8 Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of hexane. A 5-mL syringe is recommended for this operation. Adjust the extract volume to 10 mL. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with gas chromatographic analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.9 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11. Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use

of a cleanup procedure, the analyst may use either procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure.

11.2 If the entire extract is to be cleaned up by one of the following procedures, it must be concentrated to 2.0 mL. To the concentrator tube in Section 10.8, add a clean boiling chip and attach a two-ball micro-Snyder column. Prewet the column by adding about 0.5 mL of hexane to the top. Place the micro-K–D apparatus on a hot water bath (80 °C) so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches about 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with 0.2 mL of hexane. Adjust the final volume to 2.0 mL and proceed with one of the following cleanup procedures.

11.3 Florisil column cleanup for phthalate esters:

11.3.1 Place 10 g of Florisil into a chromatographic column. Tap the column to settle the Florisil and add 1 cm of anhydrous sodium sulfate to the top.

11.3.2 Preelute the column with 40 mL of hexane. The rate for all elutions should be about 2 mL/min. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the 2-mL sample extract onto the column using an additional 2 mL of hexane to complete the transfer. Just prior to exposure of the sodium sulfate layer to the air, add 40 mL of hexane and continue the elution of the column. Discard this hexane eluate.

11.3.3 Next, elute the column with 100 mL of 20% ethyl ether in hexane (V/V) into a 500-mL K–D flask equipped with a 10-mL concentrator tube. Concentrate the collected fraction as in Section 10.6. No solvent exchange is necessary. Adjust the volume of the cleaned up extract to 10 mL in the concentrator tube and analyze by gas chromatography (Section 12).

11.4 Alumina column cleanup for phthalate esters:

11.4.1 Place 10 g of alumina into a chromatographic column. Tap the column to settle the alumina and add 1 cm of anhydrous sodium sulfate to the top.

11.4.2 Preelute the column with 40 mL of hexane. The rate for all elutions should be about 2 mL/min. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the 2-mL sample extract onto the column using an additional 2 mL of hexane to complete the transfer. Just prior to exposure of the sodium sulfate layer to the air, add 35 mL of hexane and continue the elution of the column. Discard this hexane eluate.

11.4.3 Next, elute the column with 140 mL of 20% ethyl ether in hexane (V/V) into a 500-mL K–D flask equipped with a 10–mL concentrator type. Concentrate the collected fraction as in Section 10.6. No solvent exchange is necessary. Adjust the volume of the cleaned up extract to 10 mL in the concentrator tube and analyze by gas chromatography (Section 12).

12. Gas Chromatography

12.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by Column 1 are shown in Figures 1 and 2. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.2 Calibrate the system daily as described in Section 7.

12.3 If the internal standard calibration procedure is being used, the internal staldard must be added to the sample extract and mixed thoroughly immediately before injection into the gas chromatograph.

12.4 Inject 2 to 5 μL of the sample extract or standard into the gas-chromatograph using the solvent-flush technique.[11] Smaller (1.0 μL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, and the resulting peak size in area or peak height units.

12.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.6 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

12.7 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(Vs)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (μL).
V_t=Volume of total extract (μL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (μg).
V_o=Volume of water extracted (L).

13.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[12] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 5 × MDL to 1000 × MDL with the following exceptions: dimethyl and diethyl phthalate recoveries at 1000 × MDL were low (70%); bis-2-ethylhexyl and di-n-octyl phthalate recoveries at 5 × MDL were low (60%).[12]

14.3 This method was tested by 16 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 0.7 to 106 μg/L.[13] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

References

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8. "Safety in Academic Chemistry Laboratories," American Chemical Society Publication, Committee on Chemical Safety, 3rd Edition, 1979.

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11. Burke, J.A. "Gas Chromatography for Pesticide Residue Analysis; Some Practical Aspects," *Journal of the Association of Official Analytical Chemists, 48*, 1037 (1965).

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
Dimethyl phthalate	2.03	0.95	0.29
Diethyl phthalate	2.82	1.27	0.49
Di-n-butyl phthalate	8.65	3.50	0.36
Butyl benzyl phthalate	[a] 6.94	[a] 5.11	0.34
Bis(2-ethylhexyl) phthalate	[a] 8.92	[a] 10.5	2.0
Di-n-octyl phthalate	[a] 16.2	[a] 18.0	3.0

Column 1 conditions: Supelcoport (100/120 mesh) coated with 1.5% SP–2250/1.95% SP–2401 packed in a 1.8 m long × 4 mm ID glass column with 5% methane/95% argon carrier gas at 60 mL/min flow rate. Column temperature held isothermal at 180°C, except where otherwise indicated.

Column 2 conditions: Supelcoport (100/120 mesh) coated with 3% OV–1 packed in a 1.8 m long × 4 mm ID glass column with 5% methane/95% argon carrier gas at 60 mL/min flow rate. Column temperature held isothermal at 200 °C, except where otherwise indicated.

[a] 220 °C column temperature.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 606

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for X (μg/L)	Range for P, P_s (percent)
Bis(2-ethylhexyl) phthalate	50	38.4	1.2–55.9	D–158
Butyl benzyl phthalate	10	4.2	5.7–11.0	30–136
Di-n-butyl phthalate	25	8.9	10.3–29.6	23–136
Diethyl phthalate	25	9.0	1.9–33.4	D–149
Dimethyl phathalate	25	9.5	1.3–35.5	D–156
Di-n-octyl phthalate	50	13.4	D–50.0	D–114

s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

Note: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 606

Parameter	Accuracy, as recovery, X' (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S' (μg/L)
Bis(2-ethylhexyl) phthalate	0.53C+2.02	$0.80\bar{X}-2.54$	$0.73\bar{X}-0.17$
Butyl benzyl phthalate	0.82C+0.13	$0.26\bar{X}+0.04$	$0.25\bar{X}+0.07$
Di-n-butyl phthalate	0.79C+0.17	$0.23\bar{X}+0.20$	$0.29\bar{X}+0.06$
Diethyl phthalate	0.70C+0.13	$0.27\bar{X}+0.05$	$0.45\bar{X}+0.11$
Dimethyl phthalate	0.73C+0.17	$0.26\bar{X}+0.14$	$0.44\bar{X}+0.31$
Di-n-octyl phthalate	$0.35C-0.71$	$0.38\bar{X}+0.71$	$0.62\bar{X}+0.34$

$\bar{X}'$=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S'=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

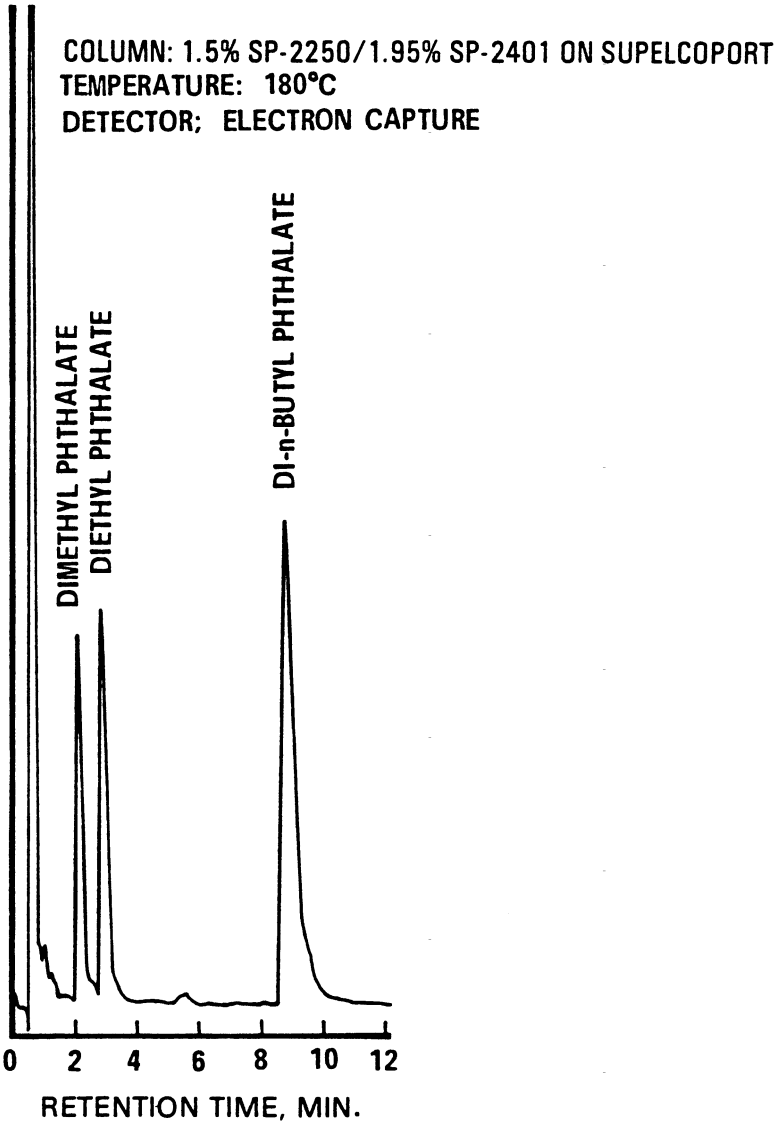

Figure 1. Gas chromatogram of phthalates.

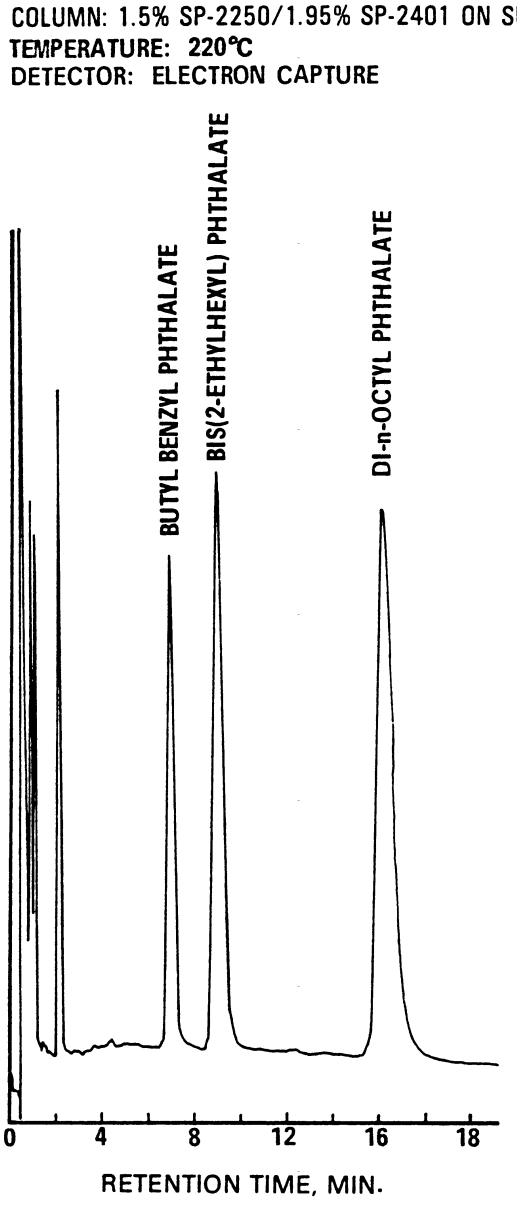

Figure 2. Gas chromatogram of phthalates.

METHOD 607—NITROSAMINES

1. Scope and Application

1.1 This method covers the determination of certain nitrosamines. The following parameters can be determined by this method:

Parameter	Storet No.	CAS No.
N-Nitrosodimethylamine	34438	62–75–9
N-Nitrosodiphenylamine	34433	86–30–6
N-Nitrosodi-n-propylamine	34428	621–64–7

1.2 This is a gas chromatographic (GC) method applicable to the determination of the parameters listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compmunds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditimns for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for N-nitrosodi-n-propylamine. In order to confirm the presence of N-nitrosodiphenylamine, the cleanup procedure specified in Section 11.3 or 11.4 must be used. In order to confirm the presence of N-nitrosodimethylamine by GC/MS, Column 1 of this method must be substituted for the column recommended in Method 625. Confirmation of these parameters using GC-high resolution mass spectrometry or a Thermal Energy Analyzer is also recommended. [1,2]

1.3 The method detection limit (MDL, defined in Section 14.1)[3] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.5 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is washed with dilute hydrochloric acid to remove free amines, dried, and concentrated to a volume of 10 mL or less. After the extract has been exchanged to methanol, it is separated by gas chromatography and the parameters are then measured with a nitrogen-phosphorus detector.[4]

2.2 The method provides Florisil and alumina column cleanup procedures to separate diphenylamine from the nitrosamines and to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[5] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedures in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

3.3 N-Nitrosodiphenylamine is reported[6–9] to undergo transnitrosation reactions. Care must be exercised in the heating or concentrating of solutions containing this compound in the presence of reactive amines.

3.4 The sensitive and selective Thermal Energy Analyzer and the reductive Hall detector may be used in place of the nitrogen-phosphorus detector when interferences are encountered. The Thermal Energy Analyzer offers the highest selectivity of the non-MS detectors.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified [10–12] for the information of the analyst.

4.2 These nitrosamines are known carcinogens [13–17], therefore, utmost care must be exercised in the handling of these materials. Nitrosamine reference standards and standard solutions should be handled and prepared in a ventilated glove box within a properly ventilated room.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flowmeter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnels—2–L and 250–mL, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.4 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.5 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.6 Snyder column, Kuderna-Danish—Two-ball micro (Kontes K–569001–0219 or equivalent).

5.2.7 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.2.8 Chromatographic column—Approximately 400 mm long × 22 mm ID, with Teflon stopcock and coarse frit filter disc at bottom (Kontes K–420540–0234 or equivalent), for use in Florisil column cleanup procedure.

5.2.9 Chromatographic column—Approximately 300 mm long × 10 mm ID, with Teflon stopcock and coarse frit filter disc at bottom (Kontes K–420540–0213 or equivalent), for use in alumina column cleanup procedure.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column 1—1.8 m long × 4 mm ID glass, packed with 10% Carbowax 20 M/2% KOH on Chromosorb W–AW (80/100 mesh) or equivalent. This column was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 12.2.

5.6.2 Column 2—1.8 m long × 4 mm ID glass, packed with 10% SP–2250 on Supelcoport (100/120 mesh) or equivalent.

5.6.3 Detector—Nitrogen-phosphorus, reductive Hall, or Thermal Energy Analyzer detector.[1,2] These detectors have proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1). A nitrogen-phosphorus detector was used to develop the method performance statements in Section 14. Guidelines for the use of alternate detectors are provided in Section 12.2.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 ml.

6.3 Sodium thiosulfate—(ACS) Granular.

6.4 Sulfuric acid (1+1)—Slowly, add 50 mL of H_2SO_4 (ACS, sp. gr. 1.84) to 50 mL of reagent water.

6.5 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.6 Hydrochloric acid (1+9)—Add one volume of concentrated HCl (ACS) to nine volumes of reagent water.

6.7 Acetone, methanol, methylene chloride, pentane—Pesticide quality or equivalent.

6.8 Ethyl ether—Nanograde, redistilled in glass if necessary.

6.8.1 Ethyl ether must be shown to be free of peroxides before it is used as indicated by EM Laboratories Quant test strips. (Available from Scientific Products Co., Cat No. P1126–8, and other suppliers.)

6.8.2 Procedures recommended for removal of peroxides are provided with the test strips. After cleanup, 20 mL of ethyl alcohol preservative must be added to each liter of ether.

6.9 Florisil—PR grade (60/100 mesh). Purchase activated at 1250 °F and store in the dark in glass containers with ground glass stoppers or foil-lined screw caps. Before use, activate each batch at least 16 h at 130 °C in a foil-covered glass container and allow to cool.

6.10 Alumina—Basic activity Super I, W200 series (ICN Life Sciences Group, No. 404571, or equivalent). To prepare for use, place 100 g of alumina into a 500-mL reagent bottle and add 2 mL of reagent water. Mix the alumina preparation thoroughly by shaking or rolling for 10 min and let it stand for at least 2 h. The preparation should be homogeneous before use. Keep the bottle sealed tightly to ensure proper activity.

6.11 Stock standard solutions (1.00 µg/µL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.11.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in methanol and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.11.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.11.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.12 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatographic operating conditions equivalent to those given in Table 1. The gas chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with methanol. One of the external standards should be at a concentraton near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with methanol. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
C_{is}=Concentration of the internal standard (µg/L).
C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound.

7.5 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, and 12.2) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 20 µg/mL in methanol. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at a concentration of 20 µg/L by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively,

found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter. Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 20 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or 20 µg/L.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were caluclated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[18] If spiking was performed at a concentration lower than 20 µg/L, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria caluclated for the specific spike concentration. To calculate optional acceptance crtieria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T) ± 2.44(100 S′/T)%.[18]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P} - 2s_p$ to $\bar{P} + 2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices

for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[19] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C from the time of collection until extraction. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[20] Field test kits are available for this purpose. If N-nitrosodiphenylamine is to be determined, adjust the sample pH to 7 to 10 with sodium hydroxide solution or sulfuric acid.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[4]

9.4 Nitrosamines are known to be light sensitive.[7] Samples should be stored in amber or foil-wrapped bottles in order to minimize photolytic decomposition.

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel. Check the pH of the sample with wide-range pH paper and adjust to within the range of 5 to 9 with sodium hydroxide solution or sulfuric acid.

10.2 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Add 10 mL of hydrochloric acid to the combined extracts and shake for 2 min. Allow the layers to separate. Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65°C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.7 Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of methylene chloride. A 5-mL syringe is recommended for this operation. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If N-nitrosodiphenylamine is to be measured by gas chromatography, the analyst must first use a cleanup column to eliminate diphenylamine interference (Section 11). If N-nitrosodiphenylamine is of no interest, the analyst may proceed directly with gas chromatographic analysis (Section 12).

10.8 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use either procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure. Diphenylamine, if present in the original sample extract, must be separated from the nitrosamines if N-nitrosodiphenylamine is to be determined by this method.

11.2 If the entire extract is to be cleaned up by one of the following procedures, it must be concentrated to 2.0 mL. To the concentrator tube in Section 10.7, add a clean boiling chip and attach a two-ball micro-Snyder column. Prewet the column by adding about 0.5 mL of methylene chloride to the top. Place the micr-K–D apparatus on a hot water bath (60 to 65°C) so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches about 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with 0.2 mL of methylene chloride. Adjust the final volume to 2.0 mL and proceed with one of the following cleanup procedures.

11.3 Florisil column cleanup for nitrosamines:

11.3.1 Place 22 g of activated Florisil into a 22-mm ID chromatographic column. Tap the column to settle the Florisil and add about 5 mm of anhydrous sodium sulfate to the top.

11.3.2 Preelute the column with 40 mL of ethyl ether/pentane (15+85)(V/V). Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the 2-mL sample extract onto the column using an additional 2 mL of pentane to complete the transfer.

11.3.3 Elute the column with 90 mL of ethyl ether/pentane (15+85)(V/V) and discard the eluate. This fraction will contain the diphenylamine, if it is present in the extract.

11.3.4 Next, elute the column with 100 mL of acetone/ethyl ether (5+95)(V/V) into a 500-mL K–D flask equipped with a 10-mL concentrator tube. This fraction will contain all of the nitrosamines listed in the scope of the method.

11.3.5 Add 15 mL of methanol to the collected fraction and concentrate as in Section 10.6, except use pentane to prewet the column and set the water bath at 70 to 75°C. When the apparatus is cool, remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of pentane. Analyze by gas chromatography (Section 12).

11.4 Alumina column cleanup for nitrosamines:

11.4.1 Place 12 g of the alumina preparation (Section 6.10) into a 10-mm ID chromatographic column. Tap the column to settle the alumina and add 1 to 2 cm of anhydrous sodium sulfate to the top.

11.4.2 Preelute the column with 10 mL of ethyl ether/pentane (3+7)(V/V). Discard the eluate (about 2 mL) and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the 2 mL sample extract onto the column using an additional 2 mL of pentane to complete the transfer.

11.4.3 Just prior to exposure of the sodium sulfate layer to the air, add 70 mL of ethyl ether/pentane (3+7)(V/V). Discard the first 10 mL of eluate. Collect the remainder of the eluate in a 500–mL K–D flask equipped with a 10 mL concentrator tube. This fraction contains N-nitrosodiphenylamine and probably a small amount of N-nitrosodi-n-propylamine.

11.4.4 Next, elute the column with 60 mL of ethyl ether/pentane (1+1)(V/V), collecting the eluate in a second K–D flask equipped with a 10–mL concentrator tube. Add 15 mL of methanol to the K–D flask. This fraction will contain N-nitrosodimethylamine, most of the N-nitrosodi-n-propylamine and any diphenylamine that is present.

11.4.5 Concentrate both fractions as in Section 10.6, except use pentane to prewet the column. When the apparatus is cool, remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of pentane. Analyze the fractions by gas chromatography (Section 12).

12. Gas Chromatography

12.1 N-nitrosodiphenylamine completely reacts to form diphenylamine at the normal operating temperatures of a GC injection port (200 to 250°C). Thus, N-nitrosodiphenylamine is chromatographed and detected as diphenylamine. Accurate determination depends on removal of diphenylamine that may be present in the original extract prior to GC analysis (See Section 11).

12.2 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by Column 1 are shown in

Figures 1 and 2. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.3 Calibrate the system daily as described in Section 7.

12.4 If the extract has not been subjected to one of the cleanup procedures in Section 11, it is necessary to exchange the solvent from methylene chloride to methanol before the thermionic detector can be used. To a 1 to 10-mL volume of methylene chloride extract in a concentrator tube, add 2 mL of methanol and a clean boiling chip. Attach a two-ball micro-Snyder column to the concentrator tube. Prewet the column by adding about 0.5 mL of methylene chloride to the top. Place the micro-K–D apparatus on a boiling (100 °C) water bath so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches about 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with 0.2 mL of methanol. Adjust the final volume to 2.0 mL.

12.5 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the gas chromatograph.

12.6 Inject 2 to 5 µL of the sample extract or standard into the gas chromatograph using the solvent-flush technique.[21] Smaller (1.0 µL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 µL, and the resulting peak size in area or peak height units.

12.7 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.8 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

12.9 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (µL).
V_t=Volume of total extract (µL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (µg).
V_o=Volume of water extracted (L).

13.2 Report results in µg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[3] The MDL concentrations listed in Table 1 were obtained using reagent water.[22] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 4 × MDL to 1000 × MDL.[22]

14.3 This method was tested by 17 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations

over the range 0.8 to 55 μg/L.[23] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
N-Nitrosodimethylamine	4.1	0.88	0.15
N-Nitrosodi-n-propylamine	12.1	4.2	.46
N-Nitrosodiphenylamine [a]	[b] 12.8	[c] 6.4	.81

Column 1 conditions: Chromosorb W–AW (80/100 mesh) coated with 10% Carbowax 20 M/2% KOH packed in a 1.8 m long × 4mm ID glass column with helium carrier gas at 40 mL/min flow rate. Column temperature held isothermal at 110 °C, except where otherwise indicated.

Column 2 conditions: Supelcoport (100/120 mesh) coated with 10% SP–2250 packed in a 1.8 m long × 4 mm ID glass column with helium carrier gas at 40 mL/min flow rate. Column temperature held isothermal at 120 °C, except where otherwise indicated.

[a] Measured as diphenylamine.

[b] 220 °C column temperature.

[c] 210 °C column temperature.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 607

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s (percent)
N–Nitrosodimethylamine	20	3.4	4.6–20.0	13–109
N–Nitrosodiphenyl	20	6.1	2.1–24.5	D–139
N–Nitrosodi-n-propylamine	20	5.7	11.5–26.8	45–146

s=Standard deviation for four recovery measurements, in μg/L (Section 8.2.4).

$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).

P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).

D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 607

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
N–Nitrosodimethylamine	0.37C+0.06	$0.25\bar{X} - 0.04$	$0.25\bar{X}+0.11$
N–Nitrosodiphenylamine	0.64C+0.52	$0.36\bar{X} - 1.53$	$0.46\bar{X} - 0.47$
N–Nitrosodi-n-propylamine	0.96C − 0.07	$0.15\bar{X}+0.13$	$0.21\bar{X}+0.15$

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.

s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.

S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.

C=True value for the concentration, in μg/L.

$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

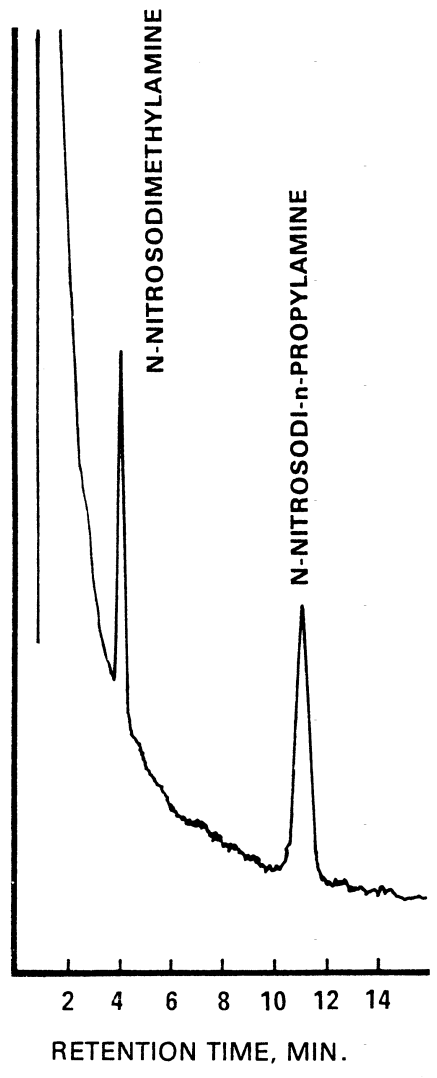

Figure 1. Gas chromatogram of nitrosamines.

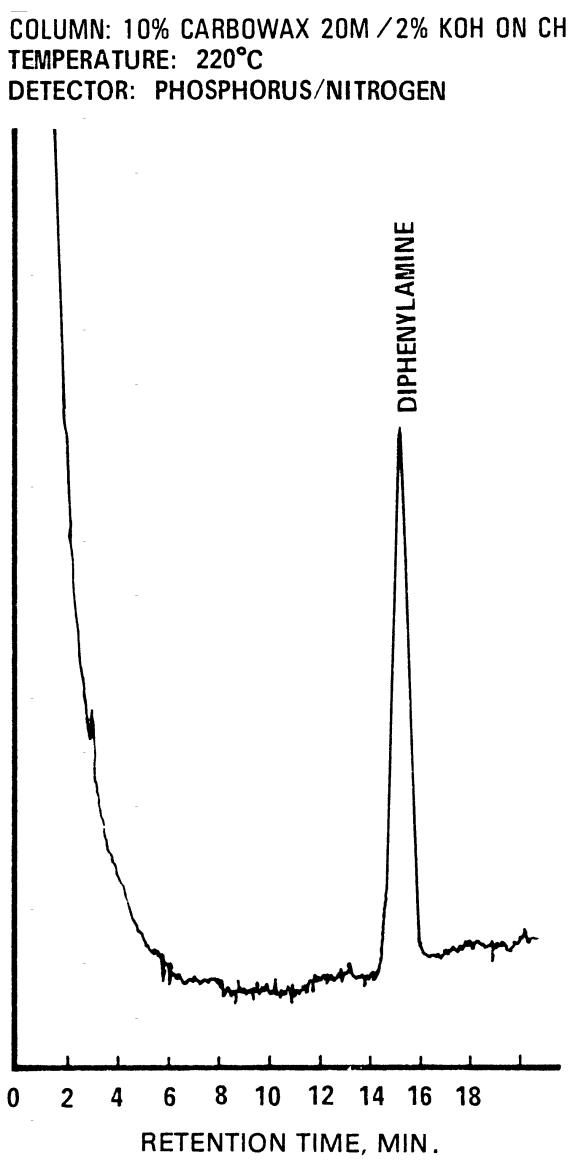

Figure 2. Gas chromatogram of N-nitrosodiphenylamine as diphenylamine.

METHOD 608—ORGANOCHLORINE PESTICIDES AND PCBS

1. Scope and Application

1.1 This method covers the determination of certain organochlorine pesticides and PCBs. The following parameters can be determined by this method:

Parameter	STORET No.	CAS No.
Aldrin	39330	309–00–2
α–BHC	39337	319–84–6
β–BHC	39338	319–85–7
δ–BHC	34259	319–86–8
γ–BHC	39340	58–89–9
Chlordane	39350	57–74–9
4,4′–DDD	39310	72–54–8
4,4′–DDE	39320	72–55–9
4,4′–DDT	39300	50–29–3
Dieldrin	39380	60–57–1
Endosulfan I	34361	959–98–8
Endosulfan II	34356	33212–65–9
Endosulfan sulfate	34351	1031–07–8
Eldrin	39390	72–20–8
Endrin aldehyde	34366	7421–93–4
Heptachlor	39410	76–44–8
Heptachlor epoxide	39420	1024–57–3
Toxaphene	39400	8001–35–2
PCB–1016	34671	12674–11–2
PCB–1221	39488	1104–28–2
PCB–1232	39492	11141–16–5
PCB–1242	39496	53469–21–9
PCB–1248	39500	12672–29–6
PCB–1254	39504	11097–69–1
PCB–1260	39508	11096–82–5

1.2 This is a gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 The sample extraction and concentration steps in this method are essentially the same as in Methods 606, 609, 611, and 612. Thus, a single sample may be extracted to measure the parameters included in the scope of each of these methods. When cleanup is required, the concentration levels must be high enough to permit selecting aliquots, as necessary, to apply appropriate cleanup procedures. The analyst is allowed the latitude, under Section 12, to select chromatographic conditions appropriate for the simultaneous measurement of combinations of these parameters.

1.5 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and exchanged to hexane during concentration to a volume of 10 mL or less. The extract is separated by gas chromatography and the parameters are then measured with an electron capture detector.[2]

2.2 The method provides a Florisil column cleanup procedure and an elemental sulfur removal procedure to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Interferences by phthalate esters can pose a major problem in pesticide analysis when using the electron capture detector. These compounds generally appear in the chromatogram as large late eluting peaks, especially in the 15 and 50% fractions from Florisil. Common flexible plastics contain varying amounts of phthalates. These phthalates are easily extracted or leached from such materials during laboratory operations. Cross contamination of clean glassware routinely occurs when plastics are handled during extraction steps, especially when solvent-wetted surfaces are handled. Interferences from phthalates can best be minimized by avoiding the use of plastics in the laboratory. Exhaustive cleanup of reagents and glassware may be required to eliminate background phthalate contamination.[4,5] The interferences from phthalate esters can be avoided by using a microcoulometric or electrolytic conductivity detector.

3.3 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedures in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[6–8] for the information of the analyst.

4.2 The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: 4,4′-DDT, 4,4′–DDD, the BHCs, and the PCBs. Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during composting. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2. Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Chromatographic column—400 mm long × 22 mm ID, with Teflon stopcock and coarse frit filter disc (Kontes K–42054 or equivalent).

5.2.4 Concentrator tube, Kuderna-Danish—10–mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.5 Evaporative flask, Kuderna-Danish—500–mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.6 Snyder column, Kuderna/Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.7 Vials—10 to 15–mL, amber glass, with Teflon-lined screw cap.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-

chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column 1—1.8 m long × 4 mm ID glass, packed with 1.5% SP–2250/1.95% SP–2401 on Supelcoport (100/120 mesh) or equivalent. This column was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 12.1.

5.6.2 Column 2—1.8 m long × 4 mm ID glass, packed with 3% OV–1 on Supelcoport (100/120 mesh) or equivalent.

5.6.3 Detector—Electron capture detector. This detector has proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 14. Guidelines for the use of alternate detectors are provided in Section 12.1.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.3 Sodium thiosulfate—(ACS) Granular.

6.4 Sulfuric acid (1+1)—Slowly, add 50 mL to H_2SO_4 (ACS, sp. gr. 1.84) to 50 mL of reagent water.

6.5 Acetone, hexane, isooctane, methylene chloride—Pesticide quality or equivalent.

6.6 Ethyl ether—Nanograde, redistilled in glass if necessary.

6.6.1 Ethyl ether must be shown to be free of peroxides before it is used as indicated by EM Laboratories Quant test strips. (Available from Scientific Products Co., Cat. No. P1126–8, and other suppliers.)

6.6.2 Procedures recommended for removal of peroxides are provided with the test strips. After cleanup, 20 mL of ethyl alcohol preservative must be added to each liter of ether.

6.7 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.8 Florisil—PR grade (60/100 mesh). Purchase activated at 1250 °F and store in the dark in glass containers with ground glass stoppers or foil-lined screw caps. Before use, activate each batch at least 16 h at 130 °C in a foil-covered glass container and allow to cool.

6.9 Mercury—Triple distilled.

6.10 Copper powder—Activated.

6.11 Stock standard solutions (1.00 µg/µL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.11.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in isooctane and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.11.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.11.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.12 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatographic operating conditions equivalent to those given in Table 1. The gas chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with isooctane. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can

be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with isooctane. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentraton of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, the test must be repeated using a fresh calibration standard. Alternatively, a new calibration curve must be prepared for that compound.

7.5 The cleanup procedure in Section 11 utilizes Florisil column chromatography. Florisil from different batches or sources may vary in adsorptive capacity. To standardize the amount of Florisil which is used, the use of lauric acid value[9] is suggested. The referenced procedure determines the adsorption from hexane solution of lauric acid (mg) per g of Florisil. The amount of Florisil to be used for each column is calculated by dividing 110 by this ratio and multiplying by 20 g.

7.6 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each single-component parameter of interest at the following concentrations in acetone: 4,4′–DDD, 10 µg/mL; 4,4′–DDT, 10 µg/mL; endosulfan II, 10 µg/mL; endosulfan sulfate, 10 µg/mL; endrin, 10 µg/mL; any other single-component pesticide, 2 µg/mL. If this method is only to be used to analyze for PCBs, chlordane, or toxaphene, the QC check sample concentrate should contain the most representative multicomponent parameter at a concentration of 50 µg/mL in acetone. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at the test concentrations shown in Table 3 by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/mL; and the standard deviation of the recovery (s) in µg/mL, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 3. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 3 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.2.6.2 Beginning with Section 8.2.2, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compmunds of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at the test concentration in Section 8.2.2 or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or the test concentration in Section 8.2.2.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 3. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[10] If spiking was performed at a concentration lower than the test concentration in Section 8.2.2, the analyst must use either the QC acceptance criteria in Table 3, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 4, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 4, substituting X′

for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[10]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory. If the entire list of parameters in Table 3 must be measured in the sample in Section 8.3, the probability that the analysis of a QC check standard will be required is high. In this case the QC check standard should be routinely analyzed with the spike sample.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standards to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 3. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P} - 2\ s_p$ to $\bar{P}+2\ s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[11] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C from the time of collection until extraction. If the samples will not be extracted within 72 h of collection, the sample should be adjusted to a pH range of 5.0 to 9.0 with sodium hydroxide solution or sulfuric acid. Record the volume of acid or base used. If aldrin is to be determined, add sodium thiosulfate when residual chlorine is present. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[12] Field test kits are available for this purpose.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel.

10.2 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optium technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250–mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.7 Increase the temperature of the hot water bath to about 80 °C. Momeltarily remove the Snyder column, add 50 mL of hexane and a new boiling chip, and reattach the Snyder column. Concentrate the extract as in Section 10.6, except use hexane to prewet the column. The elapsed time of concentration should be 5 to 10 min.

10.8 Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of hexane. A 5-mL syringe is recommended for this operation. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with gas chromatographic analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.9 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use either procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure. The Florisil column allows for a select fractionation of the compounds and will eliminate polar interferences. Elemental sulfur, which interferes with the electron capture gas chromatography of certain pesticides, can be removed by the technique described in Section 11.3.

11.2 Florisil column cleanup:

11.2.1 Place a weight of Florisil (nominally 20 g) predetermined by calibration (Section 7.5), into a chromatographic column. Tap the column to settle the Florisil and add 1 to 2 cm of anhydrous sodium sulfate to the top.

11.2.2 Add 60 mL of hexane to wet and rinse the sodium sulfate and Florisil. Just prior to exposure of the sodium sulfate layer to the air, stop the elution of the hexane by closing the stopcock on the chromatographic column. Discard the eluate.

11.2.3 Adjust the sample extract volume to 10 mL with hexane and transfer it from the K–D concentrator tube onto the column. Rinse the tube twice with 1 to 2 mL of hexane, adding each rinse to the column.

11.2.4 Place a 500-mL K–D flask and clean concentrator tube under the chromatographic column. Drain the column into the flask until the sodium sulfate layer is nearly exposed. Elute the column with 200 mL of 6% ethyl ether in hexane (V/V) (Fraction 1) at a rate of about 5 mL/min. Remove the K–D flask and set it aside for later concentration. Elute the column again, using 200 mL of 15% ethyl ether in hexane (V/V) (Fraction 2), into a second K–D flask. Perform the third elution using 200 mL of 50% ethyl ether in hexane (V/V) (Fraction 3). The elution patterns for the pesticides and PCBs are shown in Table 2.

11.2.5 Concentrate the fractions as in Section 10.6, except use hexane to prewet the column and set the water bath at about 85 °C. When the apparatus is cool, remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with hexane. Adjust the volume of each fraction to 10 mL with hexane and analyze by gas chromatography (Section 12).

11.3 Elemental sulfur will usually elute entirely in Fraction 1 of the Florisil column cleanup. To remove sulfur interference from this fraction or the original extract, pipet 1.00 mL of the concentrated extract into a clean concentrator tube or Teflon-sealed vial. Add one to three drops of mercury and

seal.[13] Agitate the contents of the vial for 15 to 30 s. Prolonged shaking (2 h) may be required. If so, this may be accomplished with a reciprocal shaker. Alternatively, activated copper powder may be used for sulfur removal.[14] Analyze by gas chromatography.

12. Gas Chromatography

12.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by Column 1 are shown in Figures 1 to 10. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.2 Calibrate the system daily as described in Section 7.

12.3 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the gas chromatograph.

12.4 Inject 2 to 5 μL of the sample extract or standard into the gas chromatograph using the solvent-flush technique.[15] Smaller (1.0 uL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, the total extract volume, and the resulting peak size in area or peak height units.

12.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.6 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

12.7 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (μL).
V_t=Volume of total extract (μL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (μg).
V_o=Volume of water extracted (L).

13.2 When it is apparent that two or more PCB (Aroclor) mixtures are present, the Webb and McCall procedure[16] may be used to identify and quantify the Aroclors.

13.3 For multicomponent mixtures (chlordane, toxaphene, and PCBs) match retention times of peaks in the standards with peaks in the sample. Quantitate every identifiable peak unless interference with individual peaks persist after cleanup. Add peak height or peak area of each identified peak in the chromatogram. Calculate as total response in the sample versus total response in the standard.

13.4 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[17] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 4×MDL to 1000×MDL with the following exceptions: Chlordane recovery at 4×MDL was low (60%);

Toxaphene recovery was demonstrated linear over the range of 10×MDL to 1000×MDL.[17]

14.3 This method was tested by 20 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations.[18] Concentrations used in the study ranged from 0.5 to 30 µg/L for single-component pesticides and from 8.5 to 400 µg/L for multicomponent parameters. Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 4.

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (µg/L)
	Col. 1	Col. 2	
α-BHC	1.35	1.82	0.003
γ-BHC	1.70	2.13	0.004
β-BHC	1.90	1.97	0.006
Heptachlor	2.00	3.35	0.003
δ-BHC	2.15	2.20	0.009
Aldrin	2.40	4.10	0.004
Heptachlor epoxide	3.50	5.00	0.083
Endosulfan I	4.50	6.20	0.014

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS—Continued

Parameter	Retention time (min)		Method detection limit (μg/L)
	Col. 1	Col. 2	
4,4′-DDE	5.13	7.15	0.004
Dieldrin	5.45	7.23	0.002
Endrin	6.55	8.10	0.006
4,4′-DDD	7.83	9.08	0.011
Endosulfan II	8.00	8.28	0.004
4,4′-DDT	9.40	11.75	0.012
Endrin aldehyde	11.82	9.30	0.023
Endosulfan sulfate	14.22	10.70	0.066
Chlordane	mr	mr	0.014
Toxaphene	mr	mr	0.24
PCB–1016	mr	mr	nd
PCB–1221	mr	mr	nd
PCB–1232	mt	mr	nd
PCB–1242	mr	mr	0.065
PCB–1248	mr	mr	nd
PCB–1254	mr	mr	nd
PCB–1260	mr	mr	nd

AColumn 1 conditions: Supelcoport (100/120 mesh) coated with 1.5% SP–2250/1.95% SP–2401 packed in a 1.8 m long × 4 mm ID glass column with 5% methane/95% argon carrier gas at 60 mL/min flow rate. Column temperature held isothermal at 200 °C, except for PCB–1016 through PCB–1248, should be measured at 160 °C.

AColumn 2 conditions: Supelcoport (100/120 mesh) coated with 3% OV–1 packed in a 1.8 m long × 4 mm ID glass column with 5% methane/95% argon carrier gas at 60 mL/min flow rate. Column temperature held isothermal at 200 °C for the pesticides; at 140 °C for PCB–1221 and 1232; and at 170 °C for PCB–1016 and 1242 to 1268.

Amr=Multiple peak response. See Figures 2 thru 10.

And=Not determined.

TABLE 2—DISTRIBUTION OF CHLORINATED PESTICIDES AND PCBS INTO FLORISIL COLUMN FRACTIONS 2

Parameter	Percent recovery by fraction [a]		
	1	2	3
Aldrin	100	.....	.....
α-BHC	100	.....	.....
β-BHC	97	.....	.....
δ-BHC	98	.....	.....
γ-BHC	100	.....	.....
Chlordane	100	.....	.....
4,4′–DDD	99	.....	.....
4,4′–DDE	98	.....	.....
4,4′–DDT	100	.....	.....
Dieldrin	0	100	.....
Endosulfan I	37	64	.....
Endosulfan II	0	7	91
Endosulfan sulfate	0	0	106
Endrin	4	96	.....
Endrin aldehyde	0	68	26
Heptachlor	100	.....	.....
Heptachlor epoxide	100	.....	.....
Toxaphene	96	.....	.....
PCB–1016	97	.....	.....
PCB–1221	97	.....	.....
PCB–1232	95	4	.....
PCB–1242	97	.....	.....
PCB–1248	103	.....	.....
PCB–1254	90	.....	.....
PCB–1260	95	.....	.....

[a] Eluant composition:
Fraction 1–6% ethyl ether in hexane.
Fraction 2–15% ethyl ether in hexane.
Fraction 3–50% ethyl ether in hexane.

TABLE 3—QC ACCEPTANCE CRITERIA—METHOD 608

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for X (μg/L)	Range for P, P_s(%)
Aldrin	2.0	0.42	1.08–2.24	42–122
α-BHC	2.0	0.48	0.98–2.44	37–134

TABLE 3—QC ACCEPTANCE CRITERIA—METHOD 608—Continued

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for X (μg/L)	Range for P, P_s(%)
β-BHC	2.0	0.64	0.78–2.60	17–147
δ-BHC	2.0	0.72	1.01–2.37	19–140
γ-BHC	2.0	0.46	0.86–2.32	32–127
Chlordane	50	10.0	27.6–54.3	45–119
4,4′–DDD	10	2.8	4.8–12.6	31–141
4,4′–DDE	2.0	0.55	1.08–2.60	30–145
4,4′–DDT	10	3.6	4.6–13.7	25–160
Dieldrin	2.0	0.76	1.15–2.49	36–146
Endosulfan I	2.0	0.49	1.14–2.82	45–153
Endosulfan II	10	6.1	2.2–17.1	D–202
Endosulfan Sulfate	10	2.7	3.8–13.2	26–144
Endrin	10	3.7	5.1–12.6	30–147
Heptachlor	2.0	0.40	0.86–2.00	34–111
Heptachlor epoxide	2.0	0.41	1.13–2.63	37–142
Toxaphene	50.0	12.7	27.8–55.6	41–126
PCB-1016	50	10.0	30.5–51.5	50–114
PCB-1221	50	24.4	22.1–75.2	15–178
PCB-1232	50	17.9	14.0–98.5	10–215
PCB-1242	50	12.2	24.8–69.6	39–150
PCB-1248	50	15.9	29.0–70.2	38–158
PCB-1254	50	13.8	22.2–57.9	29–131
PCB-1260	50	10.4	18.7–54.9	8–127

s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 4. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 4.

TABLE 4—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 608

Parameter	Accuracy, as recovery, $\bar{X}'$ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
Aldrin	0.81C+0.04	$0.16\bar{X}-0.04$	$0.20\bar{X}-0.01$
α-BHC	0.84C+0.03	$0.13\bar{X}+0.04$	$0.23\bar{X}-0.00$
β-BHC	0.81C+0.07	$0.22\bar{X}-0.02$	$0.33X-0.05$
δ-BHC	0.81C+0.07	$0.18\bar{X}+0.09$	$0.25\bar{X}+0.03$
γ-BHC	$0.82C-0.05$	$0.12\bar{X}+0.06$	$0.22\bar{X}+0.04$
Chlordane	$0.82C-0.04$	$0.13\bar{X}+0.13$	$0.18\bar{X}+0.18$
4,4′-DDD	0.84C+0.30	$0.20\bar{X}-0.18$	$0.27\bar{X}-0.14$
4,4′-DDE	0.85C+0.14	$0.13\bar{X}+0.06$	$0.28\bar{X}-0.09$
4,4′-DDT	$0.93C-0.13$	$0.17\bar{X}+0.39$	$0.31\bar{X}-0.21$
Dieldrin	0.90C+0.02	$0.12\bar{X}+0.19$	$0.16\bar{X}+0.16$
Endosulfan I	0.97C+0.04	$0.10\bar{X}+0.07$	$0.18\bar{X}+0.08$
Endosulfan II	0.93C+0.34	$0.41\bar{X}$—0.65	$0.47\bar{X}-0.20$
Endosulfan Sulfate	$0.89C-0.37$	$0.13\bar{X}+0.33$	$0.24\bar{X}+0.35$
Endrin	$0.89C-0.04$	$0.20\bar{X}+0.25$	$0.24\bar{X}+0.25$
Heptachlor	0.69C+0.04	$0.06\bar{X}+0.13$	$0.16\bar{X}+0.08$
Heptachlor epoxide	0.89C+0.10	$0.18\bar{X}-0.11$	$0.25\bar{X}-0.08$
Toxaphene	0.80C+1.74	$0.09\bar{X}+3.20$	$0.20\bar{X}+0.22$
PCB–1016	0.81C+0.50	$0.13\bar{X}+0.15$	$0.15\bar{X}+0.45$
PCB–1221	0.96C+0.65	$0.29\bar{X}-0.76$	$0.35\bar{X}-0.62$
PCB–1232	0.91C+10.79	$0.21\bar{X}-1.93$	$0.31\bar{X}+3.50$
PCB–1242	0.93C+0.70	$0.11\bar{X}+1.40$	$0.21\bar{X}+1.52$
PCB–1248	0.97C+1.06	$0.17\bar{X}+0.41$	$0.25\bar{X}-0.37$
PCB–1254	0.76C+2.07	$0.15\bar{X}+1.66$	$0.17\bar{X}+3.62$
PCB–1260	0.66C+3.76	$0.22\bar{X}-2.37$	$0.39\bar{X}-4.86$

$\bar{X}'$=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

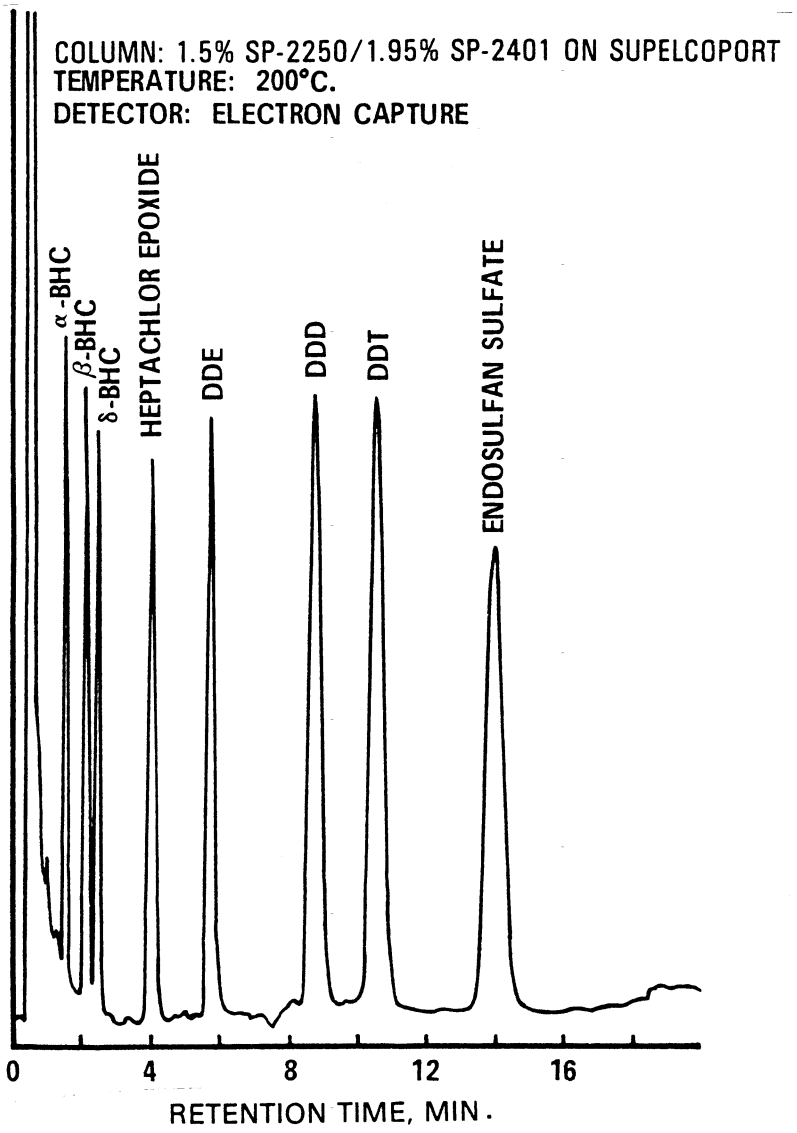

Figure 1. Gas chromatogram of pesticides.

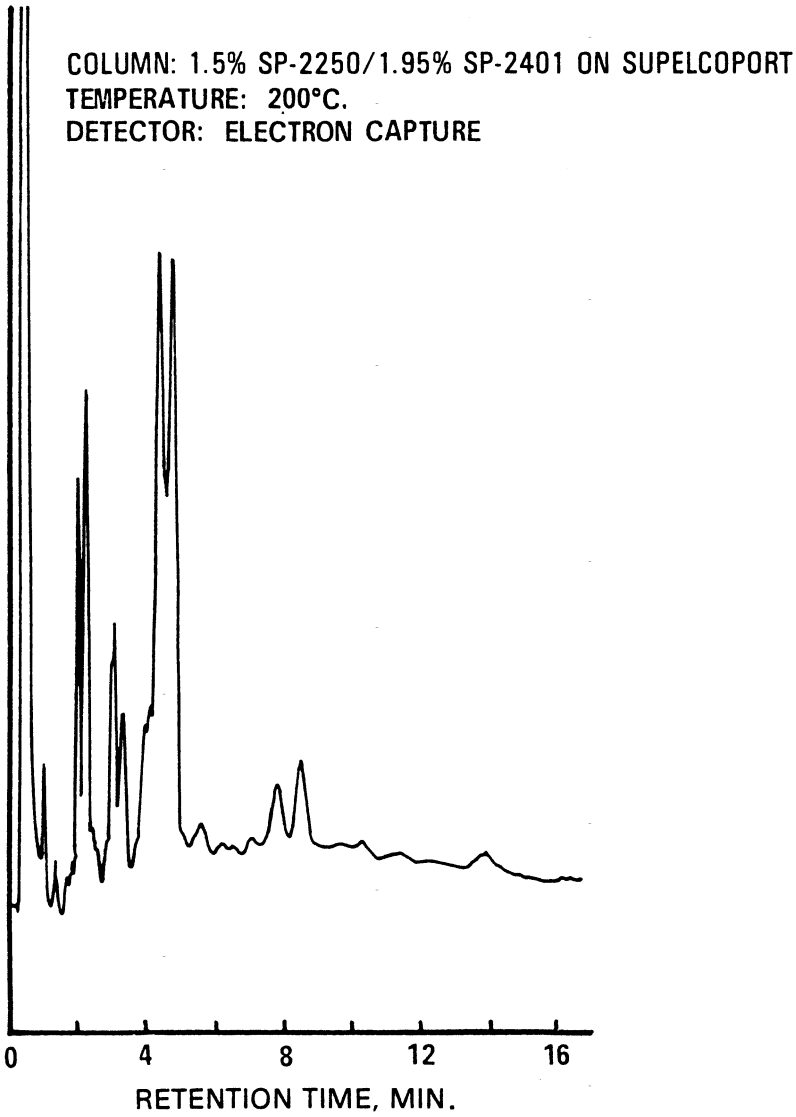

Figure 2. Gas chromatogram of chlordane.

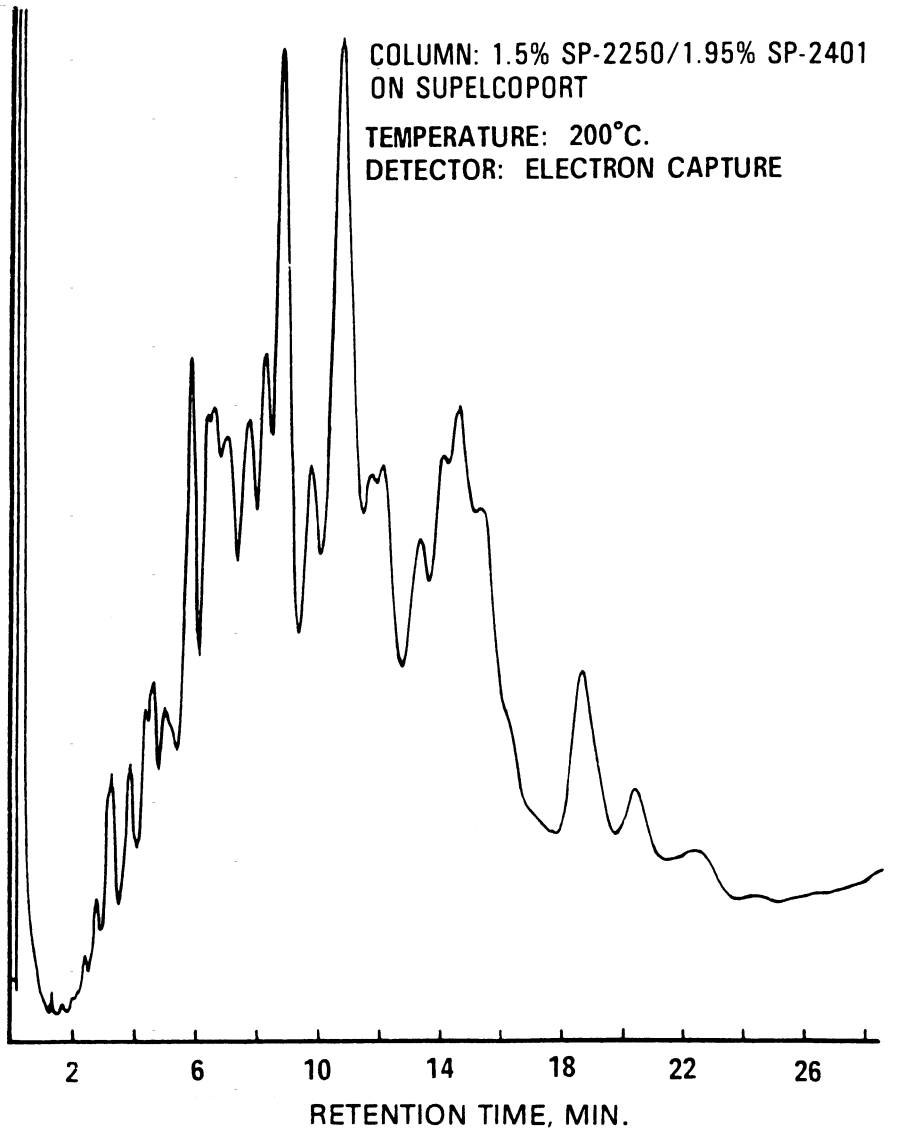

Figure 3. Gas chromatogram of toxaphene.

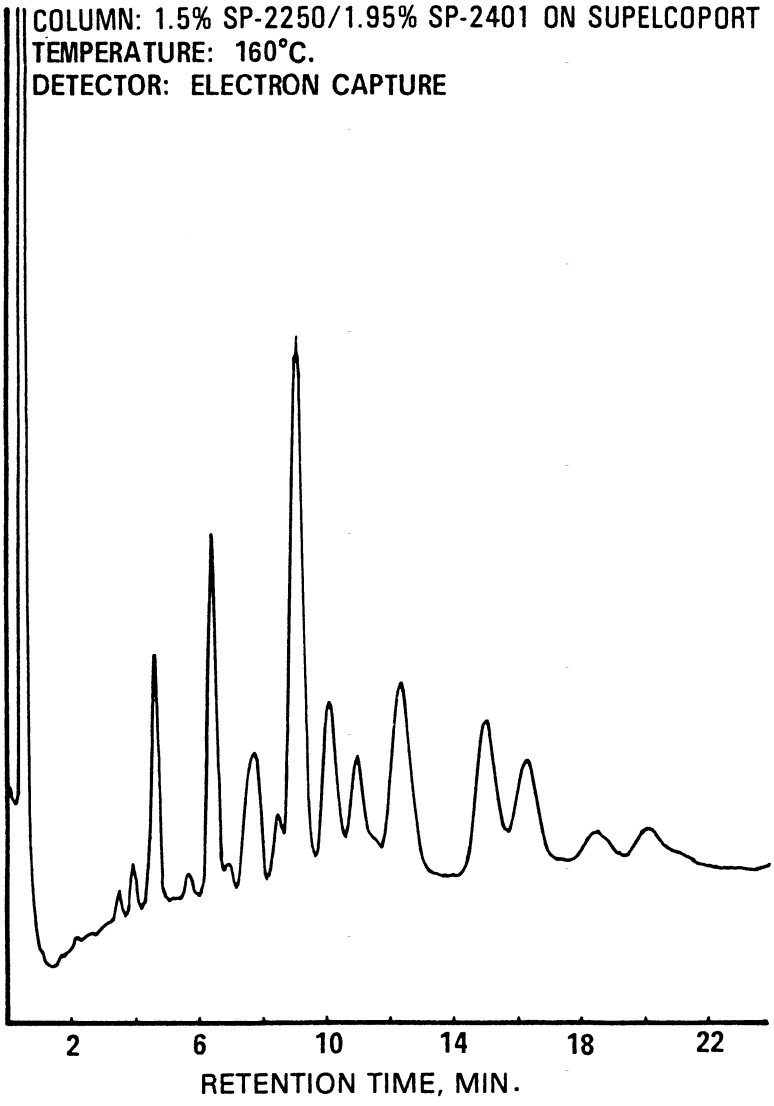

Figure 4. Gas chromatogram of PCB-1016.

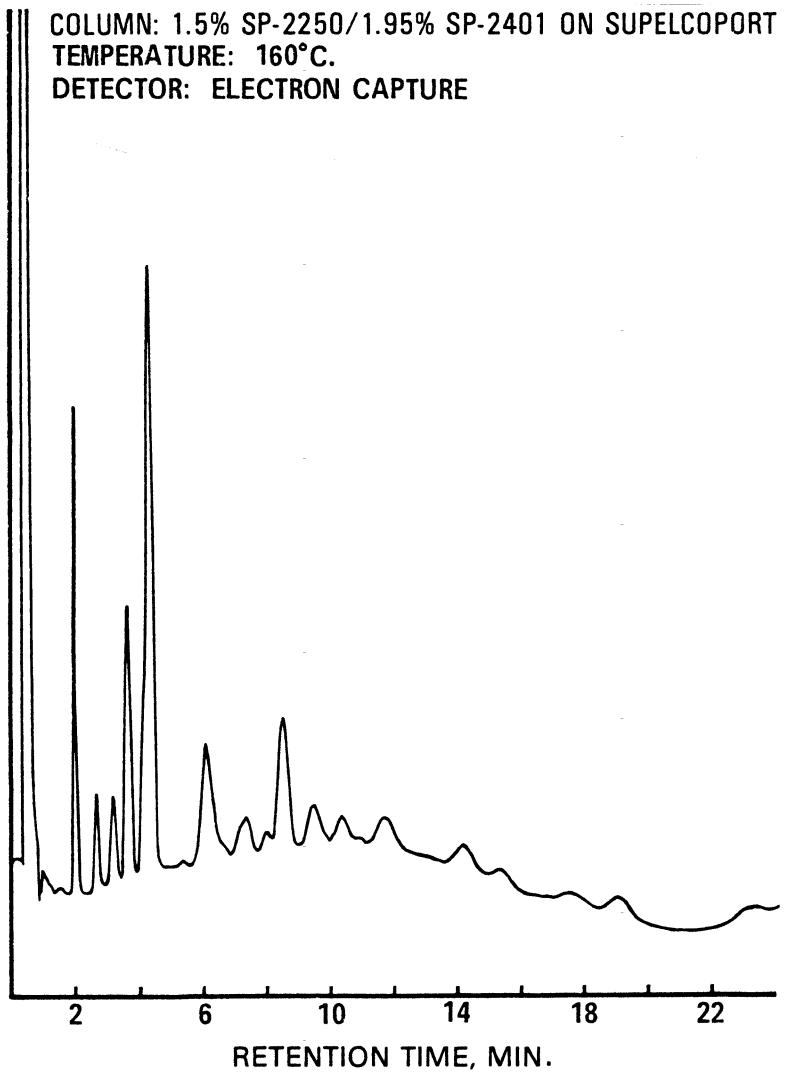

Figure 5. Gas chromatogram of PCB-1221.

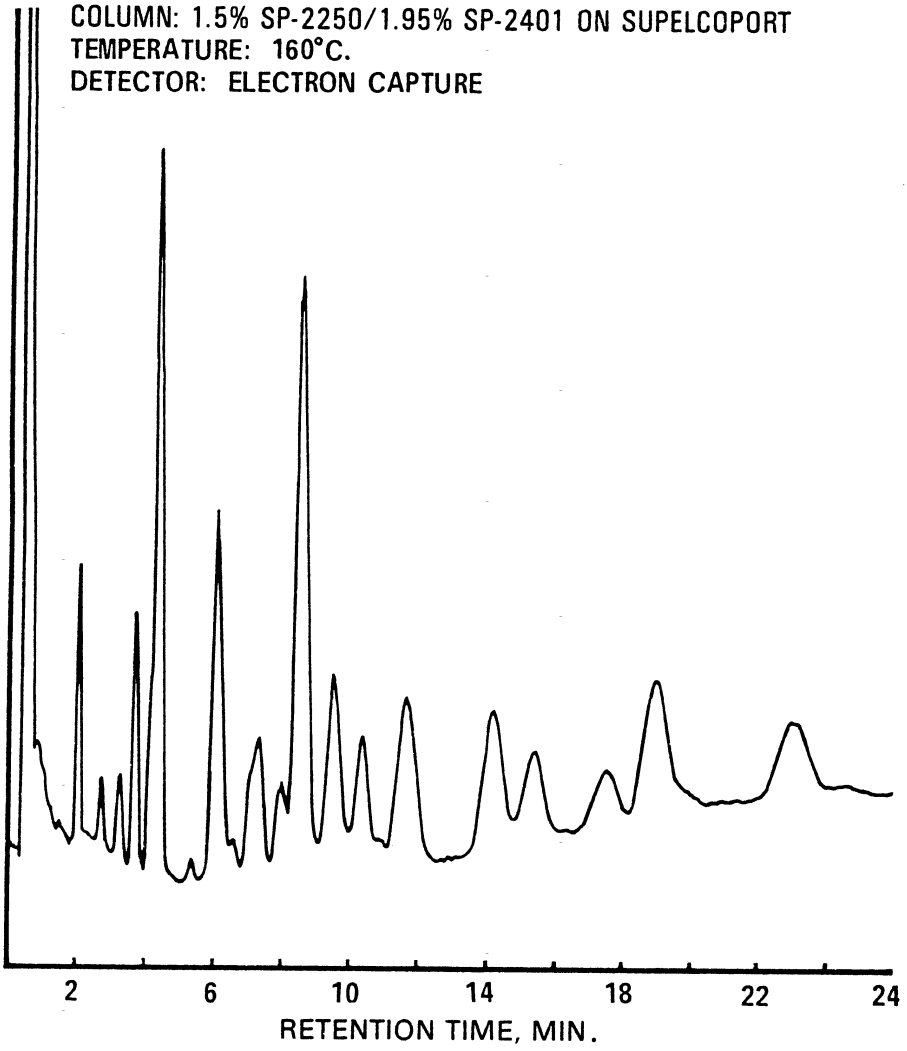

Figure 6. Gas chromatogram of PCB-1232.

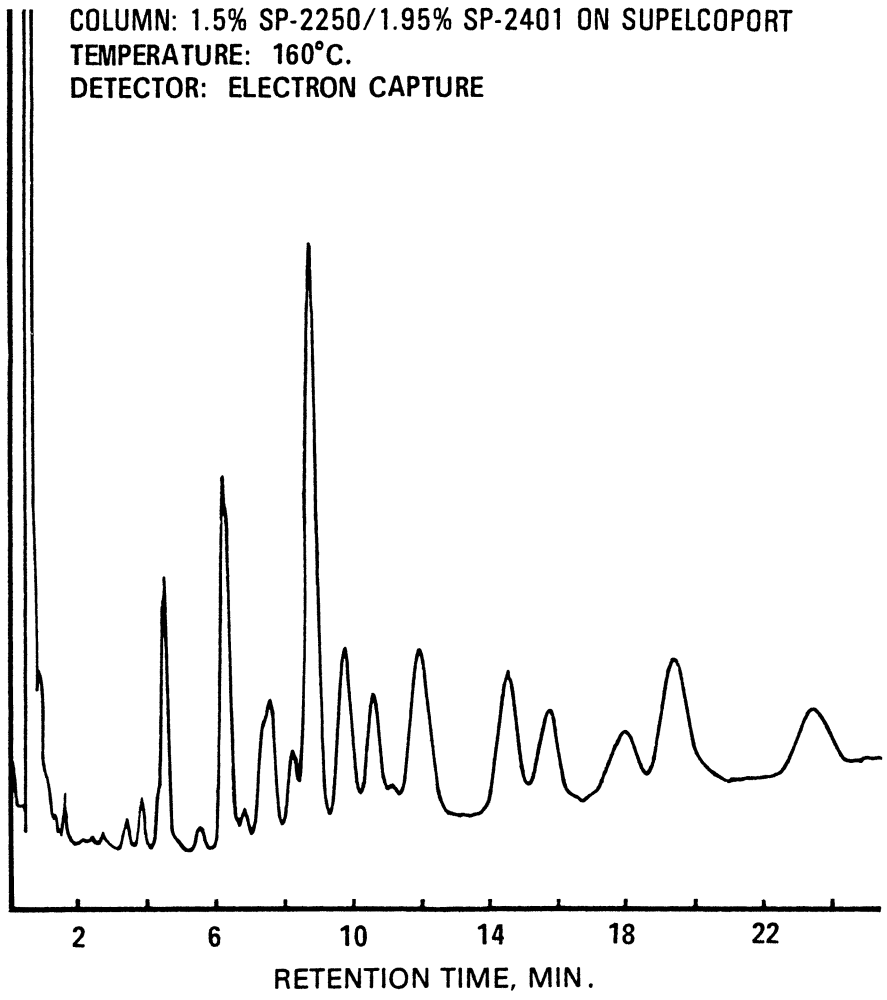

Figure 7. Gas chromatogram of PCB-1242.

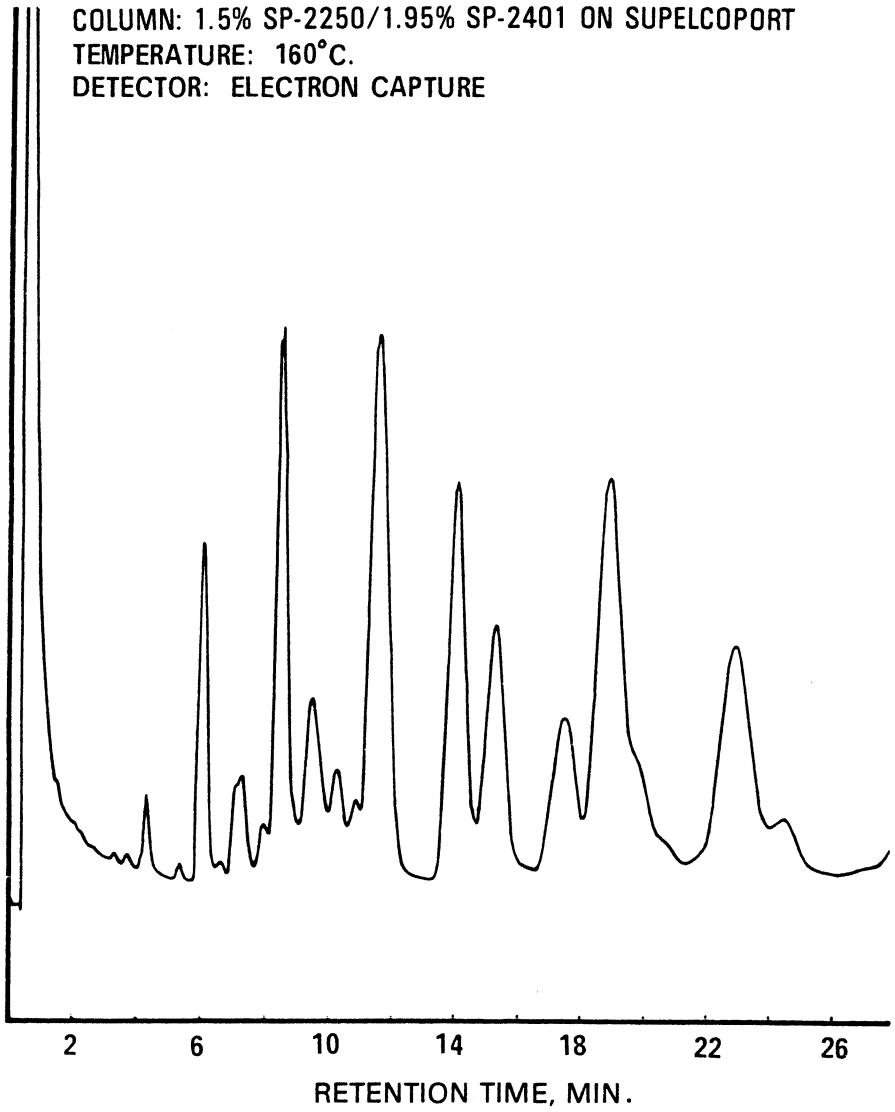

Figure 8. Gas chromatogram of PCB-1248.

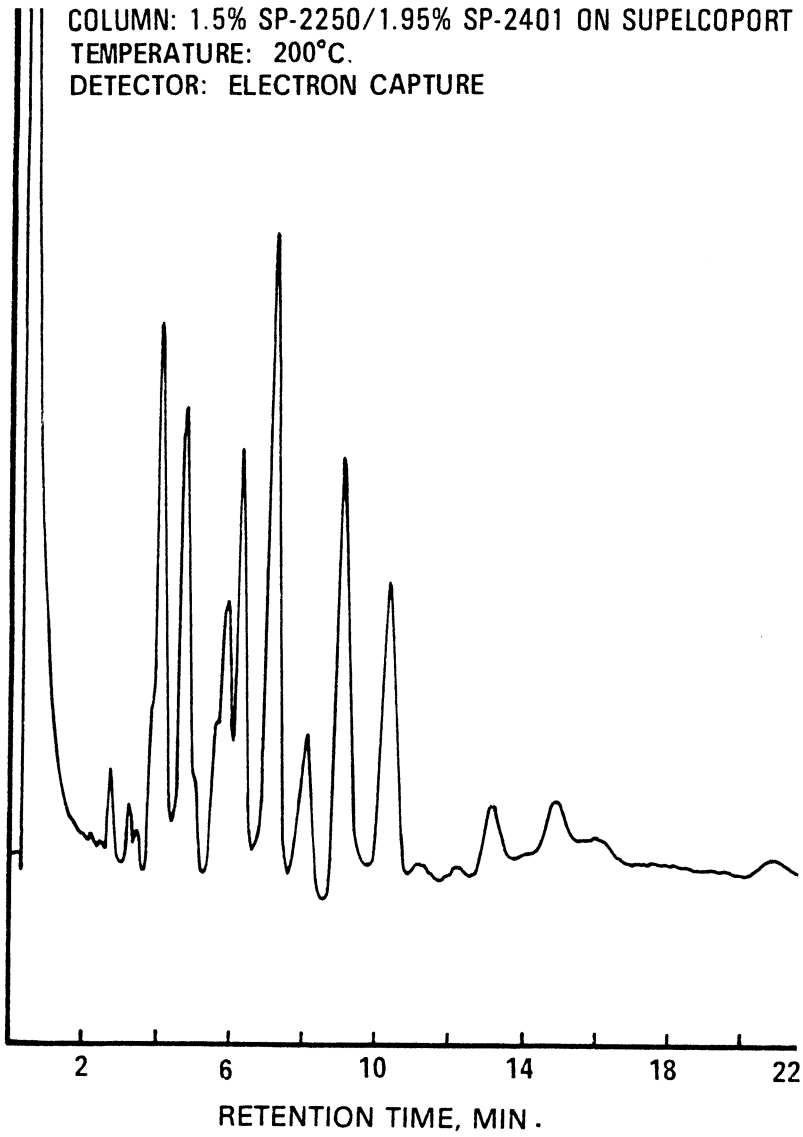

Figure 9. Gas chromatogram of PCB-1254.

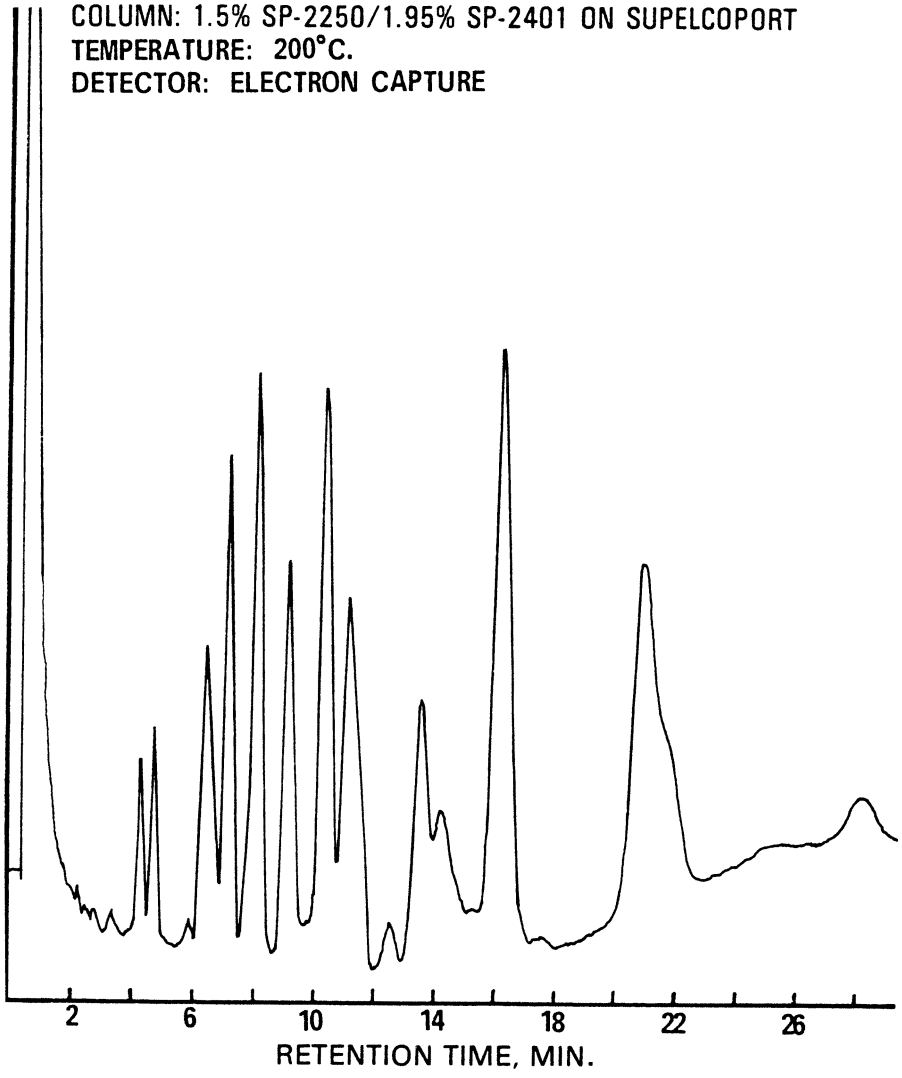

Figure 10. Gas chromatogram of PCB-1260.

METHOD 609—NITROAROMATICS AND ISOPHORONE

1. Scope and Application

1.1 This method covers the determination of certain nitroaromatics and isophorone. The following parameters may be determined by this method:

Parameter	STORET No.	CAS No.
2,4-Dinitrotoluene	34611	121–14–2
2,6-Dinitrotoluene	34626	606–20–2
Isophorone	34408	78–59–1
Nitrobenzene	34447	98–95–3

1.2 This is a gas chromatographic (GC) method applicable to the determination of

the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 The sample extraction and concentration steps in this method are essentially the same as in Methods 606, 608, 611, and 612. Thus, a single sample may be extracted to measure the parameters included in the scope of each of these methods. When cleanup is required, the concentration levels must be high enough to permit selecting aliquots, as necessary, to apply appropriate cleanup procedures. The analyst is allowed the latitude, under Section 12, to select chromatographic conditions appropriate for the simultaneous measurement of combinations of these parameters.

1.5 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and exchanged to hexane during concentration to a volume of 10 mL or less. Isophorone and nitrobenzene are measured by flame ionization detector gas chromatography (FIDGC). The dinitrotoluenes are measured by electron capture detector gas chromatography (ECDGC).[2]

2.2 The method provides a Florisil column cleanup procedure to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baseliles in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedure in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4-6] for the information of the analyst.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Chromatographic column—100 mm long × 10 mm ID, with Teflon stopcock.

5.2.4 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.5 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.6 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.7 Snyder column, Kuderna-Danish—Two-ball micro (Kontes K–569001–0219 or equivalent).

5.2.8 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column 1—1.2 m long × 2 or 4 mm ID glass, packed with 1.95% QF–1/1.5% OV–17 on Gas-Chrom Q (80/100 mesh) or equivalent. This column was used to develop the method performance statements given in Section 14. Guidelines for the use of alternate column packings are provided in Section 12.1.

5.6.2 Column 2—3.0 m long × 2 or 4 mm ID glass, packed with 3% OV–101 on Gas-Chrom Q (80/100 mesh) or equivalent.

5.6.3 Detectors—Flame ionization and electron capture detectors. The flame ionization detector (FID) is used when determining isophorone and nitrobenzene. The electron capture detector (ECD) is used when determining the dinitrotoluenes. Both detectors have proven effective in the analysis of wastewaters and were used in develop the method performance statements in Section 14. Guidelines for the use to alternate detectors are provided in Section 12.1.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.3 Sulfuric acid (1+1)—Slowly, add 50 mL of H_2SO_4 (ACS, sp. gr. 1.84) to 50 mL of reagent water.

6.4 Acetone, hexane, methanol, methylene chloride—Pesticide quality or equivalent.

6.5 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.6 Florisil—PR grade (60/100 mesh). Purchase activated at 1250 °F and store in dark in glass containers with ground glass stoppers or foil-lined screw caps. Before use, activate each batch at least 16 h at 200 °C in a foil-covered glass container and allow to cool.

6.7 Stock standard solutions (1.00 μg/μL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.7.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in hexane and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.7.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles.

Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.8 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatographic operating conditions equivalent to those given in Table 1. The gas chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with hexane. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD) linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flash. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with hexane. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound.

7.5 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to

generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1,5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest in acetone at a concentration of 20 µg/mL for each dinitrotoluene and 100 µg/mL for isophorone and nitrobenzene. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at the test concentrations shown in Table 2 by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter. Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at the test concentration in Section 8.2.2 or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determile background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or the test concentration in Section 8.2.2.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100 (A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement

of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than the test concentration in Section 8.2.2, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$8; (3) calculate the range for recovery at the spike concentration as (100 X′/T) ±2.44 (100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4. If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p = 10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[8] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C from the time of collection until extraction.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel. Check the pH of the sample with wide-range pH paper and adjust to within the range of 5 to 9 with sodium hydroxide solution or sulfuric acid.

10.2 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration

of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Sections 10.7 and 10.8 describe a procedure for exchanging the methylene chloride solvent to hexane while concentrating the extract volume to 1.0 mL. When it is not necessary to achieve the MDL in Table 2, the solvent exchange may be made by the addition of 50 mL of hexane and concentration to 10 mL as described in Method 606, Sections 10.7 and 10.8.

10.7 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.8 Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of methylene chloride. A 5-mL syringe is recommended for this operation. Add 1 to 2 mL of hexane and a clean boiling chip to the concentrator tube and attach a two-ball micro-Snyder column. Prewet the column by adding about 0.5 mL of hexane to the top. Place the micro-K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.9 Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with a minimum amount of hexane. Adjust the extract volume to 1.0 mL. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with gas chromatographic analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.10 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use the procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure.

11.2 Florisil column cleanup:

11.2.1 Prepare a slurry of 10 *g* of activated Florisil in methylene chloride/hexane (1+9)(V/V) and place the Florisil into a chromatographic column. Tap the column to settle the Florisil and add 1 cm of anhydrous sodium sulfate to the top. Adjust the elution rate to about 2 mL/min.

11.2.2 Just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the sample extract onto the column using an additional 2 mL of hexane to complete the transfer. Just prior to exposure of the sodium sulfate layer to the air, add 30 mL of methylene chloride/hexane (1 + 9)(V/V) and continue the elution of the column. Discard the eluate.

11.2.3 Next, elute the column with 30 mL of acetone/methylene chloride (1 + 9)(V/V) into a 500-mL K–D flask equipped with a 10-mL concentrator tube. Concentrate the collected fraction as in Sections 10.6, 10.7, 10.8, and 10.9 including the solvent exchange to 1 mL of hexane. This fraction should contain the nitroaromatics and isophorone. Analyze by gas chromatography (Section 12).

12. Gas Chromatography

12.1 Isophorone and nitrobenzene are analyzed by injection of a portion of the extract into an FIDGC. The dinitrotoluenes are analyzed by a separate injection into an ECDGC.

Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by Column 1 are shown in Figures 1 and 2. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.2 Calibrate the system daily as described in Section 7.

12.3 If the internal standard calibration procedure is being used, the internal standard must be added to the same extract and mixed thoroughly immediately before injection into the gas chromatograph.

12.4 Inject 2 to 5 μL of the sample extract or standard into the gas chromatograph using the solvent-flush technique.[9] Smaller (1.0 μL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, the total extract volume, and the resulting peak size in area or peak height units.

12.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.6 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

12.7 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (μL).
V_t=Volume of total extract (μL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (μg).
V_o=Volume of water extracted (L).

13.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero. [1] The MDL concentrations listed in Table 1 were obtained using reagent water.[10] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 7×MDL to 1000×MDL.[10]

14.3 This method was tested by 18 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 1.0 to 515 μg/L.[11] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

REFERENCES

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)	
	Col. 1	Col. 2	ECDGC	FIDGC
Nitrobenzene	3.31	4.31	13.7	3.6
2,6-Dinitrotoluene	3.52	4.75	0.01	–
Isophorone	4.49	5.72	15.7	5.7
2,4-Dinitrotoluene	5.35	6.54	0.02	–

AAColumn 1 conditions: Gas-Chrom Q (80/100 mesh) coated with 1.95% QF–1/1.5% OV–17 packed in a 1.2 m long × 2 mm or 4 mm ID glass column. A 2 mm ID column and nitrogen carrier gas at 44 mL/min flow rate were used when determining isophorone and nitrobenzene by FIDGC. The column temperature was held isothermal at 85 °C. A 4 mm ID column and 10% methane/90% argon carrier gas at 44 mL/min flow rate were used when determining the dinitrotoluenes by ECDGC. The column temperature was held isothermal at 145 °C.

AAColumn 2 conditions: Gas-Chrom Q (80/100 mesh) coated with 3% OV–101 packed in a 3.0 m long × 2 mm or 4 mm ID glass column. A 2 mm ID column and nitrogen carrier gas at 44 mL/min flow rate were used when determining isophorone and nitrobenzene by FIDGC. The column temperature was held isothermal at 100 °C. A 4 mm ID column and 10% methane/90% argon carrier gas at 44 mL/min flow rate were used when determining the dinitrotoluenes by ECDGC. The column temperature was held isothermal at 150 °C.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 609

Parameter	Test Conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s (%)
2,4-Dinitrotoluene	20	5.1	3.6–22.8	6–125
2,6-Dinitrotoluene	20	4.8	3.8–23.0	8–126
Isophorone	100	32.3	8.0–100.0	D–117
Nitrobenzene	100	33.3	25.7–100.0	6–118

$\bar{s}$=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 609

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
2,4-Dinitrotoluene	0.65C+0.22	$0.20\bar{X}+0.08$	$0.37\bar{X}-0.07$
2,6-Dinitrotoluene	0.66C+0.20	$0.19\bar{X}+0.06$	$0.36\bar{X}-0.00$
Isophorone	0.49C+2.93	$0.28\bar{X}+2.77$	$0.46\bar{X}+0.31$
Nitrobenzene	0.60C+2.00	$0.25\bar{X}+2.53$	$0.37\bar{X}-0.78$

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
X=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

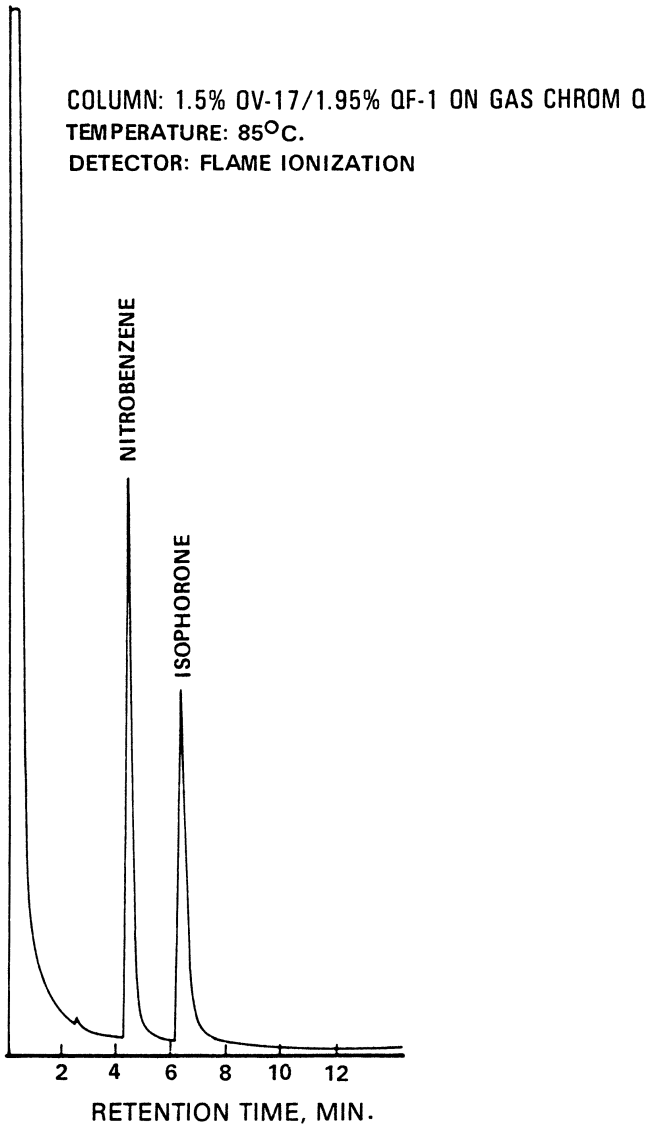

Figure 1. Gas chromatogram of nitrobenzene and isophorone.

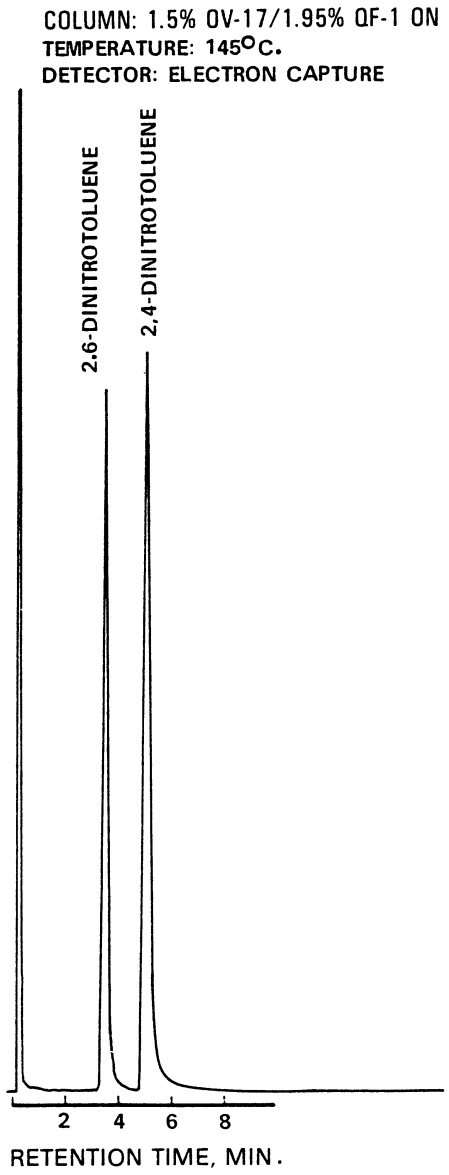

Figure 2. Gas chromatogram of dinitrotoluenes.

METHOD 610—POLYNUCLEAR AROMATIC HYDROCARBONS

1. Scope and Application

1.1 This method covers the determination of certain polynuclear aromatic hydrocarbons (PAH). The following parameters can be determined by this method:

Parameter	STORET No.	CAS No.
Acenaphthene	34205	83–32–9
Acenaphthylene	34200	208–96–8
Anthracene	34220	120–12–7
Benzo(a)anthracene	34526	56–55–3
Benzo(a)pyrene	34247	50–32–8
Benzo(b)fluoranthene	34230	205–99–2
Benzo(ghi)perylene	34521	191–24–2
Benzo(k)fluoranthene	34242	207–08–9
Chrysene	34320	218–01–9
Dibenzo(a,h)anthracene	34556	53–70–3
Fluoranthene	34376	206–44–0
Fluorene	34381	86–73–7
Indeno(1,2,3-cd)pyrene	34403	193–39–5
Naphthalene	34696	91–20–3
Phenanthrene	34461	85–01–8
Pyrene	34469	129–00–0

1.2 This is a chromatographic method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for many of the parameters listed above, using the extract produced by this method.

1.3 This method provides for both high performance liquid chromatographic (HPLC) and gas chromatographic (GC) approaches for the determination of PAHs. The gas chromatographic procedure does not adequately resolve the following four pairs of compounds: Anthracene and phenanthrene; chrysene and benzo(a)anthracene; benzo(b)fluoranthene and benzo(k)fluoranthene; and dibenzo(a,h) anthracene and indeno (1,2,3-cd)pyrene. Unless the purpose for the analysis can be served by reporting the sum of an unresolved pair, the liquid chromatographic approach must be used for these compounds. The liquid chromatographic method does resolve all 16 of the PAHs listed.

1.4 The method detection limit (MDL, defined in Section 15.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.5 The sample extraction and concentration steps in this method are essentially the same as in Methods 606, 608, 609, 611, and 612. Thus, a single sample may be extracted to measure the parameters included in the scope of each of these methods. When cleanup is required, the concentration levels must be high enough to permit selecting aliquots, as necessary, to apply appropriate cleanup procedures. Selection of the aliquots must be made prior to the solvent exchange steps of this method. The analyst is allowed the latitude, under Sections 12 and 13, to select chromatographic conditions appropriate for the simultaneous measurement of combinations of these parameters.

1.6 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.7 This method is restricted to use by or under the supervision of analysts experienced in the use of HPLC and GC systems and in the interpretation of liquid and gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and concentrated to a volume of 10 mL or less. The extract is then separated by HPLC or GC. Ultraviolet (UV) and fluorescence detectors are used with HPLC to identify and measure the PAHs. A flame ionization detector is used with GC.[2]

2.2 The method provides a silica gel column cleanup procedure to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardward that lead to discrete artifacts and/or elevated baselines in the chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be

substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedure in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

3.3 The extent of interferences that may be encountered using liquid chromatographic techniques has not been fully assessed. Although the HPLC conditions described allow for a unique resolution of the specific PAH compounds covered by this method, other PAH compounds may interfere.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method have not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4-6] for the information of the analyst.

4.2 The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: benzo(a)anthracene, benzo(a)pyrene, and dibenzo(a,h)-anthracene. Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.4 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.5 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.6 Snyder column, Kuderna-Danish—Two-ball micro (Kontes K–569001–0219 or equivalent).

5.2.7 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.2.8 Chromatographic column—250 mm long × 10 mm ID, with coarse frit filter disc at bottom and Teflon stopcock.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 High performance liquid chromatograph (HPLC)—An analytical system complete with column supplies, high pressure syringes, detectors, and compatible strip-chart recorder. A data system is recommended for measuring peak areas and retention times.

5.6.1 Gradient pumping system—Constant flow.

5.6.2 Reverse phase column—HC–ODS Sil-X, 5 micron particle diameter, in a 25 cm × 2.6 mm ID stainless steel column (Perkin Elmer No. 089–0716 or equivalent). This column was used to develop the method performance statements in Section 15. Guidelines for the use of alternate column packings are provided in Section 12.2.

5.6.3 Detectors—Fluorescence and/or UV detectors. The fluorescence detector is used for excitation at 280 nm and emission greater than 389 nm cutoff (Corning 3–75 or equivalent). Fluorometers should have dispersive optics for excitation and can utilize either filter or dispersive optics at the emission detector. The UV detector is used at 254 nm and should be coupled to the fluorescence detector. These detectors were used to develop the method performance statements in Section 15. Guidelines for the use of alternate detectors are provided in Section 12.2.

5.7 Gas chromatograph—An analytical system complete with temperature programmable gas chromatograph suitable for on-column or splitless injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.7.1 Column—1.8 m long × 2 mm ID glass, packed with 3% OV–17 on Chromosorb W–AW–DCMS (100/120 mesh) or equivalent. This column was used to develop the retention time data in Table 2. Guidelines for the use of alternate column packings are provided in Section 13.3.

5.7.2 Detector—Flame ionization detector. This detector has proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), excluding the four pairs of unresolved compounds listed in Section 1.3. Guidelines for the use of alternate detectors are provided in Section 13.3.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium thiosulfate—(ACS) Granular.

6.3 Cyclohexane, methanol, acetone, methylene chloride, pentane—Pesticide quality or equivalent.

6.4 Acetonitrile—HPLC quality, distilled in glass.

6.5 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.6 Silica gel—100/200 mesh, desiccant, Davison, grade-923 or equivalent. Before use, activate for at least 16 h at 130 °C in a shallow glass tray, loosely covered with foil.

6.7 Stock standard solutions (1.00 µg/µL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.7.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in acetonitrile and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.7.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.8 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish liquid or gas chromatographic operating conditions equivalent to those given in Table 1 or 2. The chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with acetonitrile. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 5 to 25 µL for HPLC and 2 to 5 µL for GC, analyze each calibration standard according to Section 12 or 13, as appropriate. Tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the

compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with acetonitrile. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 5 to 25 µL for HPLC and 2 to 5 µL for GC, analyze each calibration standard according to Section 12 or 13, as appropriate. Tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, the test must be repeated using a fresh calibration standard. Alternatively, a new calibration curve must be prepared for that compound.

7.5 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, 12.2, and 13.3) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at the following concentrations in acetonitrile: 100 µg/mL of any

of the six early-eluting PAHs (naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, and anthracene); 5 µg/mL of benzo(k)fluoranthene; and 10 µg/mL of any of the other PAHs. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at the test concentrations shown in Table 3 by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 3. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 3 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.2.6.2 Beginning with Section 8.2.2, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at the test concentration in Section 8.2.2 or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none, (2) the larger of either 5 times higher than the expected background concentration or the test concentration in Section 8.2.2.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100 (A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 3. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than the test concentration in Section 8.2.2, the analyst must use either the QC acceptance criteria in Table 3, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 4, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 4, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter

that failed the critiera must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory. If the entire list of parameters in Table 3 must be measured in the sample in Section 8.3, the probability that the analysis of a QC check standard will be required is high. In this case the QC check standard should be routinely analyzed with the spike sample.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 3. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[8] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4°C from the time of collection until extraction. PAHs are known to be light sensitive; therefore, samples, extracts, and standards should be stored in amber or foil-wrapped bottles in order to minimize photolytic decomposition. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[9] Field test kits are available for this purpose.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel.

10.2 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250–mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.7 Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of methylene chloride. A 5-mL syringe is recommended for this operation. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial and protected from light. If the sample extract requires no further cleanup, proceed with gas or liquid chromatographic analysis (Section 12 or 13). If the sample requires further cleanup, proceed to Section 11.

10.8 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use the procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the methods as revised to incorporate the cleanup procedure.

11.2 Before the silica gel cleanup technique can be utilized, the extract solvent must be exchanged to cyclohexane. Add 1 to 10 mL of the sample extract (in methylene chloride) and a boiling chip to a clean K–D concentrator tube. Add 4 mL of cyclohexane and attach a two-ball micro-Snyder column. Prewet the column by adding 0.5 mL of methylene chloride to the top. Place the micro-K–D apparatus on a boiling (100 °C) water bath so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of the liquid reaches 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with a minimum amount of cyclohexane. Adjust the extract volume to about 2 mL.

11.3 Silica gel column cleanup for PAHs:

11.3.1 Prepare a slurry of 10 g of activiated silica gel in methylene chloride and place this into a 10-mm ID chromatographic column. Tap the column to settle the silica gel and elute the methylene chloride. Add 1 to 2 cm of anhydrous sodium sulfate to the top of the silica gel.

11.3.2 Preelute the column with 40 mL of pentane. The rate for all elutions should be about 2 mL/min. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, transfer the 2-mL cyclohexane sample extract onto the column using an additional 2 mL cyclohexane to complete the transfer. Just prior to exposure of the sodium sulfate layer to the air, add 25 mL of pentane and continue the elution of the column. Discard this pentane eluate.

11.3.3 Next, elute the column with 25 mL of methylene chloride/pentane (4+6)(V/V) into a 500-mL K–D flask equipped with a 10-mL concentrator tube. Concentrate the collected fraction to less than 10 mL as in Section 10.6. When the apparatus is cool, remove the Snyder column and rinse the flask and its lower joint with pentane. Proceed with HPLC or GC analysis.

12. High Performance Liquid Chromatography

12.1 To the extract in the concentrator tube, add 4 mL of acetonitrile and a new boiling chip, then attach a two-ball micro-Snyder column. Concentrate the solvent as in Section 10.6, except set the water bath at 95 to 100 °C. When the apparatus is cool, remove the micro-Snyder column and rinse its lower joint into the concentrator tube with about 0.2 mL of acetonitrile. Adjust the extract volume to 1.0 mL.

12.2 Table 1 summarizes the recommended operating conditions for the HPLC. Included in this table are retention times, capacity factors, and MDL that can be achieved under

these conditions. The UV detector is recommended for the determination of naphthalene, acenaphthylene, acenapthene, and fluorene and the fluorescence detector is recommended for the remaining PAHs. Examples of the separations achieved by this HPLC column are shown in Figures 1 and 2. Other HPLC columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.3 Calibrate the system daily as described in Section 7.

12.4 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the instrument.

12.5 Inject 5 to 25 μL of the sample extract or standard into the HPLC using a high pressure syringe or a constant volume sample injection loop. Record the volume injected to the nearest 0.1 μL, and the resulting peak size in area or peak height units. Re-equilibrate the HPLC column at the initial gradient conditions for at least 10 min between injections.

12.6 Identify the parameters in the sample by comparing the retention time of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.7 If the response for a peak exceeds the working range of the system, dilute the extract with acetonitrile and reanalyze.

12.8 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Gas Chromatography

13.1 The packed column GC procedure will not resolve certain isomeric pairs as indicated in Section 1.3 and Table 2. The liquid chromatographic procedure (Section 12) must be used for these parameters.

13.2 To achieve maximum sensitivity with this method, the extract must be concentrated to 1.0 mL. Add a clean boiling chip to the methylene chloride extract in the concentrator tube. Attach a two-ball micro-Snyder column. Prewet the micro-Snyder column by adding about 0.5 mL of methylene chloride to the top. Place the micro-K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with a minimum amount of methylene chloride. Adjust the final volume to 1.0 mL and stopper the concentrator tube.

13.3 Table 2 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times that were obtained under these conditions. An example of the separations achieved by this column is shown in Figure 3. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

13.4 Calibrate the gas chromatographic system daily as described in Section 7.

13.5 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the gas chromatograph.

13.6 Inject 2 to 5 μL of the sample extract or standard into the gas chromatograph using the solvent-flush technique.[10] Smaller (1.0 μL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, and the resulting peak size in area or peak height units.

13.7 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

13.8 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

13.9 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

14. Calculations

14.1 Determine the concentration of individual compounds in the sample.

14.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (μL).
V_t=Volume of total extract (μL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (μg).
V_o=Volume of water extracted (L).

14.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

15. Method Performance

15.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[11] Similar results were achieved using representative wastewaters. MDL for the GC approach were not determined. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

15.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 8 × MDL to 800 × MDL[11] with the following exception: benzo(ghi)perylene recovery at 80 × and 800 × MDL were low (35% and 45%, respectively).

15.3 This method was tested by 16 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 0.1 to 425 μg/L.[12] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 4.

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TABLE 1—HIGH PERFORMANCE LIQUID CHROMATOGRAPHY CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)	Column capacity factor (k')	Method detection limit (μg/L)[a]
Naphthalene	16.6	12.2	1.8
Acenaphthylene	18.5	13.7	2.3
Acenaphthene	20.5	15.2	1.8
Fluorene	21.2	15.8	0.21
Phenanthrene	22.1	16.6	0.64
Anthracene	23.4	17.6	0.66
Fluoranthene	24.5	18.5	0.21
Pyrene	25.4	19.1	0.27
Benzo(a)anthracene	28.5	21.6	0.013
Chrysene	29.3	22.2	0.15
Benzo(b)fluoranthene	31.6	24.0	0.018
Benzo(k)fluoranthene	32.9	25.1	0.017
Benzo(a)pyrene	33.9	25.9	0.023
Dibenzo(a,h)anthracene	35.7	27.4	0.030
Benzo(ghi)perylene	36.3	27.8	0.076
Indeno(1,2,3-cd)pyrene	37.4	28.7	0.043

AAAHPLC column conditions: Reverse phase HC–ODS Sil–X, 5 micron particle size, in a 25 cm × 2.6 mm ID stainless steel column. Isocratic elution for 5 min. using acetonitrile/water (4+6), then linear gradient elution to 100% acetonitrile over 25 min. at 0.5 mL/min flow rate. If columns having other internal diameters are used, the flow rate should be adjusted to maintain a linear velocity of 2 mm/sec.

[a] The MDL for naphthalene, acenaphthylene, acenaphthene, and fluorene were determined using a UV detector. All others were determined using a fluorescence detector.

TABLE 2—GAS CHROMATOGRAPHIC CONDITIONS AND RETENTION TIMES

Parameter	Retention time (min)
Naphthalene	4.5
Acenaphthylene	10.4
Acenaphthene	10.8
Fluorene	12.6
Phenanthrene	15.9
Anthracene	15.9
Fluoranthene	19.8
Pyrene	20.6
Benzo(a)anthracene	24.7
Chrysene	24.7
Benzo(b)fluoranthene	28.0
Benzo(k)fluoranthene	28.0
Benzo(a)pyrene	29.4
Dibenzo(a,h)anthracene	36.2
Indeno(1,2,3-cd)pyrene	36.2
Benzo(ghi)perylene	38.6

GC Column conditions: Chromosorb W–AW–DCMS (100/120 mesh) coated with 3% OV–17 packed in a 1.8 × 2 mm ID glass column with nitrogen carrier gas at 40 mL/min. flow rate. Column temperature was held at 100 °C for 4 min., then programmed at 8 °C/min. to a final hold at 280 °C.

TABLE 3—QC ACCEPTANCE CRITERIA—METHOD 610

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s (%)
Acenaphthene	100	40.3	D–105.7	D–124
Acenaphthylene	100	45.1	22.1–112.1	D–139
Anthracene	100	28.7	11.2–112.3	D–126
Benzo(a)anthracene	10	4.0	3.1–11.6	12–135
Benzo(a)pyrene	10	4.0	0.2–11.0	D–128
Benzo(b)fluor-anthene	10	3.1	1.8–13.8	6–150
Benzo(ghi)perylene	10	2.3	D–10.7	D–116
Benzo(k)fluo-ranthene	5	2.5	D–7.0	D–159
Chrysene	10	4.2	D–17.5	D–199
Dibenzo(a,h)an-thracene	10	2.0	0.3–10.0	D–110
Fluoranthene	10	3.0	2.7–11.1	14–123
Fluorene	100	43.0	D–119	D–142
Indeno(1,2,3–cd)pyrene	10	3.0	1.2–10.0	D–116
Naphthalene	100	40.7	21.5–100.0	D–122
Phenanthrene	100	37.7	8.4–133.7	D–155
Pyrene	10	3.4	1.4–12.1	D–140

s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 4. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 4.

TABLE 4—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 610

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
Acenaphthene	0.52C + 0.54	0.39$\bar{X}$ + 0.76	0.53$\bar{X}$ + 1.32
Acenaphthylene	0.69C − 1.89	0.36$\bar{X}$ + 0.29	0.42$\bar{X}$ + 0.52
Anthracene	0.63C − 1.26	0.23$\bar{X}$ + 1.16	0.41$\bar{X}$ + 0.45
Benzo(a)anthracene	0.73C + 0.05	0.28$\bar{X}$ + 0.04	0.34$\bar{X}$ + 0.02
Benzo(a)pyrene	0.56C + 0.01	0.38$\bar{X}$ − 0.01	0.53$\bar{X}$ − 0.01
Benzo(b)fluoranthene	0.78C + 0.01	0.21$\bar{X}$ + 0.01	0.38$\bar{X}$ − 0.00
Benzo(ghi)perylene	0.44C + 0.30	0.25$\bar{X}$ + 0.04	0.58$\bar{X}$ + 0.10
Benzo(k)fluoranthene	0.59C + 0.00	0.44$\bar{X}$ − 0.00	0.69$\bar{X}$ + 0.01
Chrysene	0.77C − 0.18	0.32$\bar{X}$ − 0.18	0.66$\bar{X}$ − 0.22
Dibenzo(a,h)anthracene	0.41C + 0.11	0.24$\bar{X}$ + 0.02	0.45$\bar{X}$ + 0.03
Fluoranthene	0.68C + 0.07	0.22$\bar{X}$ + 0.06	0.32$\bar{X}$ + 0.03
Fluorene	0.56C − 0.52	0.44$\bar{X}$ − 1.12	0.63$\bar{X}$ − 0.65
Indeno(1,2,3–cd)pyrene	0.54C + 0.06	0.29$\bar{X}$ + 0.02	0.42$\bar{X}$ + 0.01
Naphthalene	0.57C − 0.70	0.39$\bar{X}$ − 0.18	0.41$\bar{X}$ + 0.74
Phenanthrene	0.72C − 0.95	0.29$\bar{X}$ + 0.05	0.47$\bar{X}$ − 0.25
Pyrene	0.69C − 0.12	0.25$\bar{X}$ + 0.14	0.42$\bar{X}$ − 0.00

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

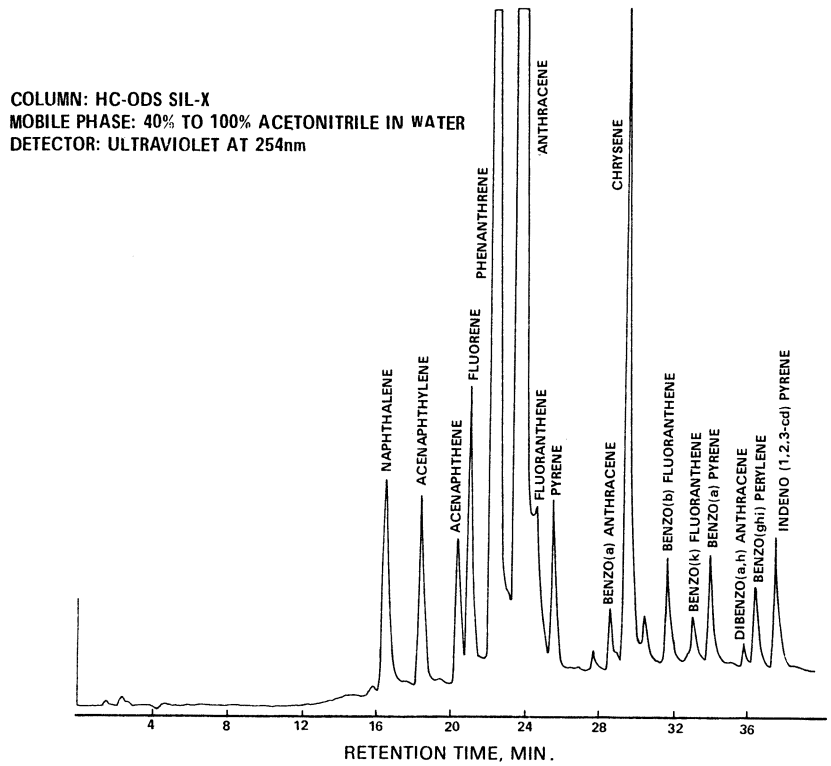

Figure 1. Liquid chromatogram of polynuclear aromatic hydrocarbons.

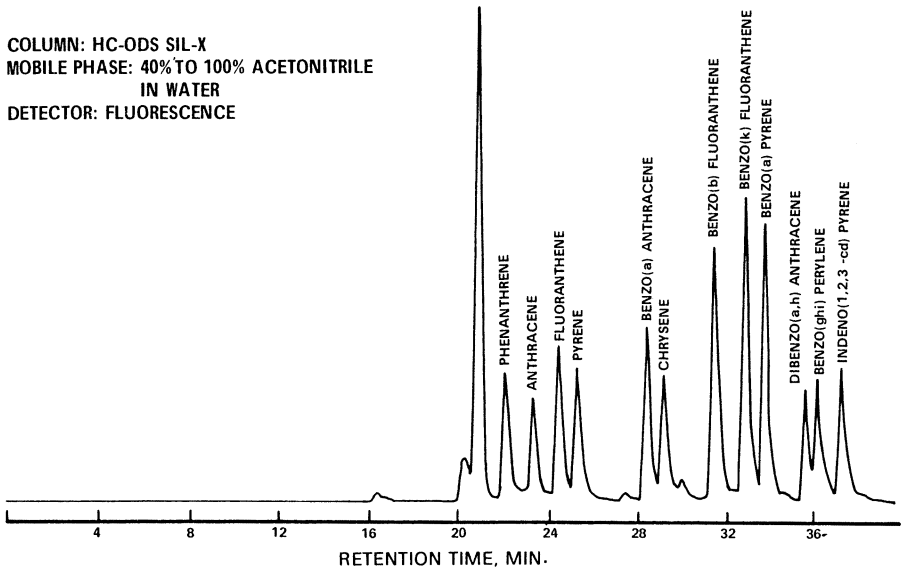

Figure 2. Liquid chromatogram of polynuclear aromatic hydrocarbons.

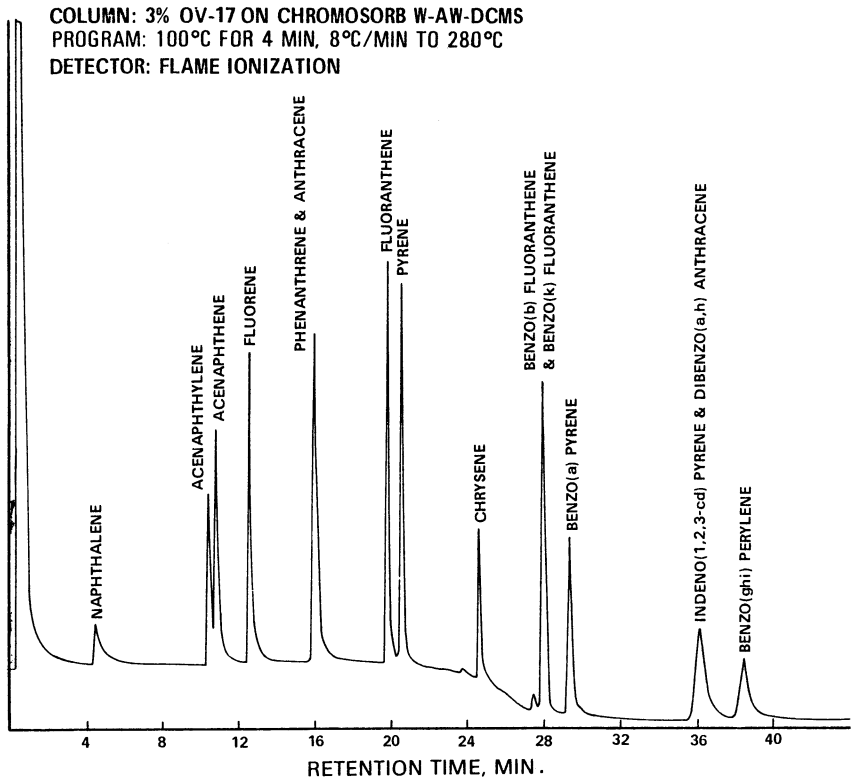

Figure 3. Gas chromatogram of polynuclear aromatic hydrocarbons.

METHOD 611—HALOETHERS

1. Scope and Application

1.1 This method covers the determination of certain haloethers. The following parameters can be determined by this method:

Parameter	STORET No.	CAS No.
Bis(2-chloroethyl) ether	34273	111–44–4
Bis(2-chloroethoxy) methane	34278	111–91–1
Bis(2-chloroisopropyl) ether	34283	108–60–1
4-Bromophenyl phenyl ether	34636	101–55–3
4-Chlorophenyl phenyl either	34641	7005–72–3

1.2 This is a gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes analytical conditions for a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 The sample extraction and concentration steps in this method are essentially the same as in Methods 606, 608, 609, and 612. Thus, a single sample may be extracted to measure the parameters included in the scope of each of these methods. When cleanup is required, the concentration levels must be high enough to permit selecting aliquots, as necessary, to apply appropriate cleanup procedures. The analyst is allowed the latitude, under Section 12, to select

chromatographic conditions appropriate for the simultaneous measurement of combinations of these parameters.

1.5 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and exchanged to hexane during concentration to a volume of 10 mL or less. The extract is separated by gas chromatography and the parameters are then measured with a halide specific detector.[2]

2.2 The method provides a Florisil column cleanup procedure to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed be detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such a PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedure in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

3.3 Dichlorobenzenes are known to coelute with haloethers under some gas chromatographic conditions. If these materials are present together in a sample, it may be necessary to analyze the extract with two different column packings to completely resolve all of the compounds.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4-6] for the information of the analyst.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1-L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating

flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2-L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Chromatographic column—400 mm long × 19 mm ID, with Teflon stopcock and coarse frit filter disc at bottom (Kontes K–420540–0224 or equivalent).

5.2.4 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.5 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.6 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.7 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2°C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with temperature programmable gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column 1—1.8 m long × 2 mm ID glass, packed with 3% SP–1000 on Supelcoport (100/120 mesh) or equivalent. This column was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 12.1.

5.6.2 Column 2—1.8 m long × 2 mm ID glass, packed with 2,6-diphenylene oxide polymer (60/80 mesh), Tenax, or equivalent.

5.6.3 Detector—Halide specific detector: electrolytic conductivity or microcoulometric. These detectors have proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1). The Hall conductivity detector was used to develop the method performance statements in Section 14. Guidelines for the use of alternate detectors are provided in Section 12.1. Although less selective, an electron capture detector is an acceptable alternative.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium thiosulfate—(ACS) Granular.

6.3 Acetone, hexane, methanol, methylene chloride, petroleum ether (boiling range 30–60 °C)—Pesticide quality or equivalent.

6.4 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.5 Florisil—PR Grade (60/100 mesh). Purchase activated at 1250 °F and store in the dark in glass containers with ground glass stoppers or foil-lined screw caps. Before use, activate each batch at least 16 h at 130 °C in a foil-covered glass container and allow to cool.

6.6 Ethyl ether—Nanograde, redistilled in glass if necessary.

6.6.1 Ethyl ether must be shown to be free of peroxides before it is used as indicated by EM Laboratories Quant test strips. (Available from Scientific Products Co., Cat. No. P1126–8, and other suppliers.)

6.6.2 Procedures recommended for removal of peroxides are provided with the test strips. After cleanup, 20 mL of ethyl alcohol preservative must be added to each liter of ether.

6.7 Stock standard solutions (1.00 µg/µL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.7.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in acetone and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.7.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.8 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatographic operating conditions equivalent to those given in Table 1. The gas chromatographic system

can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with hexane. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with hexane. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound.

7.5 The cleanup procedure in Section 11 utilizes Florisil column chromatography. Florisil from different batches or sources may vary in adsorptive capacity. To standardize the amount of Florisil which is used, the use of lauric acid value[7] is suggested. The referenced procedure determines the adsorption from hexane solution of lauric acid (mg) per g of Florisil. The amount of Florisil to be used for each column is calculated by dividing 110 by this ratio and multiplying by 20 g.

7.6 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 100 µg/mL in acetone. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at a concentration of 100 µg/L by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter. Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1. The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 100 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or 100 µg/L.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[8] If spiking was performed at a concentration lower than 100 µg/L, the analyst must use either the QC acceptance criteria in Table 2, or optional QC

acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[8]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 m/L of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[9] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C from the time of collection until extraction. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[10] Field test kits are available for this purpose.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2-L separatory funnel.

10.2 Add 60 mL methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer

flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

NOTE: Some of the haloethers are very volatile and significant losses will occur in concentration steps if care is not exercised. It is important to maintain a constant gentle evaporation rate and not to allow the liquid volume to fall below 1 to 2 mL before removing the K–D apparatus from the hot water bath.

10.7 Momentarily remove the Snyder column, add 50 mL of hexane and a new boiling chip, and reattach the Snyder column. Raise the temperature of the water bath to 85 to 90 °C. Concentrate the extract as in Section 10.6, except use hexane to prewet the column. The elapsed time of concentration should be 5 to 10 min.

10.8 Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of hexane. A 5-mL syringe is recommended for this operation. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with gas chromatographic analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.9 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use the procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure.

11.2 Florisil column cleanup for haloethers:

11.2.1 Adjust the sample extract volume to 10 mL.

11.2.2 Place a weight of Florisil (nominally 20 g) predetermined by calibration (Section 7.5), into a chromatographic column. Tap the column to settle the Florisil and add 1 to 2 cm of anhydrous sodium sulfate to the top.

11.2.3 Preelute the column with 50 to 60 mL of petroleum ether. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the sample extract onto the column by decantation and subsequent petroleum ether washings. Discard the eluate. Just prior to exposure of the sodium sulfate layer to the air, begin eluting the column with 300 mL of ethyl ether/petroleum ether (6+94) (V/V). Adjust the elution rate to approximately 5 mL/min and collect the eluate in a 500-mL K–D flask equipped with a 10-mL concentrator tube. This fraction should contain all of the haloethers.

11.2.4 Concentrate the fraction as in Section 10.6, except use hexane to prewet the column. When the apparatus is cool, remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with hexane. Adjust the volume of the cleaned up extract to 10 mL with hexane and analyze by gas chromatography (Section 12).

12. Gas Chromatography

12.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by Columns 1 and 2 are shown in Figures 1 and 2, respectively. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.2 Calibrate the system daily as described in Section 7.

12.3 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed thoroughly immediately before injection into the gas chromatrograph.

12.4 Inject 2 to 5 μL of the sample extract or standard into the gas chromatograph using the solvent-flush technique.[11] Smaller (1.0 μL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, the total extract volume, and the resulting peak size in area or peak height units.

12.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weight heavily in the interpretation of chromatograms.

12.6 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

12.7 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:
A=Amount of material injected (ng).
V_i=Volume of extract injected (μL).
V_t=Volume of total extract (μL).
V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:
A_s=Response for the parameter to be measured.
A_{is}=Response for the internal standard.
I_s=Amount of internal standard added to each extract (μg).
V_o=Volume of water extracted (L).

13.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[12] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 4 × MDL to 1000 × MDL.[12]

14.3 This method was tested by 20 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 1.0 to 626 μ/L.[12] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHODS DETECTION LIMITS

Parameters	Retention time (min)		Method detection limit (μ/L)
	Column 1	Column 2	
Bis(2-chloroisopropyl) ether	8.4	9.7	0.8
Bis(2-chloroethyl) ether	9.3	9.1	0.3
Bis(2-chloroethoxy) methane	13.1	10.0	0.5
4-Chlorophenyl ether	19.4	15.0	3.9
4-Bromophenyl phenyl ether	21.2	16.2	2.3

AColumn 1 conditions: Supelcoport (100/120 mesh) coated with 3% SP–1000 packed in a 1.8 m long × 2 mm ID glass column with helium carrier gas at 40 mL/min. flow rate. Column temperature held at 60 °C for 2 min. after injection then programmed at 8 °C/min. to 230 °C and held for 4 min. Under these conditions the retention time for Aldrin is 22.6 min.

AColumn 2 conditions: Tenax–GC (60/80 mesh) packed in a 1.8 m long × 2mm ID glass column with helium carrier gas at 40 mL/min. flow rate. Column temperature held at 150 °C for 4 min. after injection then programmed at 16 °C/min. to 310 °C. Under these conditions the retention time for Aldrin is 18.4 min.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 611

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s, percent
Bis (2-chloroethyl)ether	100	26.3	26.3–136.8	11–152
Bis (2-chloroethoxy)methane	100	25.7	27.3–115.0	12–128
Bis (2-chloroisopropyl)ether	100	32.7	26.4–147.0	9–165
4-Bromophenyl phenyl ether	100	39.3	7.6 –167.5	D–189
4-Chlorophenyl phenyl ether	100	30.7	15.4–152.5	D–170

s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 611

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
Bis(2-chloroethyl) ether	0.81C+0.54	0.19$\bar{X}$+0.28	0.35$\bar{X}$+0,36
Bis(2-chloroethoxy) methane	0.71C+0.13	0.20$\bar{X}$+0.15	0.33$\bar{X}$+0.11
Bis(2-chloroisopropyl) ether	0.85C+1.67	0.20$\bar{X}$+1.05	0.36$\bar{X}$+0.79
4–Bromophenyl phenyl ether	0.85C+2.55	0.25$\bar{X}$+0.21	0.47$\bar{X}$+0.37
4–Chlorophenyl phenyl ether	0.82C+1.97	0.18$\bar{X}$+2.13	0.41$\bar{X}$+0.55

X′ = Expected recovery for one or more measuremelts of a sample containing a concentration of C, in μg/L.
s_r' = Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′ = Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C =True value for the concentration, in μg/L.
$\bar{X}$ = Average recovery found for measurements of samples containing a concentration of C, in μg/L.

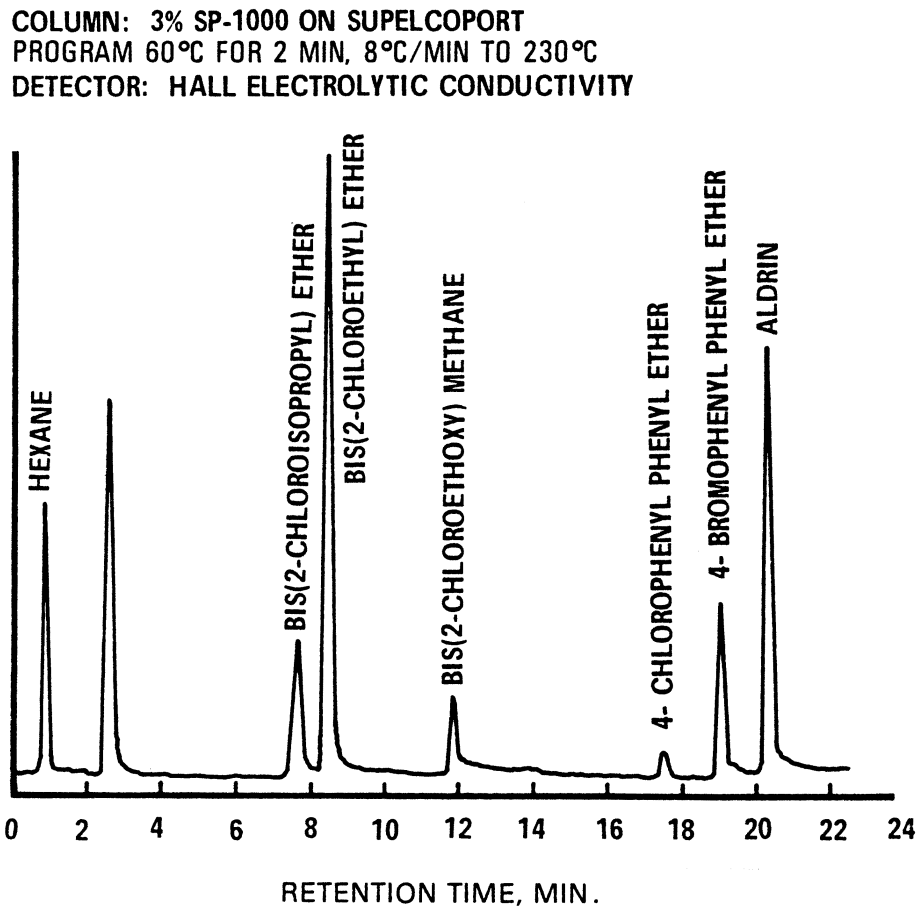

Figure 1. Gas chromatogram of haloethers.

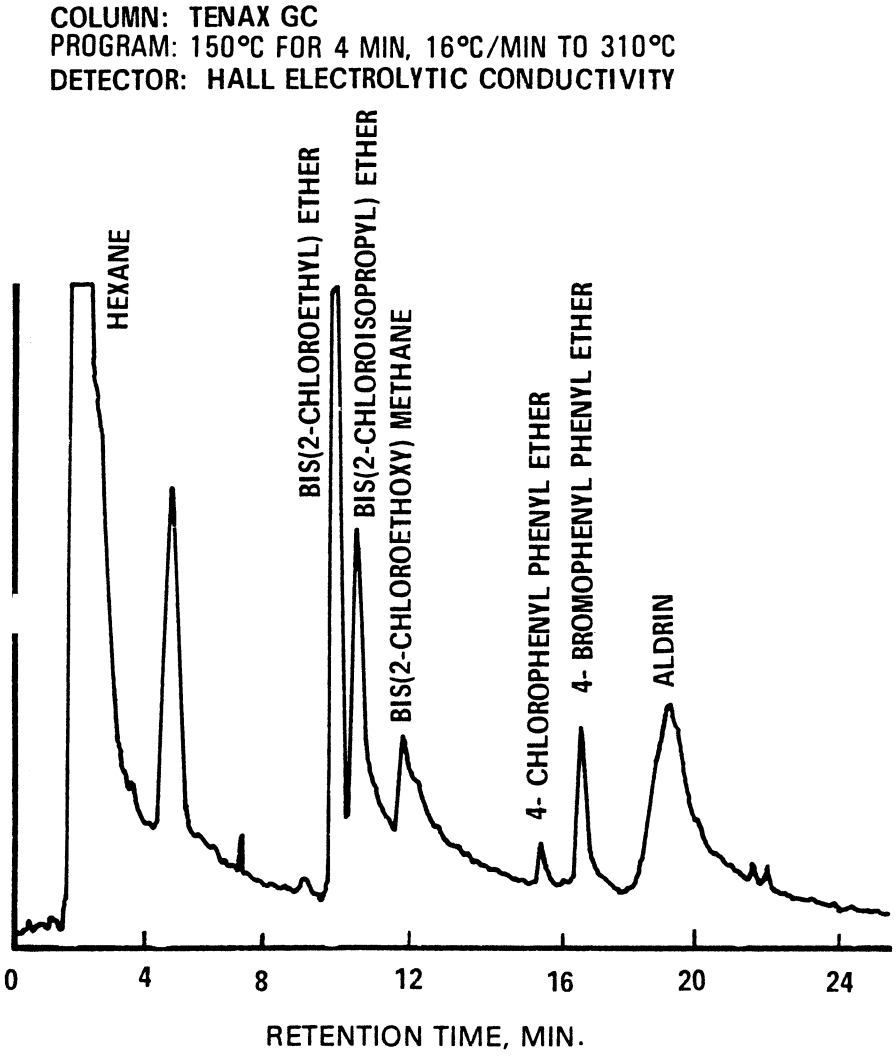

Figure 2. Gas chromatogram of haloethers.

METHOD 612—CHLORINATED HYDROCARBONS

1. Scope and Application

1.1 This method covers the determination of certain chlorinated hydrocarbons. The following parameters can be determined by this method:

Parameter	STORET No.	CAS No.
2-Chloronaphthalene	34581	91–58–7
1,2-Dichlorobenzene	34536	95–50–1
1,3-Dichlorobenzene	34566	541–73–1
1,4-Dichlorobenzene	34571	106–46–7
Hexachlorobenzene	39700	118–74–1
Hexachlorobutadiene	34391	87–68–3
Hexachlorocyclopentadiene	34386	77–47–4
Hexachloroethane	34396	67–72–1

Parameter	STORET No.	CAS No.
1,2,4-Trichlorobenzene	34551	120–82–1

1.2 This is a gas chromatographic (GC) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1. When this method is used to analyze unfamiliar samples for any or all of the compounds above, compound identifications should be supported by at least one additional qualitative technique. This method describes a second gas chromatographic column that can be used to confirm measurements made with the primary column. Method 625 provides gas chromatograph/mass spectrometer (GC/MS) conditions appropriate for the qualitative and quantitative confirmation of results for all of the parameters listed above, using the extract produced by this method.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.4 The sample extraction and concentration steps in this method are essentially the same as in Methods 606, 608, 609, and 611. Thus, a single sample may be extracted to measure the parameters included in the scope of each of these methods. When cleanup is required, the concentration levels must be high enough to permit selecting aliquots, as necessary, to apply appropriate cleanup procedures. The analyst is allowed the latitude, under Section 12, to select chromatographic conditions appropriate for the simultaneous measurement of combinations of these parameters.

1.5 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph and in the interpretation of gas chromatograms. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is extracted with methylene chloride using a separatory funnel. The methylene chloride extract is dried and exchanged to hexane during concentration to a volume of 10 mL or less. The extract is separated by gas chromatography and the parameters are then measured with an electron capture detector.[2]

2.2 The method provides a Florisil column cleanup procedure to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in gas chromatograms. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. The cleanup procedure in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches to achieve the MDL listed in Table 1.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all

personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4–6] for the information of the analyst.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1cL or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, approximately 400 mm long × 19 mm ID, with coarse frit filter disc.

5.2.3 Chromatographic column—300 long × 10 mm ID, with Teflon stopcock and coarse frit filter disc at bottom.

5.2.4 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.5 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.6 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.7 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 Gas chromatograph—An analytical system complete with gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, gases, detector, and strip-chart recorder. A data system is recommended for measuring peak areas.

5.6.1 Column 1—1.8 m long × 2 mm ID glass, packed with 1% SP–1000 on Supelcoport (100/120 mesh) or equivalent. Guidelines for the use of alternate column packings are provide in Section 12.1.

5.6.2 Column 2—1.8 m long ×2 mm ID glass, packed with 1.5% OV–1/2.4% OV–225 on Supelcoport (80/100 mesh) or equivalent. This column was used to develop the method performance statements in Section 14.

5.6.3 Detector— Electron capture detector. This detector has proven effective in the analysis of wastewaters for the parameters listed in the scope (Section 1.1), and was used to develop the method performance statements in Section 14. Guidelines for the use of alternate detectors are provided in Section 12.1.

6. Reagents

6.1 Reagent water— Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Acetone, hexane, isooctane, methanol, methylene chloride, petroleum ether (boiling range 30 to 60 °C)—Pesticide quality or equivalent.

6.3 Sodium sulfate—(ACS) Granular, anhydrous. Purify heating at 400 °C for 4 h in a shallow tray.

6.4 Florisil—PR grade (60/100 mesh). Purchase activated at 1250 °F and store in the dark in glass containers with ground glass stoppers or foil-lined screw caps. Before use, activate each batch at least 16 h at 130 °C in a foil-covered glass container and allow to cool.

6.5 Stock standard solution (1.00 µg/µL)—Stock standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.5.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in isooctane and dilute to volume in a 120-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.5.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.5.3 Stock standard solutions must be replaced after six months, or sooner if comparision with check standards indicates a problem.

6.6 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatographic operating conditions equivalent to those given in Table 1. The gas chromatographic system can be calibrated using the external standard technique (Section 7.2) or the internal standard technique (Section 7.3).

7.2 External standard calibration procedure:

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask and diluting to volume with isooctane. One of the external standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.2.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against the mass injected. The results can be used to prepare a calibration curve for each compound. Alternatively, if the ratio of response to amount injected (calibration factor) is a constant over the working range (<10% relative standard deviation, RSD), linearity through the origin can be assumed and the average ratio or calibration factor can be used in place of a calibration curve.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select one or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Because of these limitations, no internal standard can be suggested that is applicable to all samples.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding volumes of one or more stock standards to a volumetric flask. To each calibration standard, add a known constant amount of one or more internal standards, and dilute to volume with isooctane. One of the standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the detector.

7.3.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 12 and tabulate peak height or area responses against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<10% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve, calibration factor, or RF must be verified on each working day by the measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±15%, a new calibration curve must be prepared for that compound.

7.5 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When the results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.4, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at the following concentrations in acetone: Hexachloro-substituted parameters, 10 µg/mL; any other chlorinated hydrocarbon, 100 µg/mL. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at the test concentrations shown in Table 2 by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 2 presents a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.2.6.2 Beginning with Section 8.2.2, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spike sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at the test concentration in Section 8.2.2 or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none by (2) the larger of either 5 times higher than the expected background concentration or the test concentration in Section 8.2.2.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. In necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100 (A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than the test concentration in Section 8.2.2, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T) ± 2.44 (100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4. If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Sections 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 2. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $P-2s_p$ to $P+2s_p$. If P=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. When doubt exists over the identification of a peak on the chromatogram, confirmatory techniques such as gas chromatography with a dissimilar column, specific element detector, or mass spectrometer must be used. Whenever possible, the laboratory should analyze standard reference materials and participate in relevent performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[8] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4°C from the time of collection until extraction.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel.

10.2 Add 60 mL of methylele chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.3 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.4 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.5 Pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.6 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 to 2 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

NOTE: The dichloribenzenes have a sufficiently high volatility that significant losses may occur in concentration steps if care is not exercised. It is important to maintain a constant gentle evaporation rate and not to allow the liquid volume to fall below 1 to 2 mL before removing the K–D apparatus from the hot water bath.

10.7 Momentarily remove the Snyder column, add 50 mL of hexane and a new boiling chip, and reattach the Snyder column. Raise the tempeature of the water bath to 85 to 90 °C. Concentrate the extract as in Section 10.6, except use hexane to prewet the column. The elapsed time of concentration should be 5 to 10 min.

10.8 Romove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of hexane. A 5-mL syringe is recommended for this operation. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extract will be stored longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with gas chromatographic analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.9 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use the procedure below or any other appropriate procedure. However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure.

11.2 Florisil column cleanup for chlorinated hydrocarbons:

11.2.1 Adjust the sample extract to 10 mL with hexane.

11.2.2 Place 12 g of Florisil into a chromatographic column. Tap the column to settle the Florisil and add 1 to 2 cm of anhydrous sodium sulfate to the top.

11.2.3 Preelute the column with 100 mL of petroleum ether. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the sample extract onto the column by decantation and subsequent petroleum ether washings. Discard the eluate. Just prior to exposure of the sodium sulfate layer to the air, begin eluting the column with 200 mL of petroleum ether and collect the eluate in a 500-mL K–D flask equipped with a 10-mL concentrator tube. This fraction should contain all of the chlorinated hydrocarbons.

11.2.4 Concentrate the fraction as in Section 10.6, except use hexane to prewet the column. When the apparatus is cool, remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with hexane. Analyze by gas chromatography (Section 12).

12. Gas Chromatography

12.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by Columl 2 are shown in Figures 1 and 2. Other packed or capillary (open-tubular) columns, chromatographic conditions, or detectors may be used if the requirements of Section 8.2 are met.

12.2 Calibrate the system daily as described in Section 7.

12.3 If the internal standard calibration procedure is being used, the internal standard must be added to the sample extract and mixed throughly immediately before injection into the gas chromatograph.

12.4 Inject 2 to 5 μL of the sample extract or standard into the gas chromatograph using the solvent-flush techlique.[9] Smaller (1.0 μL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 μL, the total extract volume, and the resulting peak size in area or peak height units.

12.5 Identify the parameters in the sample by comparing the retention times of the peaks in the sample chromatogram with those of the peaks in standard chromatograms. The width of the retention time window used to make identifications should be based upon measurements of actual retention time variations of standards over the course of a day. Three times the standard deviation of a retention time for a compound can be used to calculate a suggested window size; however, the experience of the analyst should weigh heavily in the interpretation of chromatograms.

12.6 If the response for a peak exceeds the working range of the system, dilute the extract and reanalyze.

12.7 If the measurement of the peak response is prevented by the presence of interferences, further cleanup is required.

13. Calculations

13.1 Determine the concentration of individual compounds in the sample.

13.1.1 If the external standard calibration procedure is used, calculate the amount of material injected from the peak response using the calibration curve or calibration factor determined in Section 7.2.2. The concentration in the sample can be calculated from Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:

A=Amount of material injected (ng).

V_i=Volume of extract injected (μL).

V_t=Volume of total extract (μL).

V_s=Volume of water extracted (mL).

13.1.2 If the internal standard calibration procedure is used, calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:

A_s=Response for the parameter to be measured.

A_{is}=Response for the internal standard.

I_s=Amount of internal standard added to each extract (μg).

V_o=Volume of water extracted (L).

13.2 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[10] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method has been tested for linearity of spike recovery from reagent water and has been demonstrated to be applicable over the concentration range from 4×MDL to 1000×MDL.[10]

14.3 This method was tested by 20 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 1.0 to 356 μg/L.[11] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

REFERENCES

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5. "OSHA Safety and Health Standards, General Industry," (29 CFR part 1910), Occupational Safety and Health Administration, OSHA 2206 (Revised, January 1976).

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10. "Development of Detection Limits, EPA Method 612, Chlorinated Hydrocarbons," Special letter report for EPA Contract 68–03–2625, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268.

11. "EPA Method Study Method 612—Chlorinated Hydrocarbons," EPA 600/4–84–039, National Technical Information Service, PB84–187772, Springfield, Virginia 22161, May 1984.

12. "Method Performance for Hexachlorocyclopentadiene by Method 612," Memorandum from R. Slater, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268, December 7, 1983.

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)		Method detection limit (μg/L)
	Column 1	Column 2	
1,3-Dichlorobenzene	4.5	6.8	1.19
Hexachloroethane	4.9	8.3	0.03
1,4-Dichlorobenzene	5.2	7.6	1.34
1,2-Dichlorobenzene	6.6	9.3	1.14
Hexachlorobutadiene	7.7	20.0	0.34
1,2,4-Trichlorobenzene	15.5	22.3	0.05
Hexachlorocyclopentadiene	nd	[c] 16.5	0.40
2-Chloronaphthalene	[a] 2.7	[b] 3.6	0.94
Hexachlorobenzene	[a] 5.6	[b] 10.1	0.05

Column 1 conditions: Supelcoport (100/120 mesh) coated with 1% SP–1000 packed in a 1.8 m × 2 mm ID glass column with 5% methane/95% argon carrier gas at 25 mL/min. flow rate. Column temperature held isothermal at 65 °C, except where otherwise indicated.

Column 2 conditions: Supelcoport (80/100 mesh) coated with 1.5% OV–1/2.4% OV–225 packed in a 1.8 m × 2 mm ID glass column with 5% methane/95% argon carrier gas at 25 mL/min. flow rate. Column temperature held isothermal at 75 °C, except where otherwise indicated.

nd=Not determined.

[a] 150 °C column temperature.

[b] 165 °C column temperature.

[c] 100 °C column temperature.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 612

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for $\bar{X}$ (μg/L)	Range for P, P_s (percent)
2-Chloronaphthalene	100	37.3	29.5–126.9	9–148
1,2-Dichlorobenzene	100	28.3	23.5–145.1	9–160
1,3-Dichlorobenzene	100	26.4	7.2–138.6	D–150
1,4-Dichlorobenzene	100	20.8	22.7–126.9	13–137
Hexachlorobenzene	10	2.4	2.6–14.8	15–159
Hexachlorobutadiene	10	2.2	D–12.7	D–139
Hexachlorocyclopentadiene	10	2.5	D–10.4	D–111
Hexachloroethane	10	3.3	2.4–12.3	8–139
1,2,4-Trichlorobenzene	100	31.6	20.2–133.7	5–149

$\underline{s}$=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).

$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).

P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).

D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 612

Parameter	Acccuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
2-Chloronaphthalene	0.75C+3.21	$0.28\bar{X} - 1.17$	$0.38\bar{X} - 1.39$
1,2-Dichlorobenzene	0.85C − 0.70	$0.22\bar{X} - 2.95$	$0.41\bar{X} - 3.92$
1,3-Dichlorobenzene	0.72C+0.87	$0.21\bar{X} - 1.03$	$0.49\bar{X} - 3.98$
1,4-Dichlorobenzene	0.72C+2.80	$0.16\bar{X} - 0.48$	$0.35\bar{X} - 0.57$
Hexachlorobenzene	0.87C − 0.02	$0.14\bar{X}+0.07$	$0.36\bar{X} - 0.19$
Hexachlorobutadiene	0.61C+0.03	$0.18\bar{X}+0.08$	$0.53\bar{X} - 0.12$
Hexachlorocyclopentadiene[a]	0.47C	$0.24\bar{X}$	$0.50\bar{X}$
Hexachloroethane	0.74C − 0.02	$0.23\bar{X}+0.07$	$0.36\bar{X} - 0.00$
1,2,4-Trichlorobenzene	0.76C+0.98	$0.23\bar{X} - 0.44$	$0.40\bar{X} - 1.37$

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

[a] Estimates based upon the performance in a single laboratory.[12]

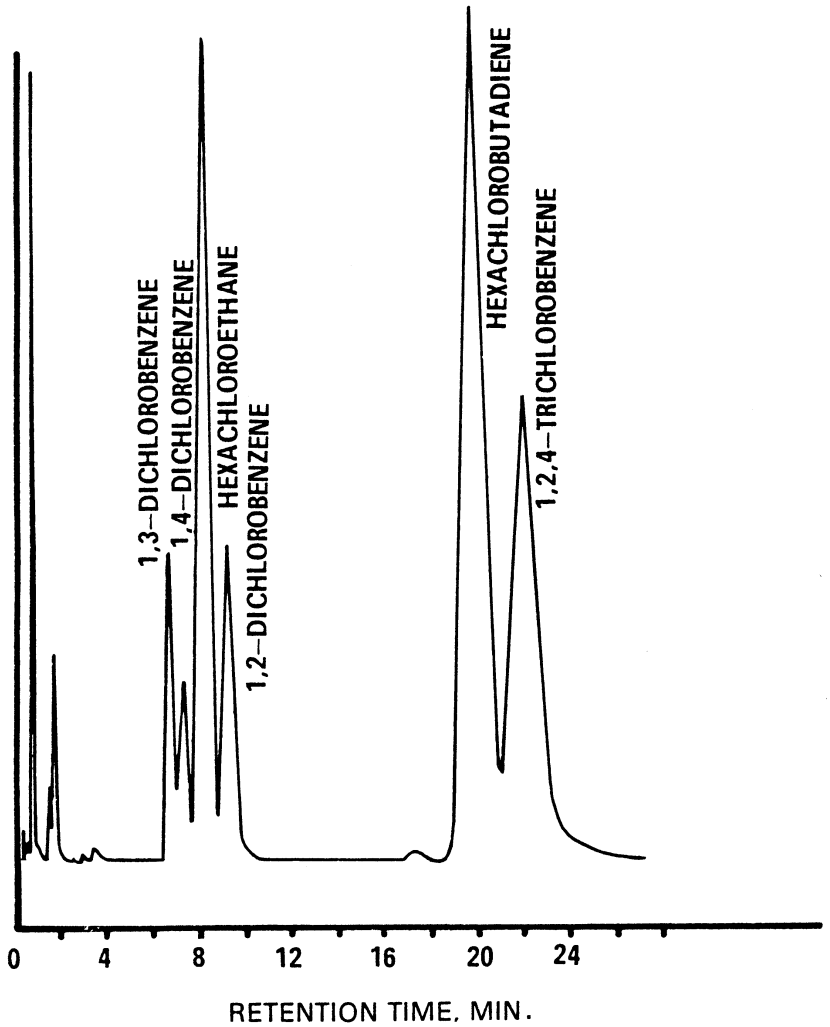

Figure 1. Gas chromatogram of chlorinated hydrocarbons.

COLUMN: 1.5% OV-1/2.4% OV-225 ON SUPELCOPORT
TEMPERATURE: 165°C
DETECTOR: ELECTRON CAPTURE

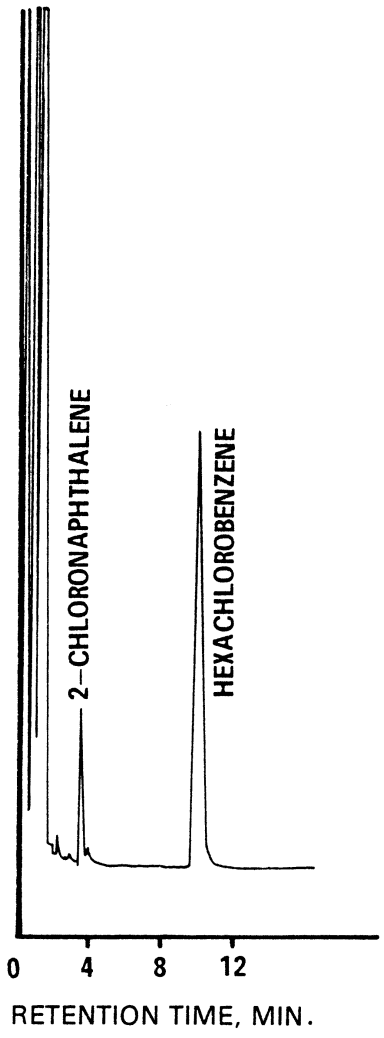

Figure 2. Gas chromatogram of chlorinated hydrocarbons.

METHOD 613—2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

1. Scope and Application

1.1 This method covers the determination of 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD). The following parameter may be determined by this method:

Parameter	STORET No.	GAS No.
2,3,7,8-TCDD	34675	1746–01–6

1.2 This is a gas chromatographic/mass spectrometer (GC/MS) method applicable to the determination of 2,3,7,8–TCDD in municipal and industrial discharges as provided under 40 CFR 136.1. Method 625 may be used to screen samples for 2,3,7,8–TCDD. When the screening test is positive, the final qualitative confirmation and quantification must be made using Method 613.

1.3 The method detection limit (MDL, defined in Section 14.1)[1] for 2,3,7,8–TCDD is listed in Table 1. The MDL for a specific wastewater may be different from that listed, depending upon the nature of interferences in the sample matrix.

1.4 Because of the extreme toxicity of this compound, the analyst must prevent exposure to himself, of to others, by materials knows or believed to contain 2,3,7,8–TCDD. Section 4 of this method contains guidelines and protocols that serve as minimum safe-handling standards in a limited-access laboratory.

1.5 Any modification of this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph/mass spectrometer and in the interpretation of mass spectra. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is spiked with an internal standard of labeled 2,3,7,8–TCDD and extracted with methylene chloride using a separatory funnel. The methylene chloride extract is exchanged to hexane during concentration to a volume of 1.0 mL or less. The extract is then analyzed by capillary column GC/MS to separate and measure 2,3,7,8–TCDD.[2,3]

2.2 The method provides selected column chromatographic cleanup proceudres to aid in the elimination of interferences that may be encountered.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated backgrounds at the masses (m/z) monitored. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[4] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by the treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thorough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to mininmize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are coextracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled. 2,3,7,8–TCDD is often associated with other interfering chlorinated compounds which are at concentrations several magnitudes higher than that of 2,3,7,8–TCDD. The cleanup producers in Section 11 can be used to overcome many of these interferences, but unique samples may require additional cleanup approaches[1,5–7] to eliminate false positives and achieve the MDL listed in Table 1.

3.3 The primary column, SP–2330 or equivalent, resolves 2,3,7,8–TCDD from the other 21 TCDD insomers. Positive results using any other gas chromatographic column must be confirmed using the primary column.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to

the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified [8-10] for the information of the analyst. Benzene and 2,3,7,8–TCDD have been identified as suspected human or mammalian carcinogens.

4.2 Each laboratory must develop a strict safety program for handling 2,3,7,8–TCDD. The following laboratory practices are recommended:

4.2.1 Contamination of the laboratory will be minimized by conducting all manipulations in a hood.

4.2.2 The effluents of sample splitters for the gas chromatograph and roughing pumps on the GC/MS should pass through either a column of activated charcoal or be bubbled through a trap containing oil or high-boiling alcohols.

4.2.3 Liquid waste should be dissolved in methanol or ethanol and irradiated with ultraviolet light with a wavelength greater than 290 nm for several days. (Use F 40 BL lamps or equivalent). Analyze liquid wastes and dispose of the solutions when 2,3,7,8–TCDD can no longer be detected.

4.3 Dow Chemical U.S.A. has issued the following precautimns (revised November 1978) for safe handling of 2,3,7,8–TCDD in the laboratory:

4.3.1 The following statements on safe handling are as complete as possible on the basis of available toxicological information. The precautions for safe handling and use are necessarily general in nature since detailed, specific recommendations can be made only for the particular exposure and circumstances of each individual use. Inquiries about specific operations or uses may be addressed to the Dow Chemical Company. Assistance in evaluating the health hazards of particular plant conditions may be obtained from certain consulting laboratories and from State Departments of Health or of Labor, many of which have an industrial health service. 2,3,7,8–TCDD is extremely toxic to laboratory animals. However, it has been handled for years without injury in analytical and biological laboratories. Techniques used in handling radioactive and infectious materials are applicable to 2,3,7,8,–TCDD.

4.3.1.1 Protective equipment—Throwaway plastic gloves, apron or lab coat, safety glasses, and a lab hood adequate for radioactive work.

4.3.1.2 Training—Workers must be trained in the proper method of removing contaminated gloves and clothing without contacting the exterior surfaces.

4.3.1.3 Personal hygiene—Thorough washing of hands and forearms after each manipulation and before breaks (coffee, lunch, and shift).

4.3.1.4 Confinement—Isolated work area, posted with signs, segregated glassware and tools, plastic-backed absorbent paper on benchtops.

4.3.1.5 Waste—Good technique includes minimizing contaminated waste. Plastic bag liners should be used in waste cans. Janitors must be trained in the safe handling of waste.

4.3.1.6 Disposal of wastes—2,3,7,8–TCDD decomposes above 800 °C. Low-level waste such as absorbent paper, tissues, animal remains, and plastic gloves may be burned in a good incinerator. Gross quantities (milligrams) should be packaged securely and disposed through commercial or governmental channels which are capable of handling high-level radioactive wastes or extremely toxic wastes. Liquids should be allowed to evaporate in a good hood and in a disposable container. Residues may then be handled as above.

4.3.1.7 Decontamination—For personal decontamination, use any mild soap with plenty of scrubbing action. For decontamination of glassware, tools, and surfaces, Chlorothene NU Solvent (Trademark of the Dow Chemical Company) is the least toxic solvent shown to be effective. Satisfactory cleaning may be accomplished by rinsing with Chlorothene, then washing with any detergent and water. Dishwater may be disposed to the sewer. It is prudent to minimize solvent wastes because they may require special disposal through commercial sources which are expensive.

4.3.1.8 Laundry—Clothing known to be contaminated should be disposed with the precautions described under Section 4.3.1.6. Lab coats or other clothing worn in 2,3,7,8–TCDD work areas may be laundered.

Clothing should be collected in plastic bags. Persons who convey the bags and launder the clothing should be advised of the hazard and trained in proper handling. The clothing may be put into a washer without contact if the launderer knows the problem. The washer should be run through a cycle before being used again for other clothing.

4.3.1.9 Wipe tests—A useful method of determining cleanliness of work surfaces and tools is to wipe the surface with a piece of filter paper. Extraction and analysis by gas chromatography can achieve a limit of sensitivity of 0.1 μg per wipe. Less than 1 μg of 2,3,7,8–TCDD per sample indicates acceptable cleanliness; anything higher warrants further cleaning. More than 10 μg on a wipe sample constitutes an acute hazard and requires prompt cleaning before further use of the equipment or work space. A high (>10 μg)

2,3,7,8–TCDD level indicates that unacceptable work practices have been employed in the past.

4.3.1.10 Inhalation—Any procedure that may produce airborne contamination must be done with good ventilation. Gross losses to a ventilation system must not be allowed. Handling of the dilute solutions normally used in analytical and animal work presents no inhalation hazards except in the case of an accident.

4.3.1.11 Accidents—Remove contaminated clothing immediately, taking precautions not to contaminate skin or other articles. Wash exposed skin vigorously and repeatedly until medical attention is obtained.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composite sampling.

5.1.1 Grab sample bottle—1–L or 1-qt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. Before use, however, the compressible tubing should be thoroughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.1.3 Clearly label all samples as "POISON" and ship according to U.S. Department of Transportation regulations.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnels—2–L and 125-mL, with Teflon stopcock.

5.2.2 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.3 Evaporative flask, Kuderna-Danish—500–mL (Kontes K–570001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.4 Snyder column, Kuderna-Danish—Three-ball macro (Kontes K–503000–0121 or equivalent).

5.2.5 Snyder column, Kuderna-Danish—Two-ball micro (Kontes K–569001–0219 or equivalent).

5.2.6 Vials—10 to 15–mL, amber glass, with Teflon-lined screw cap.

5.2.7 Chromatographic column—300 mm long × 10 mm ID, with Teflon stopcock and coarse frit filter disc at bottom.

5.2.8 Chromatographic column—400 mm long × 11 mm ID, with Teflon stopcock and coarse frit filter disc at bottom.

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min or Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2 °C). The bath should be used in a hood.

5.5 GC/MS system:

5.5.1 Gas chromatograph—An analytical system complete with a temperature programmable gas chromatograph and all required accessories including syringes, analytical columns, and gases. The injection port must be designed for capillary columns. Either split, splitless, or on-column injection techniques may be employed, as long as the requirements of Section 7.1.1 are achieved.

5.5.2 Column—60 m long × 0.25 mm ID glass or fused silica, coated with SP–2330 (or equivalent) with a film thickness of 0.2 μm. Any equivalent column must resolve 2, 3, 7, 8–TCDD from the other 21 TCDD isomers.[16]

5.5.3 Mass spectrometer—Either a low resolution mass spectrometer (LRMS) or a high resolution mass spectrometer (HRMS) may be used. The mass spectrometer must be equipped with a 70 V (nominal) ion source and be capable of aquiring m/z abundance data in real time selected ion monitoring (SIM) for groups of four or more masses.

5.5.4 GC/MS interface—Any GC to MS interface can be used that achieves the requirements of Section 7.1.1. GC to MS interfaces constructed of all glass or glass-lined materials are recommended. Glass surfaces can be deactivated by silanizing with dichlorodimethylsilane. To achieve maximum sensitivity, the exit end of the capillary column should be placed in the ion source. A short piece of fused silica capillary can be used as the interface to overcome problems associated with straightening the exit end of glass capillary columns.

5.5.5 The SIM data acquired during the chromatographic program is defined as the Selected Ion Current Profile (SICP). The SICP can be acquired under computer control or as a real time analog output. If computer control is used, there must be software available to plot the SICP and report peak height or area data for any m/z in the SICP between specified time or scan number limits.

5.6 Balance—Analytical, capable of accurately weighing 0.0001 g.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of 2, 3, 7, 8–TCDD.

6.2 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 mL. Wash the solution with methylene chloride and hexane before use.

6.3 Sodium thiosulfate—(ACS) Granular.

6.4 Sulfuric acid—Concentrated (ACS, sp. gr. 1.84).

6.5 Acetone, methylene chloride, hexane, benzene, ortho-xylene, tetradecane—Pesticide quality or equivalent.

6.6 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.7 Alumina—Neutral, 80/200 mesh (Fisher Scientific Co., No. A–540 or equivalent). Before use, activate for 24 h at 130 °C in a foil-covered glass container.

6.8 Silica gel—High purity grade, 100/120 mesh (Fisher Scientific Co., No. S–679 or equivalent).

6.9 Stock standard solutions (1.00 µg/µL)—Stock standard solutimns can be prepared from pure standard materials or purchased as certified solutions. Acetone should be used as the solvent for spiking solutions; ortho-xylene is recommended for calibration standards for split injectors; and tetradecane is recommended for splitless or on-colum injectors. Analyze stock internal standards to verify the absence of native 2,3,7,8–TCDD.

6.9.1 Prepare stock standard solutions of 2,3,7,8–TCDD (mol wt 320) and either $^{37}Cl_4$ 2,3,7,8–TCDD (mol wt 328) or $^{13}Cl_{12}$ 2,3,7,8–TCDD (mol wt 332) in an isolated area by accurately weighing about 0.0100 g of pure material. Dissolve the material in pesticide quality solvent and dilute to volume in a 10-mL volumetric flask. When compound purity is assayed to be 96% or greater, the weight can be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards can be used at any concentration if they are certified by the manufacturer or by an independent source.

6.9.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store in an isolated refrigerator protected from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards or spiking solutions from them.

6.9.3 Stock standard solutions must be replaced after six months, or sooner if comparison with check standards indicates a problem.

6.10 Internal standard spiking solution (25 ng/mL)—Using stock standard solution, prepare a spiking solution in acetone of either $^{13}Cl_{12}$ or $^{37}Cl_4$ 2,3,7,8–TCDD at a concentration of 25 ng/mL. (See Section 10.2)

6.11 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatograhic operating conditions equivalent to those given in Table 1 and SIM conditions for the mass spectrometer as described in Section 12.2 The GC/MS system must be calibrated using the internal standard technique.

7.1.1 Using stock standards, prepare calibration standards that will allow measurement of relative response factors of at least three concentration ratios of 2,3,7,8–TCDD to internal standard. Each calibration standard must be prepared to contain the internal standard at a concentration of 25 ng/mL. If any interferences are contributed by the internal standard at m/z 320 and 322, its concentration may be reduced in the calibration standards and in the internal standard spiking solution (Section 6.10). One of the calibration standards should contain 2,3,7,8–TCDD at a concentration near, but above, the MDL and the other 2,3,7,8–TCDD concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the GC/MS system.

7.1.2 Using injections of 2 to 5 µL, analyze each calibration standardaccording to Section 12 and tabulate peak height or area response against the concentration of 2,3,7,8–TCDD and internal standard. Calculate response factors (RF) for 2,3,7,8–TCDD using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=SIM response for 2,3,7,8–TCDD m/z 320.

A_{is}=SIM response for the internal standard, m/z 332 for $^{13}C_{12}$ 2,3,7,8–TCDD m/z 328 for $^{37}Cl_4$ 2,3,7,8–TCDD.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of 2,3,7,8–TCDD (µg/L).

If the RF value over the working range is a constant (<10% relative standard deviation, RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.1.3 The working calibration curve or RF must be verified on each working day by the measurement of one or more 2,3,7,8–TCDD calibration standards. If the response for 2,3,7,8–TCDD varies from the predicted response by more than ±15%, the test must be repeated using a fresh calibration standard. Alternatively, a new calibration curve must be prepared.

7.2 Before using any cleanup procedure, the analyst must process a series of calibration standards through the procedure to validate elution patterns and the absence of interferences from the reagents.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Sections 10.5, 11.1, and 12.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 10% of all samples with native 2,3,7,8–TCDD to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 10% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing 2,3,7,8–TCDD at a concentration of 0.100 µg/mL in acetone. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at a concentration of 0.100 µg/L (100 ng/L) by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for 2,3,7,8–TCDD using the four results.

8.2.5 Compare s and ($\bar{X}$) with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 2. If s and $\bar{X}$ meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If s exceeds the precision limit or $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for 2,3,7,8–TCDD. Locate and correct the source of the problem and repeat the test beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 10% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing one to ten samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of 2,3,7,8–TCDD in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of 2,3,7,8–TCDD in the sample is not being checked against a limit specific to that parameter, the spike should be at 0.100 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the

spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or 0.100 μg/L.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of 2,3,7,8–TCDD. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentration in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of 2,3,7,8–TCDD. Calculate percent recovery (P) as 100(A–B)%T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for 2,3,7,8–TCDD with the corresponding QC acceptance criteria found in Table 2. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[11] If spiking was performed at a concentration lower than 0.100 μg/L, the analyst must use either the QC acceptance criteria in Table 2, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of 2,3,7,8–TCDD: (1) Calculate accuracy (X′) using the equation in Table 3, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 3, substituting X′ for X; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%.[11]

8.3.4 If the recovery of 2,3,7,8–TCDD falls outside the designated range for recovery, a check standard must be analyzed as described in Section 8.4.

8.4 If the recovery of 2,3,7,8–TCDD fails the acceptance criteria for recovery in Section 8.3, a QC check standard must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the complexity of the sample matrix and the performance of the laboratory.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of 2,3,7,8–TCDD. Calculate the percent recovery (P_s) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) with the corresponding QC acceptance criteria found in Table 2. If the recovery of 2,3,7,8–TCDD falls outside the designated range, the laboratory performance is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for 2,3,7,8–TCDD in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the spandard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[12] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All samples must be iced or refrigerated at 4 °C and protected from light from the time of collection until extraction. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[13] Field test kits are available for this purpose.

9.3 Label all samples and containers "POISON" and ship according to applicable U.S. Department of Transportation regulations.

9.4 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.[2]

10. Sample Extraction

CAUTION: When using this method to analyze for 2,3,7,8–TCDD, all of the following operations must be performed in a limited-access laboratory with the analyst wearing full

protective covering for all exposed skin surfaces. See Section 4.2.

10.1 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel.

10.2 Add 1.00 mL of internal standard spiking solution to the sample in the separatory funnel. If the final extract will be concentrated to a fixed volume below 1.00 mL (Section 12.3), only that volume of spiking solution should be added to the sample so that the final extract will contain 25 ng/mL of internal standard at the time of analysis.

10.3 Add 60 mL of methylene chloride to the sample bottle, seal, and shake 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the vmlume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask.

10.4 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner.

10.5 Assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.6 Pour the combined extract into the K–D concentrator. Rinse the Erlenmeyer flask with 20 to 30 mL of methylele chloride to complete the quantitative transfer.

10.7 Add one or two clean boiling chips to the evaporative flask and attach a three-ball Snyder column. Prewet the Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min.

10.8 Momentarily remove the Snyder column, add 50 mL of hexane and a new boiling chip, and reattach the Snyder column. Raise the temperature of the water bath to 85 to 90°C. Concentrate the extract as in Section 10.7, except use hexane to prewet the column. Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of hexane. A 5-mL syringe is recommended for this operation. Set aside the K–D glassware for reuse in Section 10.14.

10.9 Pour the hexane extract from the concentrator tube into a 125-mL separatory funnel. Rinse the concentrator tube four times with 10-mL aliquots of hexane. Combine all rinses in the 125-mL separatory funnel.

10.10 Add 50 mL of sodium hydroxide solution to the funnel and shake for 30 to 60 s. Discard the aqueous phase.

10.11 Perform a second wash of the organic layer with 50 mL of reagent water. Discard the aqueous phase.

10.12 Wash the hexane layer with a least two 50-mL aliquots of concentrated sulfuric acid. Continue washing the hexane layer with 50-mL aliquots of concentrated sulfuric acid until the acid layer remains colorless. Discard all acid fractions.

10.13 Wash the hexane layer with two 50-mL aliquots of reagent water. Discard the aqueous phases.

10.14 Transfer the hexane extract into a 125-mL Erlenmeyer flask containing 1 to 2 g of anhydrous sodium sulfate. Swirl the flask for 30 s and decant the hexane extract into the reassembled K–D apparatus. Complete the quantitative transfer with two 10-mL hexane rinses of the Erlenmeyer flask.

10.15 Replace the one or two clean boiling chips and concentrate the extract to 6 to 10 mL as in Section 10.8.

10.16 Add a clean boiling chip to the concentrator tube and attach a two-ball micro-Snyder column. Prewet the column by adding about 1 mL of hexane to the top. Place the micro-K–D apparatus on the water bath so that the concentrator tube is partially immersed in the hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood. When the apparent volume of liquid reaches about 0.5 mL, remove the K–D apparatus and allow it to drain and cool for at least 10 min. Remove the micro-Snyder column and rinse its lower joint into the concentrator tube with 0.2 mL of hexane.

Adjust the extract volume to 1.0 mL with hexane. Stopper the concentrator tube and store refrigerated and protected from light if further processing will not be performed immediately. If the extract will be stored

longer than two days, it should be transferred to a Teflon-sealed screw-cap vial. If the sample extract requires no further cleanup, proceed with GC/MS analysis (Section 12). If the sample requires further cleanup, proceed to Section 11.

10.17 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Cleanup and Separation

11.1 Cleanup procedures may not be necessary for a relatively clean sample matrix. If particular circumstances demand the use of a cleanup procedure, the analyst may use either procedure below or any other appropriate procedure.[1,5–7] However, the analyst first must demonstrate that the requirements of Section 8.2 can be met using the method as revised to incorporate the cleanup procedure. Two cleanup column options are offered to the analyst in this section. The alumina column should be used first to overcome interferences. If background problems are still encountered, the silica gel column may be helpful.

11.2 Alumina column cleanup for 2,3,7,8–TCDD:

11.2.1 Fill a 300 mm long × 10 mm ID chromatographic column with activated alumina to the 150 mm level. Tap the column gently to settle the alumina and add 10 mm of anhydrous sodium sulfate to the top.

11.2.2 Preelute the column with 50 mL of hexane. Adjust the elution rate to 1 mL/min. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the 1.0-mL sample extract onto the column using two 2-mL portions of hexane to complete the transfer.

11.2.3 Just prior to exposure of the sodium sulfate layer to the air, add 50 mL of 3% methylene chloride/95% hexane (V/V) and continue the elution of the column. Discard the eluate.

11.2.4 Next, elute the column with 50 mL of 20% methylene chloride/80% hexane (V/V) into a 500-mL K–D flask equipped with a 10-mL concentrator tube. Concentrate the collected fraction to 1.0 mL as in Section 10.16 and analyze by GC/MS (Section 12).

11.3 Silica gel column cleanup for 2,3,7,8–TCDD:

11.3.1 Fill a 400 mm long × 11 mm ID chromatmgraphic column with silica gel to the 300 mm level. Tap the column gently to settle the silica gel and add 10 mm of anhydrous sodium sulfate to the top.

11.3.2 Preelute the column with 50 mL of 20% benzene/80% hexane (V/V). Adjust the elution rate to 1 mL/min. Discard the eluate and just prior to exposure of the sodium sulfate layer to the air, quantitatively transfer the 1.0-mL sample extract onto the column using two 2-mL portions of 20% benzene/80% hexane to complete the transfer.

11.3.3 Just prior to exposure of the sodium sulfate layer to the air, add 40 mL of 20% benzene/80% hexane to the column. Collect the eluate in a clean 500-mL K–D flask equipped with a 10-mL concentrator tube. Concentrate the collected fraction to 1.0 mL as in Section 10.16 and analyze by GC/MS.

12. GC/MS Analysis

12.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. Other capillary columns or chromatographic conditions may be used if the requirements of Sections 5.5.2 and 8.2 are met.

12.2 Analyze standards and samples with the mass spectrometer operating in the selected ion monitoring (SIM) mode using a dwell time to give at least seven points per peak. For LRMS, use masses at m/z 320, 322, and 257 for 2,3,7,8–TCDD and either m/z 328 for $^{37}Cl_4$ 2,3,7,8–TCDD or m/z 332 for $^{13}C_{12}$ 2,3,7,8–TCDD. For HRMS, use masses at m/z 319.8965 and 321.8936 for 2,3,7,8–TCDD and either m/z 327.8847 for $^{37}Cl_4$ 2,3,7,8–TCDD or m/z 331.9367 for $^{13}C_{12}$ 2,3,7,8–TCDD.

12.3 If lower detection limits are required, the extract may be carefully evaporated to dryness under a gentle stream of nitrogen with the concentrator tube in a water bath at about 40 °C. Conduct this operation immediately before GC/MS analysis. Redissolve the extract in the desired final volume of ortho-xylene or tetradecane.

12.4 Calibrate the system daily as described in Section 7.

12.5 Inject 2 to 5 μL of the sample extract into the gas chromatograph. The volume of calibration standard injected must be measured, or be the same as all sample injection volumes.

12.6 The presence of 2,3,7,8–TCDD is qualitatively confirmed if all of the following criteria are achieved:

12.6.1 The gas chromatographic column must resolve 2,3,7,8–TCDD from the other 21 TCDD isomers.

12.6.2 The masses for native 2,3,7,8–TCDD (LRMS-m/z 320, 322, and 257 and HRMS-m/z 320 and 322) and labeled 2,3,7,8–TCDD (m/z 328 or 332) must exhibit a simultaneous maximum at a retention time that matches that of native 2,3,7,8–TCDD in the calibration standard, with the performance specifications of the analytical system.

12.6.3 The chlorine isotope ratio at m/z 320 and m/z 322 must agree to within±10% of that in the calibration standard.

12.6.4 The signal of all peaks must be greater than 2.5 times the noise level.

12.7 For quantitation, measure the response of the m/z 320 peak for 2,3,7,8–TCDD

and the m/z 332 peak for $^{13}C_{12}$ 2,3,7,8–TCDD or the m/z 328 peak for $^{37}Cl_4$ 2,3,7,8–TCDD.

12.8 Co-eluting impurities are suspected if all criteria are achieved except those in Section 12.6.3. In this case, another SIM analysis using masses at m/z 257, 259, 320 and either m/a 328 or m/z 322 can be performed. The masses at m/z 257 and m/z 259 are indicative of the loss of one chlorine and one carbonyl group from 2,3,7,8–TCDD. If masses m/z 257 and m/z 259 give a chlorine isotope ratio that agrees to within ±10% of the same cluster in the calibration standards, then the presence of TCDD can be confirmed. Co-eluting DDD, DDE, and PCB residues can be confirmed, but will require another injection using the appropriate SIM masses or full repetitive mass scans. If the response for $^{37}Cl_4$ 2,3,7,8–TCDD at m/z 328 is too large, PCB contamination is suspected and can be confirmed by examining the response at both m/z 326 and m/z 328. The $^{37}Cl_4$ 2,3,7,8–TCDD internal standard gives negligible response at m/z 326. These pesticide residues can be removed using the alumina column cleanup procedure.

12.9 If broad background interference restricts the sensitivity of the GC/MS analysis, the analyst should employ additional cleanup procedures and reanalyze by GC/MS.

12.10 In those circumstances where these procedures do not yield a definitive conclusion, the use of high resolution mass spectrometry is suggested.[5]

13. Calculations

13.1 Calculate the concentration of 2,3,7,8–TCDD in the sample using the response factor (RF) determined in Section 7.1.2 and Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A)(V_t)}{(V_i)(V_s)}$$

Equation 2

where:

A_s=SIM response for 2,3,7,8–TCDD at m/z 320.

A_{is}=SIM response for the internal standard at m/z 328 or 332.

I_s=Amount of internal standard added to each extract (μg).

V_o=Volume of water extracted (L).

13.2 For each sample, calculate the percent recovery of the internal standard by comparing the area of the m/z peak measured in the sample to the area of the same peak in the calibration standard. If the recovery is below 50%, the analyst should review all aspects of his analytical technique.

13.3 Report results in μg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentration listed in Table 1 was obtained using reagent water.[14] The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method was tested by 11 laboratories using reagent water, drinking water, surface water, and three industrial wastewaters spiked at six concentrations over the range 0.02 to 0.20 μg/L.[15] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 3.

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMIT

Parameter	Retention time (min)	Method detection limit (μg/L)
2,3,7,8–TCDD	13.1	0.002

Column conditions: SP–2330 coated on a 60 m long × 0.25 mm ID glass column with hydrogen carrier gas at 40 cm/sec linear velocity, splitless injection using tetradecane. Column temperature held isothermal at 200°C for 1 min, then programmed at 8°C/min to 250 °C and held. Use of helium carrier gas will approximately double the retention time.

TABLE 2—QC ACCEPTANCE CRITERIA—METHOD 613

Parameter	Test conc. (μg/L)	Limit for s (μg/L)	Range for X (μg/L)	Range for P, P_s (%)
2,3,7,8–TCDD	0.100	0.0276	0.0523–0.1226	45–129

s=Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
X=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).

NOTE: These criteria are based directly upon the method performance data in Table 3. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 3.

TABLE 3—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 613

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst, precision, s_r' (μ/L)	Overall precision, S′ (μ/g/L)
2,3,7,8-TCDD	0.86C+0.00145	$0.13\bar{X}+0.00129$	$0.19\bar{X}+0.00028$

X′=Expected recovery for one or more measurements. of a sample containing a concentration of C, in μg/L.
s_r'=Expected single analyst standard deviation of measurements at an average concentration found of X, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of X, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.

METHOD 624—PURGEABLES

1. Scope and Application

1.1 This method covers the determination of a number of purgeable organics. The following parameters may be determined by this method:

Parameter	STORET No.	CAS No.
Benzene	34030	71–43–2
Bromodichloromethane	32101	75–27–4
Bromoform	32104	75–25–2
Bromomethane	34413	74–83–9
Carbon tetrachloride	32102	56–23–5
Chlorobenzene	34301	108–90–7
Chloroethane	34311	75–00–3
2-Chloroethylvinyl ether	34576	110–75–8
Chloroform	32106	67–66–3
Chloromethane	34418	74–87–3
Dibromochloromethane	32105	124–48–1
1,2-Dichlorobenzene	34536	95–50–1
1,3-Dichlorobenzene	34566	541–73–1
1,4-Dichlorobenzene	34571	106–46–7
1,1-Dichloroethane	34496	75–34–3
1,2-Dichloroethane	34531	107–06–2
1,1-Dichloroethane	34501	75–35–4
trans-1,2-Dichloroethene	34546	156–60–5
1,2-Dichloropropane	34541	78–87–5
cis-1,3-Dichloropropene	34704	10061–01–5
trans-1,3-Dichloropropene	34699	10061–02–6
Ethyl benzene	34371	100–41–4
Methylene chloride	34423	75–09–2
1,1,2,2-Tetrachloroethane	34516	79–34–5
Tetrachloroethene	34475	127–18–4
Toluene	34010	108–88–3
1,1,1-Trichloroethene	34506	71–55–6
1,1,2-Trichloroethene	34511	79–00–5
Trichloroethane	39180	79–01–6
Trichlorofluoromethane	34488	75–69–4
Vinyl chloride	39175	75–01–4

1.2 The method may be extended to screen samples for acrolein (STORET No. 34210, CAS No. 107–02–8) and acrylonitrile (STORET No. 34215, CAS No. 107–13–1), however, the preferred method for these two compounds in Method 603.

1.3 This is a purge and trap gas chromatographic/mass spectrometer (GC/MS) method applicable to the determination of the compounds listed above in municipal and industrial discharges as provided under 40 CFR 136.1.

1.4 The method detection limit (MDL, defined in Section 14.1)[1] for each parameter is listed in Table 1. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.5 Any modification to this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5. Depending upon the nature of the modification and the extent of intended use, the applicant may be required to demonstrate that the modifications will produce equivalent results when applied to relevant wastewaters.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the operation of a purge and trap system and a gas chromatograph/mass spectrometer and in the interpretation of mass spectra. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 An inert gas is bubbled through a 5-mL water sample contained in a specially-designed purging chamber at ambient temperature. The purgeables are efficiently transferred from the aqueous phase to the vapor phase. The vapor is swept through a sorbent trap where the purgeables are trapped. After purging is completed, the trap is heated and backflushed with the inert gas to desorb the purgeables onto a gas chromatographic column. The gas chromatograph is temperature programmed to separate the purgeables which are then detected with a mass spectrometer.[2,3]

3. Interferences

3.1 Impurities in the purge gas, organic compounds outgassing from the plumbing ahead of the trap, and solvent vapors in the laboratory account for the majority of contamination problems. The analytical system must be demonstated to be free from contamination under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3. The use of non-Teflon plastic tubing, non-Teflon thread sealants, or flow controllers with rubber components in the purge and trap system should be avoided.

3.2 Samples can be contaminated by diffusion of volatile organics (particularly fluorocarbons and methylene chloride) through the septum seal into the sample during shipment and storage. A field reagent blank prepared from reagent water and carried through the sampling and handling protocol can serve as a check on such contamination.

3.3 Contamination by carry-over can occur whenever high level and low level samples are sequentially analyzed. To reduce carry-over, the purging device and sample syringe must be rinsed with reagent water between sample analyses. Whenever an unusually concentrated sample is encountered, it should be followed by an analysis of reagent water to check for cross contamination. For samples containing large amounts of water-soluble materials, suspended solids, high boiling compounds or high pureeable levels, it may be necessary to wash the purging device with a detergent solution, rinse it with distilled water, and then dry it in a 105 °C oven between analyses. The trap and other parts of the system are also subject to contamination; therefore, frequent bakeout and purging of the entire system may be required.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this methmd. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4–6] for the information of the analyst.

4.2. The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: benzene, carbon tetrachloride, chloroform, 1,4-dichlorobenzene, and vinyl chloride. Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete sampling.

5.1.1 Vial—25-mL capacity or larger, equipped with a screw cap with a hole in the center (Pierce #13075 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C before use.

5.1.2 Septum—Teflon-faced silicane (Pierce #12722 or equivalent). Detergent wash, rinse with tap and distilled water, and dry at 105 °C for 1 h before use.

5.2 Purge and trap system—The purge and trap system consists of three separate pieces of equipment: A purging device, trap, and desorber. Several complete systems are now commercially available.

5.2.1 The purging device must be designed to accept 5-mL samples with a water column at least 3 cm deep. The gaseous head space between the water column and the trap must have a total volume of less than 15 mL. The purge gas must pass though the water column as finely divided bubbles with a diameter of less than 3 mm at the origin. The purge gas must be introduced no more than 5 mm from the base of the water column. The purging device illustrated in Figure 1 meets these design criteria.

5.2.2 The trap must be at least 25 cm long and have an inside diameter of at least 0.105 in. The trap must be packed to contain the following minimum lengths of adsorbents: 1.0 cm of methyl silicone coated packing (Section 6.3.2), 15 cm of 2,6-dyphenylene oxide polymer (Section 6.3.1), and 8 cm of silica gel (Section 6.3.3). The minimum specifications for the trap are illustrated in Figure 2.

5.2.3 The desorber should be capable of rapidly heating the trap to 180 °C. The polymer section of the trap should not be heated higher than 180 °C and the remaining sections should not exceed 200 °C. The desorber illustrated in Figure 2 meets these design criteria.

5.2.4 The purge and trap system may be assembled as a separate unit or be coupled to a gas chromatograph as illustrated in Figures 3 and 4.

5.3 GC/MS system:

5.3.1 Gas chromatograph—An analytical system complete with a temperature programmable gas chromatograph suitable for on-column injection and all required accessories including syringes, analytical columns, and gases.

5.3.2 Column—6 ft long × 0.1 in ID stainless steel or glass, packed with 1% SP–1000 on Carbopack B (60/80 mesh) or equivalent. This column was used to develop the method performance statements in Section 14. Guidelines for the use of alternate column packings are provided in Section 11.1.

5.3.3 Mass spectrometer—Capable of scanning from 20 to 260 amu every 7 s or less, utilizing 70 V (nominal) electron energy in the electron impact ionization mode, and producing a mass spectrum which meets all the criteria in Table 2 when 50 ng of 4-bromofluorobenzene (BFB) is injected through the GC inlet.

5.3.4 GC/MS interface—Any GC to MS interface that gives acceptable calibration points at 50 ng or less per injection for each of the parameters of interest and achieves all acceptable performance criteria (Section 10) may be used. GC to MS interfaces constructed of all glass or glass-lined materials are recommended. Glass can be deactivated by silanizing with dichlorodimethylsilane.

5.3.5 Data system—A computer system must be interfaced to the mass spectrometer that allows the continuous acquisition and storage on machine-readable media of all mass spectra obtained throughout the duration of the chromatographic program. The computer must have software that allows searching any GC/MS data file for specific m/z (masses) and plotting such m/z abundances versus time or scan number. This type of plot is defined as an Extracted Ion Current Profile (EICP). Software must also be available that allows integrating the abundance in any EICP between specified time or scan number limits.

5.4 Syringes—5-mL, glass hypodermic with Luerlok tip (two each), if applicable to the purging device.

5.5 Micro syringes—25-μL, 0.006 in. ID needle.

5.6 Syringe valve—2-way, with Luer ends (three each).

5.7 Syringe—5-mL, gas-tight with shut-off valve.

5.8 Bottle—15-mL, screw-cap, with Teflon cap liner.

5.9 Balance—Analytical, capable of accurately weighing 0.0001 g.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.1.1 Reagent water can be generated by passing tap water through a carbon filter bed containing about 1 lb of activated carbon (Filtrasorb–300, Calgon Corp., or equivalent).

6.1.2 A water purification system (Millipore Super–Q or equivalent) may be used to generate reagent water.

6.1.3 Reagent water may also be prepared by boiling water for 15 min. Subsequently, while maintaining the temperature at 90 °C, bubble a contaminant-free inert gas through the water for 1 h. While still hot, transfer the water to a narrow mouth screw-cap bottle and seal with a Teflon-lined septum and cap.

6.2 Sodium thiosulfate—(ACS) Granular.

6.3 Trap materials:

6.3.1 2,6-Diphenylene oxide polymer—Tenax, (60/80 mesh), chromatographic grade or equivalent.

6.3.2 Methyl silicone packing—3% OV–1 on Chromosorb-W (60/80 mesh) or equivalent.

6.3.3 Silica gel—35/60 mesh, Davison, grade-15 or equivalent.

6.4 Methanol—Pesticide quality or equivalent.

6.5 Stock standard solutions—Stock standard solutions may be prepared from pure standard materials or purchased as certified solutions. Prepare stock standard solutions in methanol using assayed liquids or gases as appropriate. Because of the toxicity of some of the compounds, primary dilutions of these materials should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be used when the analyst handles high concentrations of such materials.

6.5.1 Place about 9.8 mL of methanol into a 10-mL ground glass stoppered volumetric flask. Allow the flask to stand, unstoppered, for about 10 min or until all alcohol wetted surfaces have dried. Weigh the flask to the nearest 0.1 mg.

6.5.2 Add the assayed reference material:

6.5.2.1 Liquids—Using a 100-µL syringe, immediately add two or more drops of assayed reference material to the flask, then reweigh. Be sure that the drops fall directly into the alcohol without contacting the neck of the flask.

6.5.2.2 Gases—To prepare standards for any of the four halocarbons that boil below 30 °C (bromomethane, chloroethane, chloromethane, and vinyl chloride), fill a 5-mL valved gas-tight syringe with the reference standard to the 5.0-mL mark. Lower the needle to 5 mm above the methanol meniscus. Slowly introduce the reference standard above the surface of the liquid (the heavy gas will rapidly dissolve in the methanol).

6.5.3 Reweigh, dilute to volume, stopper, then mix by inverting the flask several times. Calculate the concentration in µg/µL from the net gain in weight. When compound purity is assayed to be 96% or greater, the weight may be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards may be used at any concentration if they are certified by the manufacturer or by an independent source.

6.5.4 Transfer the stock standard solution into a Teflon-sealed screw-cap bottle. Store, with minimal headspace, at −10 to −20 °C and protect from light.

6.5.5 Prepare fresh standards weekly for the four gases and 2-chloroethylvinyl ether. All other standards must be replaced after one month, or sooner if comparison with check standards indicates a problem.

6.6 Secondary dilution standards—Using stock solutions, prepare secondary dilution standards in methanol that contain the compounds of interest, either singly or mixed together. The secondary dilution standards should be prepared at concentrations such that the aqueous calibration standards prepared in Section 7.3 will bracket the working range of the analytical system. Secondary dilution standards should be stored with minimal headspace and should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7 Surrogate standard spiking solution—Select a minimum of three surrogate compounds from Table 3. Prepare stock standard solutions for each surrogate standard in methanol as described in Section 6.5. Prepare a surrogate standard spiking solution from these stock standards at a concentration of 15 µg/mL in water. Store the solutions at 4 °C in Teflon-sealed glass containers with a minimum of headspace. The solutions should be checked frequently for stability. The addition of 10 µL of this solution of 5 mL of sample or standard is equivalent to a concentration of 30 µg/L of each surrogate standard.

6.8 BFB Standard—Prepare a 25 µg/mL solution of BFB in methanol.

6.9 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Assemble a purge and trap system that meets the specifications in Section 5.2. Condition the trap overnight at 180 °C by backflushing with an inert gas flow of at least 20 mL/min. Condition the trap for 10 min once daily prior to use.

7.2 Connect the purge and trap system to a gas chromatograph. The gas chromatograph must be operated using temperature and flow rate conditions equivalent to those given in Table 1.

7.3 Internal standard calibration procedure—To use this approach, the analyst must select three or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standard is not affected by method or matrix interferences. Some recommended internal standards are listed in Table 3.

7.3.1 Prepare calibration standards at a minimum of three concentration levels for each parameter by carefully adding 20.0 µL of one or more secondary dilution standards to 50, 250, or 500 mL of reagent water. A 25-µL syringe with a 0.006 in. ID needle should be used for this operation. One of the calibration standards should be at a concentration near, but above, the MDL (Table 1) and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the GC/MS system. These aqueous standards can be stored up to 24 h, if held in sealed vials with zero headspace as described in Section 9.2. If not so stored, they must be discarded after 1 h.

7.3.2 Prepare a spiking solution containing each of the internal standards using the procedures described in Sections 6.5 and

6.6. It is recommended that the secondary dilution standard be prepared at a concentration of 15 µg/mL of each internal standard compound. The addition of 10 µL of this standard to 5.0 mL of sample or calibration standard would be equivalent to 30 µg/L.

7.3.3 Analyze each calibration standard according to Section 11, adding 10 µL of internal standard spiking solution directly to the syringe (Section 11.4). Tabulate the area response of the characteristic m/z against concentration for each compound and internal standard, and calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Area of the characteristic m/z for the parameter to be measured.

A_{is}=Area of the characteristic m/z for the inernal standard.

C_{is}=Concentration of the internal standard.

C_s=Concentration of the parameter to be measured.

If the RF value over the working range is a constant (<35% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.4 The working calibration curve or RF must be verified on each working day by the measurement of a QC check sample.

7.4.1 Prepare the QC check sample as described in Section 8.2.2.

7.4.2 Analyze the QC check sample according to the method beginning in Section 10.

7.4.3 For each parameter, compare the response (Q) with the corresponding calibration acceptance criteria found in Table 5. If the responses for all parameters of interest fall within the designated ranges, analysis of actual samples can begin. If any individual Q falls outside the range, proceed according to Section 7.4.4.

NOTE: The large number of parameters in Table 5 present a substantial probability that one or more will not meet the calibration acceptance criteria when all parameters are analyzed.

7.4.4 Repeat the test only for those parameters that failed to meet the calibration acceptance criteria. If the response for a parameter does not fall within the range in this second test, a new calibration curve or RF must be prepared for that parameter according to Section 7.3.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occurring in chromatography, the analyst is permitted certain options (detailed in Section 11.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Each day, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system are under control.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 5% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 5% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must spike all samples with surrogate standards to monitor continuing laboratory performance. This procedure is described in Section 8.5.

8.1.7 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.6.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 10 µg/mL in methanol. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample

concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Prepare a QC check sample to contain 20 µg/L of each parameter by adding 200 µL of QC check sample concentrate to 100 mL of reagent water.

8.2.3 Analyze four 5-mL aliquots of the well-mixed QC check sample according to the method beginning in Section 10.

8.2.4 Calculate the average recovery ($\bar{X}$) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter of interest using the four results.

8.2.5 For each parameter compare s and $\bar{X}$ with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 5. If s and $\bar{X}$ for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 5 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.3.

8.2.6.2 Beginning with Section 8.2.3, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.3.

8.3 The laboratory must, on an ongoing basis, spike at least 5% of the samples from each sample site being monitored to assess accuracy. For laboratories analyzing 1 to 20 samples per month, at least one spiked sample per month is required.

8.3.1 The concentration of the spike in the sample should be determined as follows:

8.3.1.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 20 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.2 Analyze one 5-mL sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second 5-mL sample aliquot with 10 µL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 5. These acceptance criteria wer calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than 20 µg/L, the analyst must use either the QC acceptance criteria in Table 5, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recoveryof a parameter: (1) Calculate accuracy (X′) using the equation in Table 6, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 6, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T) (±2.44(100 S′/T)%.[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required anlaysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory. If the entire list of parameters in Table 5 must be measured in the sample in Section 8.3, the probability that the analysis of a QC check standard will be required is high. In this case the QC check standard should be routinely analyzed with the spiked sample.

8.4.1 Prepare the QC check standard by adding 10 µL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 5 mL of reagent water. The QC check standard needs only to

contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_S) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_S) for each parameter with the corresponding QC acceptance criteria found in Table 5. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As a quality control check, the laboratory must spike all samples with the surrogate standard spiking solutions as described in Section 11.4, and calculate the percent recovery of each surrogate compound.

8.6 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent recovery interval from $\bar{P}—2s_p$ to $\bar{P} + 2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each parameter a regular basis (e.g. after each five to ten new accuracy measurements).

8.7 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 All samples must be iced or refrigerated from the time of collection until analysis. If the sample contains residual chlorine, add sodium thiosulfate preservative (10 mg/40 mL is sufficient for up to 5 ppm Cl_2) to the empty sample bottle just prior to shipping to the sampling site. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[8] Field test kits are available for this purpose.

9.2 Grab samples must be collected in glass containers having a total volume of at least 25 mL. Fill the sample bottle just to overflowing in such a manner that no air bubbles pass through the sample as the bottle is being filled. Seal the bottle so that no air bubbles are entrapped in it. If preservative has been added, shake vigorously for 1 min. Maintain the hermetic seal on the sample bottle until time of analysis.

9.3 Experimental evidence indicates that some aromatic compounds, notably benzene, toluene, and ethyl benzene are susceptible to rapid biological degradation under certain environmental conditions.[3] Refrigeration alone may not be adequate to preserve these compounds in wastewaters for more than seven days. For this reason, a separate sample should be collected, acidified, and analyzed when these aromatics are to be determined. Collect about 500 mL of sample in a clean container. Adjust the pH of the sample to about 2 by adding 1+1 HCl while stirring vigorously, Check pH with narrow range (1.4 to 2.8) pH paper. Fill a sample container as described in Section 9.2.

9.4 All samples must be analyzed within 14 days of collection.[3]

10. Daily GC/MS Performance Tests

10.1 At the beginning of each day that analyses are to be performed, the GC/MS system must be checked to see if acceptable performance criteria are achieved for BFB.[9] The performance test must be passed before any samples, blanks, or standards are analyzed, unless the instrument has met the DFTPP test described in Method 625 earlier in the day.[10]

10.2 These performance tests require the following instrumental parameters:

Electron Energy: 70 V (nominal)

Mass Range: 20 to 260 amu

Scan Time: To give at least 5 scans per peak but not to exceed 7 s per scan.

10.3 At the beginning of each day, inject 2 μL of BFB solution directly on the column. Alternatively, add 2 μL of BFB solution to 5.0 mL of reagent water or standard solution and analyze the solution according to section 11. Obtain a background-corrected mass spectrum of BFB and confirm that all the key m/z criteria in Table 2 are achieved. If all the criteria are not achieved, the analyst must retune the mass spectrometer and repeat the test until all criteria are achieved.

11. Sample Purging and Gas Chromatography

11.1 Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and MDL that can be achieved under these conditions. An example of the separations achieved by this column is shown in Figure 5. Other packed columns or chromatographic conditions may be used if the requirements of Section 8.2 are met.

11.2 After achieving the key m/z abundance criteria in Section 10, calibrate the system daiy as described in Section 7.

11.3 Adjust the purge gas (helium) flow rate to 40 mL/min. Attach the trap inlet to the purging device, and set the purge and trap system to purge (Figure 3). Open the syringe valve located on the purging device sample introduction needle.

11.4 Allow the sample to come to ambient temperature prior to introducing it into the syringe. Remove the plunger from a 5-mL syringe and attach a closed syringe valve. Open the sample bottle (or standard) and carefully pour the sample into the syringe barrel to just short of overflowing. Replace the syringe plunger and compress the sample. Open the syringe valve and vent any residual air while adjusting the sample volume to 5.0 mL. Since this process of taking an aliquot destroys the validity of the sample for future analysis, the analyst should fill a second syringe at this time to protect against possible loss of data. Add 10.0 µL of the surrogate spiking solution (Section 6.7) and 10.0 µL of the internal standard spiking solution (Section 7.3.2) through the valve bore, then close the valve. The surrogate and internal standards may be mixed and added as a single spiking solution.

11.5 Attach the syringe-syringe valve assembly to the syringe valve on the purging device. Open the syringe valves and inject the sample into the purging chamber.

11.6 Close both valves and purge the sample for 11.0±0.1 min at ambient temperature.

11.7 After the 11-min purge time, attach the trap to the chromatograph, adjust the purge and trap system to the desorb mode (Figure 4), and begin to temperature program the gas chromatograph. Introduce the trapped materials to the GC column by rapidly heating the trap to 180 °C while backflushing the trap with an inert gas between 20 and 60 mL/min for 4 min. If rapid heating of the trap cannot be achieved, the GC cloumn must be used as a secondary trap by cooling it to 30 °C (subambient temperature, if problems persist) instead of the initial program temperature of 45 °C.

11.8 While the trap is being desorbed into the gas chromatograph, empty the purging chamber using the sample introduction syringe. Wash the chamber with two 5-mL flushes of reagent water.

11.9 After desorbing the sample for 4 min, recondition the trap by returning the purge and trap system to the purge mode. Wait 15 s then close the syringe valve on the purging device to begin gas flow through the trap. The trap temperature should be maintained at 180 °C. After approximately 7 min, turn off the trap heater and open the syringe valve to stop the gas flow through the trap. When the trap is cool, the next sample can be analyzed.

11.10 If the response for any m/z exceeds the working range of the system, prepare a dilution of the sample with reagent water from the aliquot in the second syringe and reanalyze.

12. Qualitative Identification

12.1 Obtain EICPs for the primary m/z (Table 4) and at least two secondary masses for each parameter of interest. The following criteria must be met to make a qualitative identification:

12.1.1 The characteristic masses of each parameter of interest must maximize in the same or within one scan of each other.

12.1.2 The retention time must fall within ±30 s of the retention time of the authentic compound.

12.1.3 The relative peak heights of the three characteristic masses in the EICPs must fall within ±20% of the relative intensities of these masses in a reference mass spectrum. The reference mass spectrum can be obtained from a standard analyzed in the GC/MS system or from a reference library.

12.2 Structural isomers that have very similar mass spectra and less than 30 s difference in retention time, can be explicitly identified only if the resolution between authentic isomers in a standard mix is acceptable. Acceptable resolution is achieved if the baseline to valley height between the isomers is less than 25% of the sum of the two peak heights. Otherwise, structural isomers are identified as isomeric pairs.

13. Calculations

13.1 When a parameter has been identified, the quantitation of that parameter should be based on the integrated abundance from the EICP of the primary characteristic m/z given in Table 4. If the sample produces an interference for the primary m/z, use a secondary characteristic m/z to quantitate.

Calculate the concentration in the sample using the response factor (RF) determined in Section 7.3.3 and Equation 2.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(C_{is})}{(A_{is})(RF)}$$

Equation 2

where:

A_S=Area of the characteristic m/z for the parameter or surrogate standard to be measured.

A_{is}=Area of the characteristic m/z for the internal standard.

C_{is}=Concentration of the internal standard.

13.2 Report results in µg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

14. Method Performance

14.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Table 1 were obtained using reagent water.[11] Similar results were achieved using representative wastewaters. The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

14.2 This method was tested by 15 laboratories using reagent water, drinking water, surface water, and industrial wastewaters spiked at six concentrations over the range 5–600 µg/L.[12]Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 5.

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TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS

Parameter	Retention time (min)	Method detection limit (µg/L)
Chloromethane	2.3	nd
Bromomethane	3.1	nd
Vinyl chloride	3.8	nd
Chloroethane	4.6	nd
Methylene chloride	6.4	2.8
Trichlorofluoromethane	8.3	nd
1,1-Dichloroethene	9.0	2.8
1,1-Dichloroethane	10.1	4.7
trans-1,2-Dichloroethene	10.8	1.6
Chloroform	11.4	1.6
1,2-Dichloroethane	12.1	2.8
1,1,1-Trichloroethane	13.4	3.8
Carbon tetrachloride	13.7	2.8
Bromodichloromethane	14.3	2.2
1,2-Dichloroproane	15.7	6.0
cis-1,3-Dichloropropene	15.9	5.0
Trichloroethene	16.5	1.9
Benzene	17.0	4.4
Dibromochloromethane	17.1	3.1
1,1,2-Trichloroethane	17.2	5.0
trans-1,3-Dichloropropene	17.2	nd
2-Chloroethylvinlyl ether	18.6	nd
Bromoform	19.8	4.7
1,1,2,2-Tetrachloroethane	22.1	6.9
Tetrachloroethene	22.2	4.1
Toluene	23.5	6.0
Chlorobenzene	24.6	6.0
Ethyl benzene	26.4	7.2
1,3-Dichlorobenzene	33.9	nd
1,2-Dichlorobenzene	35.0	nd

TABLE 1—CHROMATOGRAPHIC CONDITIONS AND METHOD DETECTION LIMITS—Continued

Parameter	Retention time (min)	Method detection limit (μg/L)
1,4-Dichlorobenzene	35.4	nd

Column conditions: Carbopak B (60/80 mesh) coated with 1% SP–1000 packed in a 6 ft by 0.1 in. ID glass column with helium carrier gas at 30 mL/min. flow rate. Column temperature held at 45°C for 3 min., then programmed at 8°C/min. to 220°C and held for 15 min.
nd=not determined.

TABLE 2—BFB KEY m/z ABUNDANCE CRITERIA

Mass	m/z Abundance criteria
50	15 to 40% of mass 95.
75	30 to 60% of mass 95.
95	Base Peak, 100% Relative Abundance.
96	5 to 9% of mass 95.
173	<2% of mass 174.
174	>50% of mass 95.
175	5 to 9% of mass 174.
176	>95% but <101% of mass 174.
177	5 to 9% of mass 176.

TABLE 3—SUGGESTED SURROGATE AND INTERNAL STANDARDS

Compound	Retention time (min)[a]	Primary m/z	Secondary masses
Benzene d-6	17.0	84	
4-Bromofluorobenzene	28.3	95	174, 176
1,2-Dichloroethane d-4	12.1	102	
1,4-Difluorobenzene	19.6	114	63, 88
Ethylbenzene d-5	26.4	111	
Ethylbenzene d-10	26.4	98	
Fluorobenzene	18.4	96	70
Pentafluorobenzene	23.5	168	
Bromochloromethane	9.3	128	49, 130, 51
2-Bromo-1-chloropropane	19.2	77	79, 156
1, 4-Dichlorobutane	25.8	55	90, 92

[a] For chromatographic conditions, see Table 1.

TABLE 4—CHARACTERISTIC MASSES FOR PURGEABLE ORGANICS

Parameter	Primary	Secondary
Chloromethane	50	52.
Bromomethane	94	96.
Vinyl chloride	62	64.
Chloroethane	64	66.
Methylene chloride	84	49, 51, and 86.
Trichlorofluoromethane	101	103.
1,1-Dichloroethene	96	61 and 98.
1,1-Dichloroethane	63	65, 83, 85, 98, and 100.
trans-1,2-Dichloroethene	96	61 and 98.
Chloroform	83	85.
1,2-Dichloroethane	98	62, 64, and 100.
1,1,1-Trichloroethane	97	99, 117, and 119.
Carbon tetrachloride	117	119 and 121.
Bromodichloromethane	127	83, 85, and 129.
1,2-Dichloropropane	112	63, 65, and 114.
trans-1,3-Dichloropropene	75	77.
Trichloroethene	130	95, 97, and 132.
Benzene	78	
Dibromochloromethane	127	129, 208, and 206.
1,1,2-Trichloroethane	97	83, 85, 99, 132, and 134.
cis-1,3-Dichloropropene	75	77.
2-Chloroethylvinyl ether	106	63 and 65.
Bromoform	173	171, 175, 250, 252, 254, and 256.
1,1,2,2-Tetrachloroethane	168	83, 85, 131, 133, and 166.
Tetrachloroethene	164	129, 131, and 166.
Toluene	92	91.
Chlorobenzene	112	114.
Ethyl benzene	106	91.
1,3-Dichlorobenzene	146	148 and 113.
1,2-Dichlorobenzene	146	148 and 113.
1,4-Dichlorobenzene	146	148 and 113.

TABLE 5—CALIBRATION AND QC ACCEPTANCE CRITERIA—METHOD 624[a]

Parameter	Range for Q (μ/g/L)	Limit for s (μ/g/L)	Range for $\bar{X}$ (μ/g/L)	Range for P, P_s (%)
Benzene	12.8 – 27.2	6.9	15.2 – 26.0	37 – 151
Bromodichloromethane	13.1 – 26.9	6.4	10.1 – 28.0	35 – 155
Bromoform	14.2 – 25.8	5.4	11.4 – 31.1	45 – 169
Bromomethane	2.8 – 37.2	17.9	D – 41.2	D – 242
Carbon tetrachloride	14.6 – 25.4	5.2	17.2 – 23.5	70 – 140
Chlorobenzene	13.2 – 26.8	6.3	16.4 – 27.4	37 – 160
Chloroethane	7.6 – 32.4	11.4	8.4 – 40.4	14 – 230
2-Chloroethylvinyl ether	D – 44.8	25.9	D – 50.4	D – 305
Chloroform	13.5 – 26.5	6.1	13.7 – 24.2	51 – 138
Chloromethane	D – 40.8	19.8	D – 45.9	D – 273
Dibromochloromethane	13.5 – 26.5	6.1	13.8 – 26.6	53 – 149
1,2-Dichlorobenzene	12.6 – 27.4	7.1	11.8 – 34.7	18 – 190
1,3-Dichlorobenzene	14.6 – 25.4	5.5	17.0 – 28.8	59 – 156
1,4-Dichlorobenzene	12.6 – 27.4	7.1	11.8 – 34.7	18 – 190
1,1-Dichloroethane	14.5 – 25.5	5.1	14.2 – 28.5	59 – 155
1,2-Dichloroethane	13.6 – 26.4	6.0	14.3 – 27.4	49 – 155
1,1-Dichlorothene	10.1 – 29.9	9.1	3.7 – 42.3	D – 234
trans-1,2-Dichloroethene	13.9 – 26.1	5.7	13.6 – 28.5	54 – 156

TABLE 5—CALIBRATION AND QC ACCEPTANCE CRITERIA—METHOD 624[a]—Continued

Parameter	Range for Q (μ/g/L)	Limit for s (μ/g/L)	Range for $\bar{X}$ (μ/g/L)	Range for P, P_s (%)
1,2-Dichloropropane	6.8 – 33.2	13.8	3.8 – 36.2	D – 210
cis-1,3-Dichloropropene	4.8 – 35.2	15.8	1.0 – 39.0	D – 227
trans-1,3-Dichloropropene	10.0 – 30.0	10.4	7.6 – 32.4	17 – 183
Ethyl benzene	11.8 – 28.2	7.5	17.4 – 26.7	37 – 162
Methylene chloride	12.1 – 27.9	7.4	D – 41.0	D – 221
1,1,2,2-Tetrachloroethane	12.1 – 27.9	7.4	13.5 – 27.2	46 – 157
Tetrachloroethene	14.7 – 25.3	5.0	17.0 – 26.6	64 – 148
Toluene	14.9 – 25.1	4.8	16.6 – 26.7	47 – 150
1,1,1-Trichloroethane	15.0 – 25.0	4.6	13.7 – 30.1	52 – 162
1,1,2-Trichloroethane	14.2 – 25.8	5.5	14.3 – 27.1	52 – 150
Trichloroethene	13.3 – 26.7	6.6	18.6 – 27.6	71 – 157
Trichlorofluoromethane	9.6 – 30.4	10.0	8.9 – 31.5	17 – 181
Vinyl chloride	0.8 – 39.2	20.0	D – 43.5	D – 251

Q= Concentration measured in QC check sample, in μg/L (Section 7.5.3).
s= Standard deviation of four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$= Average recovery of four recovery measurements, in μg/L (Section 8.2.4).
P, P_s= Percent recovery measured, (Section 8.3.2, Section 8.4.2).
D= Detected; result must be greater than zero.
[a] Criteria were calculated assuming a QC check sample concentration of 20 μg/L.

NOTE: These criteria are based directly upon the method performance data in Table 6. Where necessary, the limits for recovery have been broadened to assure applicability of the limits to concentrations below those used to develop Table 6.

TABLE 6—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 624

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r' (μg/L)	Overall precision, S′ (μg/L)
Benzene	0.93C+2.00	$0.26\bar{X} - 1.74$	$0.25\bar{X} - 1.33$
Bromodichloromethane	1.03C – 1.58	$0.15\bar{X}+0.59$	$0.20\bar{X}+1.13$
Bromoform	1.18C – 2.35	$0.12\bar{X}+0.36$	$0.17\bar{X}+1.38$
Bromomethane[a]	1.00C	$0.43\bar{X}$	$0.58\bar{X}$
Carbon tetrachloride	1.10C – 1.68	$0.12\bar{X}+0.25$	$0.11\bar{X}+0.37$
Chlorobenzene	0.98C+2.28	$0.16\bar{X} - 0.09$	$0.26\bar{X} - 1.92$
Chloroethane	1.18C+0.81	$0.14\bar{X}+2.78$	$0.29\bar{X}+1.75$
2–Chloroethylvinyl ether[a]	1.00C	$0.62\bar{X}$	$0.84\bar{X}$
Chloroform	0.93C+0.33	$0.16\bar{X}+0.22$	$0.18\bar{X}+0.16$
Chloromethane	1.03C+0.81	$0.37\bar{X}+2.14$	$0.58\bar{X}+0.43$
Dibromochloromethane	1.01C – 0.03	$0.17\bar{X} - 0.18$	$0.17\bar{X}+0.49$
1,2–Dichlorobenzene[b]	0.94C+4.47	$0.22\bar{X} - 1.45$	$0.30\bar{X} - 1.20$
1,3–Dichlorobenzene	1.06C+1.68	$0.14\bar{X} - 0.48$	$0.18\bar{X} - 0.82$
1,4–Dichlorobenzene[b]	0.94C+4.47	$0.22\bar{X} - 1.45$	$0.30\bar{X} - 1.20$
1,1–Dichloroethane	1.05C+0.36	$0.13\bar{X} - 0.05$	$0.16\bar{X}+0.47$
1,2–Dichloroethane	1.02C+0.45	$0.17\bar{X} - 0.32$	$0.21\bar{X} - 0.38$
1,1–Dichloroethene	1.12C+0.61	$0.17\bar{X}+1.06$	$0.43\bar{X} - 0.22$
trans–1,2,–Dichloroethene	1.05C+0.03	$0.14\bar{X}+0.09$	$0.19\bar{X}+0.17$
1,2–Dichloropropane[a]	1.00C	$0.33\bar{X}$	$0.45\bar{X}$
cis–1,3–Dichloropropene[a]	1.00C	$0.38\bar{X}$	$0.52\bar{X}$
trans–1,3–Dichloropropene[a]	1.00C	$0.25\bar{X}$	$0.34\bar{X}$
Ethyl benzene	0.98C+2.48	$0.14\bar{X}+1.00$	$0.26\bar{X} - 1.72$
Methylene chloride	0.87C+1.88	$0.15\bar{X}+1.07$	$0.32\bar{X}+4.00$
1,1,2,2–Tetrachloroethane	0.93C+1.76	$0.16\bar{X}+0.69$	$0.20\bar{X}+0.41$
Tetrachloroethene	1.06C+0.60	$0.13\bar{X} - 0.18$	$0.16\bar{X} - 0.45$
Toluene	0.98C+2.03	$0.15\bar{X} - 0.71$	$0.22\bar{X} - 1.71$
1,1,1–Trichloroethane	1.06C+0.73	$0.12\bar{X} - 0.15$	$0.21\bar{X} - 0.39$
1,1,2–Trichloroethane	0.95C+1.71	$0.14\bar{X}+0.02$	$0.18\bar{X}+0.00$
Trichloroethene	1.04C+2.27	$0.13\bar{X}+0.36$	$0.12\bar{X}+0.59$
Trichlorofloumethane	0.99C+0.39	$0.33\bar{X} - 1.48$	$0.34\bar{X} - 0.39$
Vinyl chloride	1.00C	$0.48\bar{X}$	$0.65\bar{X}$

$\bar{X}'$=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
S_r'=Expected single analyst standard deviation of measurements at an average concentration found of$\bar{X}$, in μg/L.
S′=Expected interlaboratory standard deviation of measurements at an average concentration found of$\bar{X}$, in μg/L.
C=True value for the concentration, in μg/L.
$\bar{X}$=Average recovery found for measurements of samples containing a concentration of C, in μg/L.
[a] Estimates based upon the performance in a single laboratory.[13]
[b] Due to chromatographic resolution problems, performance statements for these isomers are based upon the sums of their concentrations.

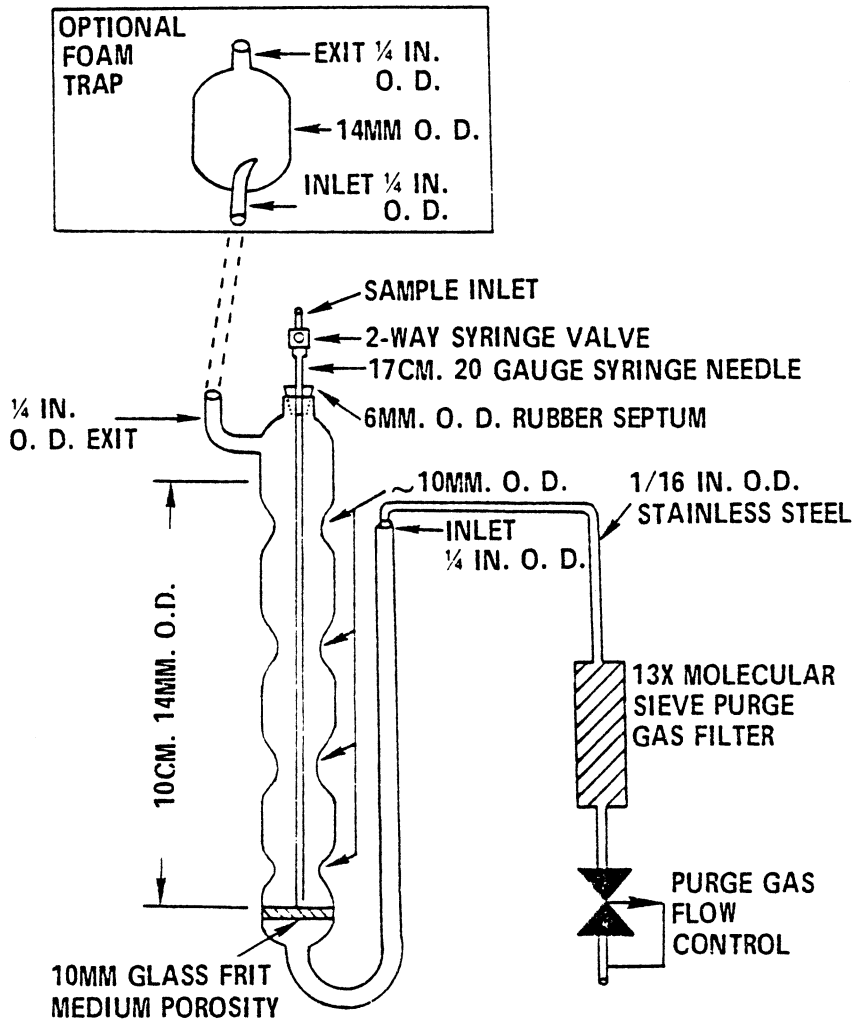

Figure 1. Purging device.

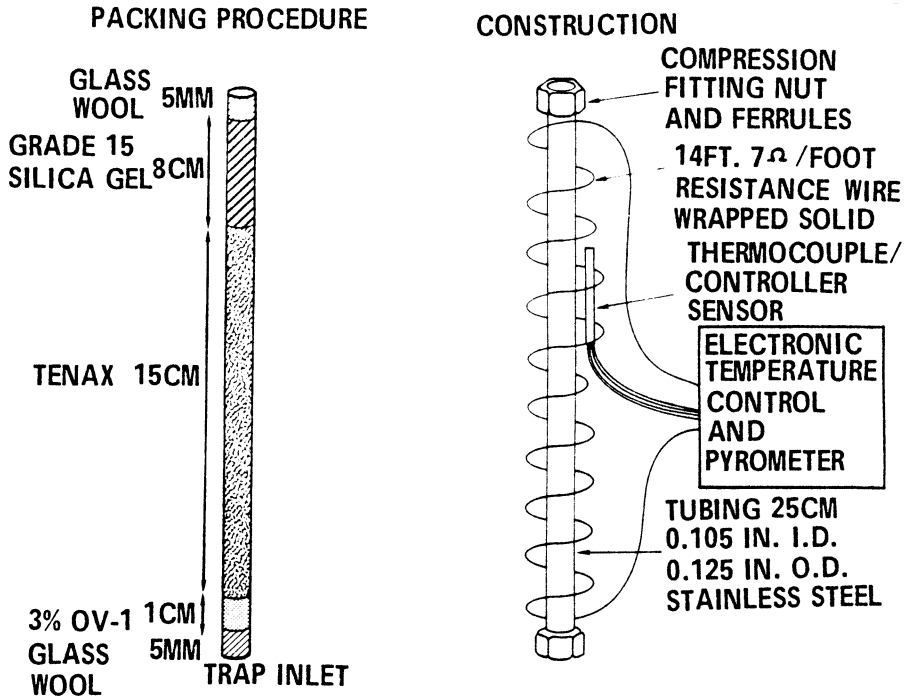

Figure 2. Trap packings and construction to include desorb capability.

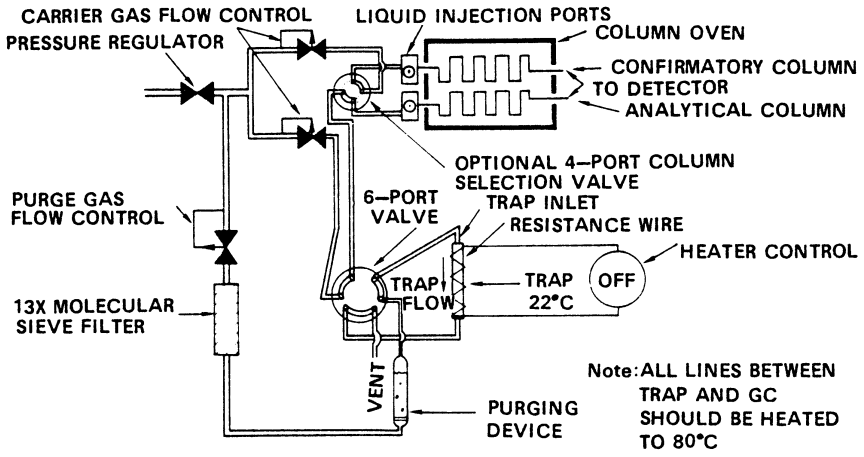

Figure 3. Purge and trap system - purge mode.

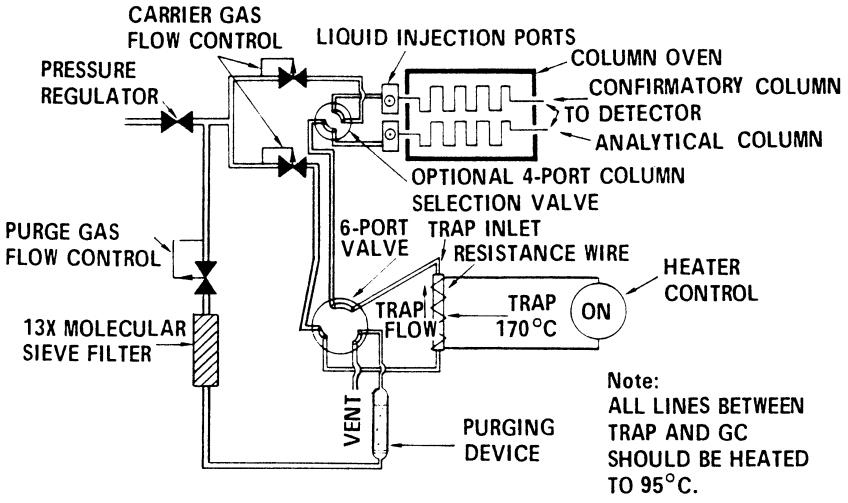

Figure 4. Purge and trap system - desorb mode.

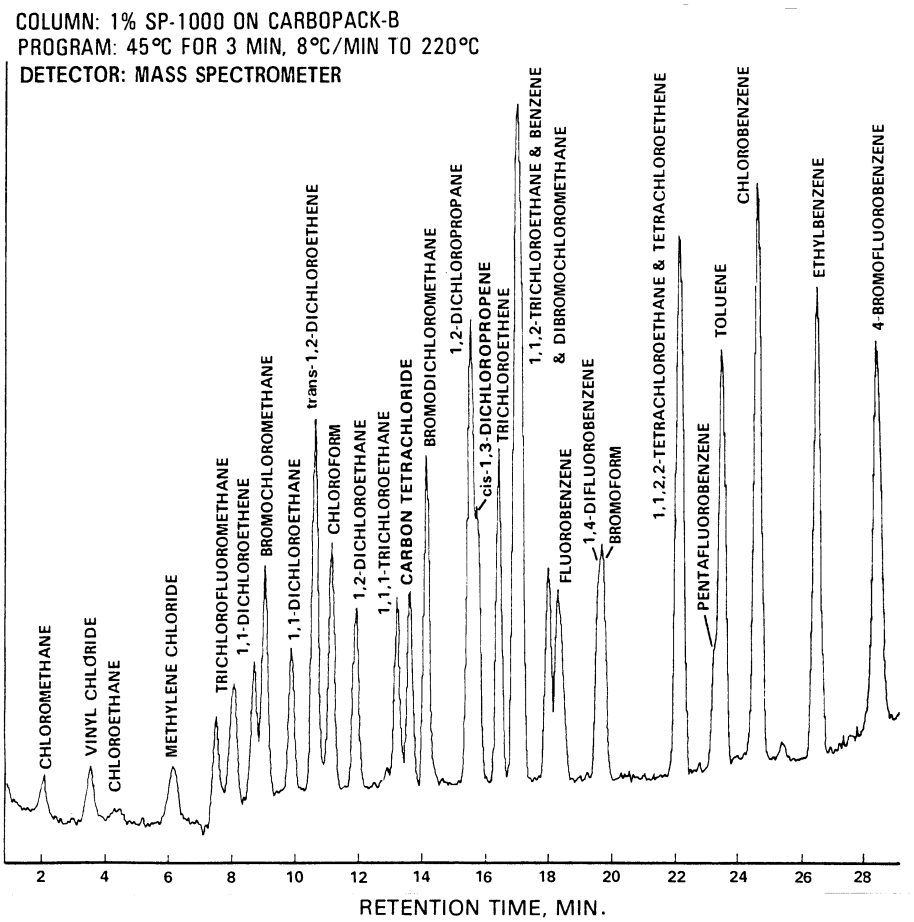

Figure 5. Gas chromatogram of volatile organics.

METHOD 625—BASE/NEUTRALS AND ACIDS

1. Scope and Application

1.1 This method covers the determination of a number of organic compounds that are partitioned into an organic solvent and are amenable to gas chromatography. The parameters listed in Tables 1 and 2 may be qualitatively and quantitatively determined using this method.

1.2 The method may be extended to include the parameters listed in Table 3. Benzidine can be subject to oxidative losses during solvent concentration. Under the alkaline conditions of the extraction step, α–BHC, γ–BHC, endosulfan I and II, and endrin are subject to decomposition. Hexachlorocyclopentadiene is subject to thermal decomposition in the inlet of the gas chromatograph, chemical reaction in acetone solution, and photochemical decomposition. N-nitrosodimethylamine is difficult to separate from the solvent under the chromatographic conditions described. N-nitrosodiphenylamine decomposes in the gas chromatographic inlet and cannot be separated from diphenylamine. The preferred method for each of these parameters is listed in Table 3.

1.3 This is a gas chromatographic/mass spectrometry (GC/MS) method[2,14] applicable to the determination of the compounds listed in Tables 1, 2, and 3 in municipal and industrial discharges as provided under 40 CFR 136.1.

1.4 The method detection limit (MDL, defined in Section 16.1)[1] for each parameter is listed in Tables 4 and 5. The MDL for a specific wastewater may differ from those listed, depending upon the nature of interferences in the sample matrix.

1.5 Any modification to this method, beyond those expressly permitted, shall be considered as a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5. Depending upon the nature of the modification and the extent of intended use, the applicant may be required to demonstrate that the modifications will produce equivalent results when applied to relevant wastewaters.

1.6 This method is restricted to use by or under the supervision of analysts experienced in the use of a gas chromatograph/mass spectrometer and in the interpretation of mass spectra. Each analyst must demonstrate the ability to generate acceptable results with this method using the procedure described in Section 8.2.

2. Summary of Method

2.1 A measured volume of sample, approximately 1–L, is serially extracted with methylene chloride at a pH greater than 11 and again at a pH less than 2 using a separatory funnel or a continuous extractor.[2] The methylene chloride extract is dried, concentrated to a volume of 1 mL, and analyzed by GC/MS. Qualitative identification of the parameters in the extract is performed using the retention time and the relative abundance of three characteristic masses (m/z). Quantitative analysis is performed using internal standard techniques with a single characteristic m/z.

3. Interferences

3.1 Method interferences may be caused by contaminants in solvents, reagents, glassware, and other sample processing hardware that lead to discrete artifacts and/or elevated baselines in the total ion current profiles. All of these materials must be routinely demonstrated to be free from interferences under the conditions of the analysis by running laboratory reagent blanks as described in Section 8.1.3.

3.1.1 Glassware must be scrupulously cleaned.[3] Clean all glassware as soon as possible after use by rinsing with the last solvent used in it. Solvent rinsing should be followed by detergent washing with hot water, and rinses with tap water and distilled water. The glassware should then be drained dry, and heated in a muffle furnace at 400 °C for 15 to 30 min. Some thermally stable materials, such as PCBs, may not be eliminated by this treatment. Solvent rinses with acetone and pesticide quality hexane may be substituted for the muffle furnace heating. Thmrough rinsing with such solvents usually eliminates PCB interference. Volumetric ware should not be heated in a muffle furnace. After drying and cooling, glassware should be sealed and stored in a clean environment to prevent any accumulation of dust or other contaminants. Store inverted or capped with aluminum foil.

3.1.2 The use of high purity reagents and solvents helps to minimize interference problems. Purification of solvents by distillation in all-glass systems may be required.

3.2 Matrix interferences may be caused by contaminants that are co-extracted from the sample. The extent of matrix interferences will vary considerably from source to source, depending upon the nature and diversity of the industrial complex or municipality being sampled.

3.3 The base-neutral extraction may cause significantly reduced recovery of phenol, 2-methylphenol, and 2,4-dimethylphenol. The analyst must recognize that results obtained under these conditions are minimum concentrations.

3.4 The packed gas chromatographic columns recommended for the basic fraction may not exhibit sufficient resolution for certain isomeric pairs including the following: anthracene and phenanthrene; chrysene and benzo(a)anthracene; and benzo(b)fluoranthene and benzo(k)fluoranthene. The gas chromatographic retention time and mass spectra for these pairs of compounds are not sufficiently different to make an unambiguous identification. Alternative techniques should be used to identify and quantify these specific compounds, such as Method 610.

3.5 In samples that contain an inordinate number of interferences, the use of chemical ionization (CI) mass spectrometry may make identification easier. Tables 6 and 7 give characteristic CI ions for most of the compounds covered by this method. The use of CI mass spectrometry to support electron ionization (EI) mass spectrometry is encouraged but not required.

4. Safety

4.1 The toxicity or carcinogenicity of each reagent used in this method have not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified[4–6] for the information of the analyst.

4.2 The following parameters covered by this method have been tentatively classified as known or suspected, human or mammalian carcinogens: benzo(a)anthracene, benzidine, 3,3′-dichlorobenzidine, benzo(a)pyrene, α–BHC, β–BHC, δ–BHC, γ–BHC, dibenzo(a,h)anthracene, N-nitrosodimethylamine, 4,4′–DDT, and polychlorinated biphenyls (PCBs). Primary standards of these toxic compounds should be prepared in a hood. A NIOSH/MESA approved toxic gas respirator should be worn when the analyst handles high concentrations of these toxic compounds.

5. Apparatus and Materials

5.1 Sampling equipment, for discrete or composit sampling.

5.1.1 Grab sample bottle—1–L or 1-gt, amber glass, fitted with a screw cap lined with Teflon. Foil may be substituted for Teflon if the sample is not corrosive. If amber bottles are not available, protect samples from light. The bottle and cap liner must be washed, rinsed with acetone or methylene chloride, and dried before use to minimize contamination.

5.1.2 Automatic sampler (optional)—The sampler must incorporate glass sample containers for the collection of a minimum of 250 mL of sample. Sample containers must be kept refrigerated at 4 °C and protected from light during compositing. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used. before use, however, the compressible tubing should be throughly rinsed with methanol, followed by repeated rinsings with distilled water to minimize the potential for contamination of the sample. An integrating flow meter is required to collect flow proportional composites.

5.2 Glassware (All specifications are suggested. Catalog numbers are included for illustration only.):

5.2.1 Separatory funnel—2–L, with Teflon stopcock.

5.2.2 Drying column—Chromatographic column, 19 mm ID, with coarse frit

5.2.3 Concentrator tube, Kuderna-Danish—10-mL, graduated (Kontes K–570050–1025 or equivalent). Calibration must be checked at the volumes employed in the test. Ground glass stopper is used to prevent evaporation of extracts.

5.2.4 Evaporative flask, Kuderna-Danish—500-mL (Kontes K–57001–0500 or equivalent). Attach to concentrator tube with springs.

5.2.5 Snyder column, Kuderna-Danish—Three all macro (Kontes K–503000–0121 or equivalent).

5.2.6 Snyder column, Kuderna-Danish—Two-ball macro (Kontes K–569001–0219 or equivalent).

5.2.7 Vials—10 to 15-mL, amber glass, with Teflon-lined screw cap.

5.2.8 Continuous liquid—liquid extractor—Equipped with Teflon or glass connecting joints and stopcocks requiring no lubrication. (Hershberg-Wolf Extractor, Ace Glass Company, Vineland, N.J., P/N 6841–10 or equivalent.)

5.3 Boiling chips—Approximately 10/40 mesh. Heat to 400 °C for 30 min of Soxhlet extract with methylene chloride.

5.4 Water bath—Heated, with concentric ring cover, capable of temperature control (±2°C). The bath should be used in a hood.

5.5 Balance—Analytical, capable of accurately weighing 0.0001 g.

5.6 GC/MS system:

5.6.1 Gas Chromatograph—An analytical system complete with a temperature programmable gas chromatograph and all required accessores including syringes, analytical columns, and gases. The injection port must be designed for on-column injection when using packed columns and for splitless injection when using capillary columns.

5.6.2 Column for base/neutrals—1.8 m long × 2 mm ID glass, packed with 3% SP–2250 on Supelcoport (100/120 mesh) or equivalent. This column was used to develop the method performance statements in Section 16. Guidelines for the use of alternate column packings are provided in Section 13.1.

5.6.3 Column for acids—1.8 m long × 2 mm ID glass, packed with 1% SP–1240DA on Supelcoport (100/120 mesh) or equivalent. This column was used to develop the method performance statements in Section 16. Guidelines for the use of alternate column packings are given in Section 13.1.

5.6.4 Mass spectrometer—Capable of scanning from 35 to 450 amu every 7 s or less, utilizing a 70 V (nominal) electron energy in the electron impact ionization mode, and producing a mass spectrum which meets all the criteria in Table 9 when 50 ng of decafluorotriphenyl phosphine (DFTPP; bis(perfluorophenyl) phenyl phosphine) is injected through the GC inlet.

5.6.5 GC/MS interface—Any GC to MS interface that gives acceptable calibration points at 50 ng per injection for each of the parameters of interest and achieves all acceptable performance criteria (Section 12) may be used. GC to MS interfaces constructed of all glass or glass-lined materials are recommended. Glass can be deactivated by silanizing with dichlorodimethylsilane.

5.6.6 Data system—A computer system must be interfaced to the mass spectrometer that allows the contiluous acquisition and storage on machine-readable media of all mass spectra obtained throughout the duration of the chromatographic program. The computer must have software that allows searching any GC/MS data file for specific m/z and plotting such m/z abundances versus time or scan number. This type of plot is defined as an Extracted Ion Current Profile (EICP). Software must also be available that

allows integrating the abundance in any EICP between specified time or scan number limits.

6. Reagents

6.1 Reagent water—Reagent water is defined as a water in which an interferent is not observed at the MDL of the parameters of interest.

6.2 Sodium hydroxide solution (10 N)—Dissolve 40 g of NaOH (ACS) in reagent water and dilute to 100 mL.

6.3 Sodium thiosulfate—(ACS) Granular.

6.4 Sulfuric acid (1+1)—Slowly, add 50 mL of H_2SO_4 (ACS, sp. gr. 1.84) to 50 mL of reagent water.

6.5 Acetone, methanol, methlylene chloride—Pesticide quality or equivalent.

6.6 Sodium sulfate—(ACS) Granular, anhydrous. Purify by heating at 400 °C for 4 h in a shallow tray.

6.7 Stock standard solutions (1.00 µg/µL)—standard solutions can be prepared from pure standard materials or purchased as certified solutions.

6.7.1 Prepare stock standard solutions by accurately weighing about 0.0100 g of pure material. Dissolve the material in pesticide quality acetone or other suitable solvent and dilute to volume in a 10-mL volumetric flask. Larger volumes can be used at the convenience of the analyst. When compound purity is assayed to be 96% or greater, the weight may be used without correction to calculate the concentration of the stock standard. Commercially prepared stock standards may be used at any concentration if they are certified by the manufacturer or by an independent source.

6.7.2 Transfer the stock standard solutions into Teflon-sealed screw-cap bottles. Store at 4 °C and protect from light. Stock standard solutions should be checked frequently for signs of degradation or evaporation, especially just prior to preparing calibration standards from them.

6.7.3 Stock standard solutions must be replaced after six months, or sooner if comparison with quality control check samples indicate a problem.

6.8 Surrogate standard spiking solution—Select a minimum of three surrogate compounds from Table 8. Prepare a surrogate standard spiking solution containing each selected surrogate compound at a concentration of 100 µg/mL in acetone. Addition of 1.00 mL of this solution to 1000 mL of sample is equivalent to a concentration of 100 µg/L of each surrogate standard. Store the spiking solution at 4 °C in Teflon-sealed glass container. The solution should be checked frequently for stability. The solution must be replaced after six months, or sooner if comparison with quality control check standards indicates a problem.

6.9 DFTPP standard—Prepare a 25 µg/mL solution of DFTPP in acetone.

6.10 Quality control check sample concentrate—See Section 8.2.1.

7. Calibration

7.1 Establish gas chromatographic operating parameters equivalent to those indicated in Table 4 or 5.

7.2 Internal standard calibration procedure—To use this approach, the analyst must select three or more internal standards that are similar in analytical behavior to the compounds of interest. The analyst must further demonstrate that the measurement of the internal standards is not affected by method or matrix interferences. Some recommended internal standards are listed in Table 8. Use the base peak m/z as the primary m/z for quantification of the standards. If interferences are noted, use one of the next two most intense m/z quantities for quantification.

7.2.1 Prepare calibration standards at a minimum of three concentration levels for each parameter of interest by adding appropriate volumes of one or more stock standards to a volumetric flask. To each calibration standard or standard mixture, add a known constant amount of one or more internal standards, and and dilute to volume with acetone. One of the calibration standards should be at a concentration near, but above, the MDL and the other concentrations should correspond to the expected range of concentrations found in real samples or should define the working range of the GC/MS system.

7.2.2 Using injections of 2 to 5 µL, analyze each calibration standard according to Section 13 and tabulate the area of the primary characteristic m/z (Tables 4 and 5) against concentration for each compound and internal standard. Calculate response factors (RF) for each compound using Equation 1.

$$RF = \frac{(A_s)(C_{is})}{(A_{is})(C_s)}$$

Equation 1

where:

A_s=Area of the characteristic m/z for the parameter to be measured.

A_{is}=Area of the characteristic m/z for the internal standard.

C_{is}=Concentration of the internal standard (µg/L).

C_s=Concentration of the parameter to be measured (µg/L).

If the RF value over the working range is a constant (<35% RSD), the RF can be assumed to be invariant and the average RF can be used for calculations. Alternatively, the results can be used to plot a calibration curve of response ratios, A_s/A_{is}, vs. RF.

7.3 The working calibration curve or RF must be verified on each working day by the

measurement of one or more calibration standards. If the response for any parameter varies from the predicted response by more than ±20%, the test must be repeated uning a fresh calibration standard. Alternatively, a new calibration curve must be prepared for that compound.

8. Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality control program. The minimum requirements of this program consist of an initial demonstration of laboratory capability and an ongoing analysis of spiked samples to evaluate and document data quality. The laboratory must maintain records to document the quality of data that is generated. Ongoing data quality checks are compared with established performance criteria to determine if the results of analyses meet the performance characteristics of the method. When results of sample spikes indicate atypical method performance, a quality control check standard must be analyzed to confirm that the measurements were performed in an in-control mode of operation.

8.1.1 The analyst must make an initial, one-time, demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 In recognition of advances that are occuring in chromatography, the analyst is permitted certain options (detailed in Sections 10.6 and 13.1) to improve the separations or lower the cost of measurements. Each time such a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2.

8.1.3 Before processing any samples, the analyst must analyze a reagent water blank to demonstrate that interferences from the analytical system and glassware are under control. Each time a set of samples is extracted or reagents are changed, a reagent water blank must be processed as a safeguard against laboratory contamination.

8.1.4 The laboratory must, on an ongoing basis, spike and analyze a minimum of 5% of all samples to monitor and evaluate laboratory data quality. This procedure is described in Section 8.3.

8.1.5 The laboratory must, on an ongoing basis, demonstrate through the analyses of quality control check standards that the operation of the measurement system is in control. This procedure is described in Section 8.4. The frequency of the check standard analyses is equivalent to 5% of all samples analyzed but may be reduced if spike recoveries from samples (Section 8.3) meet all specified quality control criteria.

8.1.6 The laboratory must maintain performance records to document the quality of data that is generated. This procedure is described in Section 8.5.

8.2 To establish the ability to generate acceptable accuracy and precision, the analyst must perform the following operations.

8.2.1 A quality control (QC) check sample concentrate is required containing each parameter of interest at a concentration of 100 µg/mL in acetone. Multiple solutions may be required. PCBs and multicomponent pesticides may be omitted from this test. The QC check sample concentrate must be obtained from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, if available. If not available from that source, the QC check sample concentrate must be obtained from another external source. If not available from either source above, the QC check sample concentrate must be prepared by the laboratory using stock standards prepared independently from those used for calibration.

8.2.2 Using a pipet, prepare QC check samples at a concentration of 100 µg/L by adding 1.00 mL of QC check sample concentrate to each of four 1–L aliquots of reagent water.

8.2.3 Analyze the well-mixed QC check samples according to the method beginning in Section 10 or 11.

8.2.4 Calculate the average recovery (X) in µg/L, and the standard deviation of the recovery (s) in µg/L, for each parameter using the four results.

8.2.5 For each parameter compare s and X with the corresponding acceptance criteria for precision and accuracy, respectively, found in Table 6. If s and X for all parameters of interest meet the acceptance criteria, the system performance is acceptable and analysis of actual samples can begin. If any individual s exceeds the precision limit or any individual X falls outside the range for accuracy, the system performance is unacceptable for that parameter.

NOTE: The large number of parameters in Table 6 present a substantial probability that one or more will fail at least one of the acceptance criteria when all parameters are analyzed.

8.2.6 When one or more of the parameters tested fail at least one of the acceptance criteria, the analyst must proceed according to Section 8.2.6.1 or 8.2.6.2.

8.2.6.1 Locate and correct the source of the problem and repeat the test for all parameters of interest beginning with Section 8.2.2.

8.2.6.2 Beginning with Section 8.2.2, repeat the test only for those parameters that failed to meet criteria. Repeated failure, however, will confirm a general problem with the measurement system. If this occurs, locate and correct the source of the problem and repeat the test for all compounds of interest beginning with Section 8.2.2.

8.3 The laboratory must, on an ongoing basis, spike at least 5% of the samples from each sample site being monitored to assess

accuracy. For laboratories analyzing 1 to 20 samples per month, at least one spiked sample per month is required.

8.3.1. The concentration of the spike in the sample should be determined as follows:

8.3.1 If, as in compliance monitoring, the concentration of a specific parameter in the sample is being checked against a regulatory concentration limit, the spike should be at that limit or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.2 If the concentration of a specific parameter in the sample is not being checked against a limit specific to that parameter, the spike should be at 100 µg/L or 1 to 5 times higher than the background concentration determined in Section 8.3.2, whichever concentration would be larger.

8.3.1.3 If it is impractical to determine background levels before spiking (e.g., maximum holding times will be exceeded), the spike concentration should be (1) the regulatory concentration limit, if any; or, if none (2) the larger of either 5 times higher than the expected background concentration or 100 µg/L.

8.3.2 Analyze one sample aliquot to determine the background concentration (B) of each parameter. If necessary, prepare a new QC check sample concentrate (Section 8.2.1) appropriate for the background concentrations in the sample. Spike a second sample aliquot with 1.0 mL of the QC check sample concentrate and analyze it to determine the concentration after spiking (A) of each parameter. Calculate each percent recovery (P) as 100(A–B)%/T, where T is the known true value of the spike.

8.3.3 Compare the percent recovery (P) for each parameter with the corresponding QC acceptance criteria found in Table 6. These acceptance criteria were calculated to include an allowance for error in measurement of both the background and spike concentrations, assuming a spike to background ratio of 5:1. This error will be accounted for to the extent that the analyst's spike to background ratio approaches 5:1.[7] If spiking was performed at a concentration lower than 100 µg/L, the analyst must use either the QC acceptance criteria in Table 6, or optional QC acceptance criteria calculated for the specific spike concentration. To calculate optional acceptance criteria for the recovery of a parameter: (1) Calculate accuracy (X′) using the equation in Table 7, substituting the spike concentration (T) for C; (2) calculate overall precision (S′) using the equation in Table 7, substituting X′ for $\bar{X}$; (3) calculate the range for recovery at the spike concentration as (100 X′/T)±2.44(100 S′/T)%[7]

8.3.4 If any individual P falls outside the designated range for recovery, that parameter has failed the acceptance criteria. A check standard containing each parameter that failed the criteria must be analyzed as described in Section 8.4.

8.4 If any parameter fails the acceptance criteria for recovery in Section 8.3, a QC check standard containing each parameter that failed must be prepared and analyzed.

NOTE: The frequency for the required analysis of a QC check standard will depend upon the number of parameters being simultaneously tested, the complexity of the sample matrix, and the performance of the laboratory. If the entire list of single-component parameters in Table 6 must be measured in the sample in Section 8.3, the probability that the analysis of a QC check standard will be required is high. In this case the QC check standard should be routinely analyzed with the spike sample.

8.4.1 Prepare the QC check standard by adding 1.0 mL of QC check sample concentrate (Section 8.2.1 or 8.3.2) to 1 L of reagent water. The QC check standard needs only to contain the parameters that failed criteria in the test in Section 8.3.

8.4.2 Analyze the QC check standard to determine the concentration measured (A) of each parameter. Calculate each percent recovery (P_S) as 100 (A/T)%, where T is the true value of the standard concentration.

8.4.3 Compare the percent recovery (P_s) for each parameter with the corresponding QC acceptance criteria found in Table 6. Only parameters that failed the test in Section 8.3 need to be compared with these criteria. If the recovery of any such parameter falls outside the designated range, the laboratory performance for that parameter is judged to be out of control, and the problem must be immediately identified and corrected. The analytical result for that parameter in the unspiked sample is suspect and may not be reported for regulatory compliance purposes.

8.5 As part of the QC program for the laboratory, method accuracy for wastewater samples must be assessed and records must be maintained. After the analysis of five spiked wastewater samples as in Section 8.3, calculate the average percent recovery ($\bar{P}$) and the standard deviation of the percent recovery (s_p). Express the accuracy assessment as a percent interval from $\bar{P}-2s_p$ to $\bar{P}+2s_p$. If $\bar{P}$=90% and s_p=10%, for example, the accuracy interval is expressed as 70−110%. Update the accuracy assessment for each parameter on a regular basis (e.g. after each five to ten new accuracy measurements).

8.6 As a quality control check, the laboratory must spike all samples with the surrogate standard spiking solution as described in Section 10.2, and calculate the percent recovery of each surrogate compound.

8.7 It is recommended that the laboratory adopt additional quality assurance practices for use with this method. The specific practices that are most productive depend upon the needs of the laboratory and the nature of

the samples. Field duplicates may be analyzed to assess the precision of the environmental measurements. Whenever possible, the laboratory should analyze standard reference materials and participate in relevant performance evaluation studies.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples must be collected in glass containers. Conventional sampling practices[8] should be followed, except that the bottle must not be prerinsed with sample before collection. Composite samples should be collected in refrigerated glass containers in accordance with the requirements of the program. Automatic sampling equipment must be as free as possible of Tygon tubing and other potential sources of contamination.

9.2 All sampling must be iced or refrigerated at 4 °C from the time of collection until extraction. Fill the sample bottles and, if residual chlorine is present, add 80 mg of sodium thiosulfate per liter of sample and mix well. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine.[9] Field test kits are available for this purpose.

9.3 All samples must be extracted within 7 days of collection and completely analyzed within 40 days of extraction.

10. Separatory Funnel Extraction

10.1 Samples are usually extracted using separatory funnel techniques. If emulsions will prevent achieving acceptable solvent recovery with separatory funnel extractions, continuous extraction (Section 11) may be used. The separatory funnel extraction scheme described below assumes a sample volume of 1 L. When sample volumes of 2 L are to be extracted, use 250, 100, and 100-mL volumes of methylene chloride for the serial extraction of the base/neutrals and 200, 100, and 100-mL volumes of methylene chloride for the acids.

10.2 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Pour the entire sample into a 2–L separatory funnel. Pipet 1.00 mL of the surrogate standard spiking solution into the separatory funnel and mix well. Check the pH of the sample with wide-range pH paper and adjust to pH>11 with sodium hydroxide solution.

10.3 Add 60 mL of methylene chloride to the sample bottle, seal, and shake for 30 s to rinse the inner surface. Transfer the solvent to the separatory funnel and extract the sample by shaking the funnel for 2 min. with periodic venting to release excess pressure. Allow the organic layer to separate from the water phase for a minimum of 10 min. If the emulsion interface between layers is more than one-third the volume of the solvent layer, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration of the emulsion through glass wool, centrifugation, or other physical methods. Collect the methylene chloride extract in a 250-mL Erlenmeyer flask. If the emulsion cannot be broken (recovery of less than 80% of the methylene chloride, corrected for the water solubility of methylene chloride), transfer the sample, solvent, and emulsion into the extraction chamber of a continuous extractor and proceed as described in Section 11.3.

10.4 Add a second 60-mL volume of methylene chloride to the sample bottle and repeat the extraction procedure a second time, combining the extracts in the Erlenmeyer flask. Perform a third extraction in the same manner. Label the combined extract as the base/neutral fraction.

10.5 Adjust the pH of the aqueous phase to less than 2 using sulfuric acid. Serially extract the acidified aqueous phase three times with 60-mL aliquots of methylene chloride. Collect and combine the extracts in a 250-mL Erlenmeyer flask and label the combined extracts as the acid fraction.

10.6 For each fraction, assemble a Kuderna-Danish (K–D) concentrator by attaching a 10-mL concentrator tube to a 500-mL evaporative flask. Other concentration devices or techniques may be used in place of the K–D concentrator if the requirements of Section 8.2 are met.

10.7 For each fraction, pour the combined extract through a solvent-rinsed drying column containing about 10 cm of anhydrous sodium sulfate, and collect the extract in the K–D concentrator. Rinse the Erlenmeyer flask and column with 20 to 30 mL of methylene chloride to complete the quantitative transfer.

10.8 Add one or two clean boiling chips and attach a three-ball Snyder column to the evaporative flask for each fraction. Prewet each Snyder column by adding about 1 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in the hot water, and the entire lower rounded surface of the flask is bathed with hot vapor. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches 1 mL, remove the K–D apparatus from the water bath and allow it to drain and cool for at least 10 min. Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1 to 2 mL of methylene chloride. A 5-mL syringe is recommended for this operation.

10.9 Add another one or two clean boiling chips to the concentrator tube for each fraction and attach a two-ball micro-Snyder column. Prewet the Snyder column by adding about 0.5 mL of methylene chloride to the top. Place the K–D apparatus on a hot water bath (60 to 65 °C) so that the concentrator tube is partially immersed in hot water. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 5 to 10 min. At the proper rate of distillation the balls of the column will actively chatter but the chambers will not flood with condensed solvent. When the apparent volume of liquid reaches about 0.5 mL, remove the K–D apparatus from the water bath and allow it to drain and cool for at least 10 min. Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with approximately 0.2 mL of acetone or methylene chloride. Adjust the final volume to 1.0 mL with the solvent. Stopper the concentrator tube and store refrigerated if further processing will not be performed immediately. If the extracts will be stored longer than two days, they should be transferred to Teflon-sealed screw-cap vials and labeled base/neutral or acid fraction as appropriate.

10.10 Determine the original sample volume by refilling the sample bottle to the mark and transferring the liquid to a 1000-mL graduated cylinder. Record the sample volume to the nearest 5 mL.

11. Continuous Extraction

11.1 When experience with a sample from a given source indicates that a serious emulsion problem will result or an emulsion is encountered using a separatory funnel in Section 10.3, a continuous extractor should be used.

11.2 Mark the water meniscus on the side of the sample bottle for later determination of sample volume. Check the pH of the sample with wide-range pH paper and adjust to pH >11 with sodium hydroxide solution. Transfer the sample to the continuous extractor and using a pipet, add 1.00 mL of surrogate standard spiking solution and mix well. Add 60 mL of methylene chloride to the sample bottle, seal, and shake for 30 s to rinse the inner surface. Transfer the solvent to the extractor.

11.3 Repeat the sample bottle rinse with an additional 50 to 100-mL portion of methylene chloride and add the rinse to the extractor.

11.4 Add 200 to 500 mL of methylene chloride to the distilling flask, add sufficient reagent water to ensure proper operation, and extract for 24 h. Allow to cool, then detach the distilling flask. Dry, concentrate, and seal the extract as in Sections 10.6 through 10.9.

11.5 Charge a clean distilling flask with 500 mL of methylene chloride and attach it to the continuous extractor. Carefully, while stirring, adjust the pH of the aqueous phase to less than 2 using sulfuric acid. Extract for 24 h. Dry, concentrate, and seal the extract as in Sections 10.6 through 10.9.

12. Daily GC/MS Performance Tests

12.1 At the beginning of each day that analyses are to be performed, the GC/MS system must be checked to see if acceptable performance criteria are achieved for DFTPP.[10] Each day that benzidine is to be determined, the tailing factor criterion described in Section 12.4 must be achieved. Each day that the acids are to be determined, the tailing factor criterion in Section 12.5 must be achieved.

12.2 These performance tests require the following instrumental parameters:

Electron Energy: 70 V (nominal)
Mass Range: 35 to 450 amu
Scan Time: To give at least 5 scans per peak but not to exceed 7 s per scan.

12.3 DFTPP performance test—At the beginning of each day, inject 2 µL (50 ng) of DFTPP standard solution. Obtain a background-corrected mass spectra of DFTPP and confirm that all the key m/z criteria in Table 9 are achieved. If all the criteria are not achieved, the analyst must retune the mass spectrometer and repeat the test until all criteria are achieved. The performance criteria must be achieved before any samples, blanks, or standards are analyzed. The taililg factor tests in Sections 12.4 and 12.5 may be performed simultaneously with the DFTPP test.

12.4 Column performance test for base/neutrals—At the beginning of each day that the base/neutral fraction is to be analyzed for benzidine, the benzidine tailing factor must be calculated. Inject 100 ng of benzidine either separately or as a part of a standard mixture that may contain DFTPP and calculate the tailing factor. The benzidine tailing factor must be less than 3.0. Calculation of the tailing factor is illustrated in Figure 13.[11] Replace the column packing if the tailing factor criterion cannot be achieved.

12.5 Column performance test for acids—At the beginning of each day that the acids are to be determined, inject 50 ng of pentachlorophenol either separately or as a part of a standard mix that may contain DFTPP. The tailing factor for pentachlorophenol must be less than 5. Calculation of the tailing factor is illustrated in Figure 13.[11] Replace the column packing if the tailing factor criterion cannot be achieved.

13. Gas Chromatography/Mass Spectrometry

13.1 Table 4 summarizes the recommended gas chromatographic operating conditions for the base/neutral fraction. Table 5 summarizes the recommended gas chromatographic

operating conditions for the acid fraction. Included in these tables are retention times and MDL that can be achieved under these conditions. Examples of the separations achieved by these columns are shown in Figures 1 through 12. Other packed or capillary (open-tubular) columns or chromatographic conditions may be used if the requirements of Section 8.2 are met.

13.2 After conducting the GC/MS performance tests in Section 12, calibrate the system daily as described in Section 7.

13.3 The internal standard must be added to sample extract and mixed thoroughly immediately before it is injected into the instrument. This procedure minimizes losses due to adsorption, chemical reaction or evaporation.

13.4 Inject 2 to 5 µL of the sample extract or standard into the GC/MS system using the solvent-flush technique.[12] Smaller (1.0 µL) volumes may be injected if automatic devices are employed. Record the volume injected to the nearest 0.05 µL.

13.5 If the response for any m/z exceeds the working range of the GC/MS system, dilute the extract and reanalyze.

13.6 Perform all qualitative and quantitative measurements as described in Sections 14 and 15. When the extracts are not being used for analyses, store them refrigerated at 4°C, protected from light in screw-cap vials equipped with unpierced Teflon-lined septa.

14. Qualitative Identification

14.1 Obtain EICPs for the primary m/z and the two other masses listed in Tables 4 and 5. See Section 7.3 for masses to be used with internal and surrogate standards. The following criteria must be met to make a qualitative identification:

14.1.1 The characteristic masses of each parameter of interest must maximize in the same or within one scan of each other.

14.1.2 The retention time must fall within ±30 s of the retention time of the authentic compound.

14.1.3 The relative peak heights of the three characteristic masses in the EICPs must fall within ±20% of the relative intensities of these masses in a reference mass spectrum. The reference mass spectrum can be obtained from a standard analyzed in the GC/MS system or from a reference library.

14.2 Structural isomers that have very similar mass spectra and less than 30 s difference in retention time, can be explicitly identified only if the resolution between authentic isomers in a standard mix is acceptable. Acceptable resolution is achieved if the baseline to valley height between the isomers is less than 25% of the sum of the two peak heights. Otherwise, structural isomers are identified as isomeric pairs.

15. Calculations

15.1 When a parameter has been identified, the quantitation of that parameter will be based on the integrated abundance from the EICP of the primary characteristic m/z in Tables 4 and 5. Use the base peak m/z for internal and surrogate standards. If the sample produces an interference for the primary m/z, use a secondary characteristic m/z to quantitate.

Calculate the concentration in the sample using the response factor (RF) determined in Section 7.2.2 and Equation 3.

$$\text{Concentration } (\mu g/L) = \frac{(A_s)(I_s)}{(A_{is})(RF)(V_o)}$$

Equation 3

where:

A_s=Area of the characteristic m/z for the parameter or surrogate standard to be measured.

A_{is}=Area of the characteristic m/z for the internal standard.

I_s=Amount of internal standard added to each extract (µg).

V_o=Volume of water extracted (L).

15.2 Report results in µg/L without correction for recovery data. All QC data obtained should be reported with the sample results.

16. Method Performance

16.1 The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the value is above zero.[1] The MDL concentrations listed in Tables 4 and 5 were obtained using reagent water.[13] The MDL actually achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

16.2 This method was tested by 15 laboratories using reagent water, drinking water, surface water, and industrial wastewaters spiked at six concentrations over the range 5 to 1300 µg/L.[14] Single operator precision, overall precision, and method accuracy were found to be directly related to the concentration of the parameter and essentially independent of the sample matrix. Linear equations to describe these relationships are presented in Table 7.

17. Screening Procedure for 2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8–TCDD)

17.1 If the sample must be screened for the presence of 2,3,7,8–TCDD, it is recommended that the reference material not be handled in the laboratory unless extensive safety precautions are employed. It is sufficient to analyze the base/neutral extract by selected ion monitoring (SIM) GC/MS techniques, as follows:

17.1.1 Concentrate the base/neutral extract to a final volume of 0.2 ml.

17.1.2 Adjust the temperature of the base/neutral column (Section 5.6.2) to 220 °C.

17.1.3 Operate the mass spectrometer to acquire data in the SIM mode using the ions at m/z 257, 320 and 322 and a dwell time no greater than 333 milliseconds per mass.

17.1.4 Inject 5 to 7 μL of the base/neutral extract. Collect SIM data for a total of 10 min.

17.1.5 The possible presence of 2,3,7,8–TCDD is indicated if all three masses exhibit simultaneous peaks at any point in the selected ion current profiles.

17.1.6 For each occurrence where the possible presence of 2,3,7,8–TCDD is indicated, calculate and retain the relative abundances of each of the three masses.

17.2 False positives to this test may be caused by the presence of single or coeluting combinations of compounds whose mass spectra contain all of these masses.

17.3 Conclusive results of the presence and concentration level of 2,3,7,8–TCDD can be obtained only from a properly equipped laboratory through the use of EPA Method 613 or other approved alternate test procedures.

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TABLE 1—BASE/NEUTRAL EXTRACTABLES

Parameter	STORET No.	CAS No.
Acenaphthene	34205	83–32–9
Acenaphthylene	34200	208–96–8
Anthracene	34220	120–12–7
Aldrin	39330	309–00–2
Benzo(a)anthracene	34526	56–55–3
Benzo(b)fluoranthene	34230	205–99–2
Benzo(k)fluoranthene	34242	207–08–9
Benzo(a)pyrene	34247	50–32–8
Benzo(ghi)perylene	34521	191–24–2
Benzyl butyl phthalate	34292	85–68–7
β-BHC	39338	319–85–7
δ-BHC	34259	319–86–8
Bis(2-chloroethyl) ether	34273	111–44–4
Bis(2-chloroethoxy)methane	34278	111–91–1
Bis(2-ethylhexyl) phthalate	39100	117–81–7
Bis(2-chloroisopropyl) ether[a]	34283	108–60–1
4-Bromophenyl phenyl ether[a]	34636	101–55–3
Chlordane	39350	57–74–9
2-Chloronaphthalele	34581	91–58–7
4-Chlorophenyl phenyl ether	34641	7005–72–3
Chrysene	34320	218–01–9
4,4′-DDD	39310	72–54–8
4,4′-DDE	39320	72–55–9
4,4′-DDT	39300	50–29–3
Dibenzo(a,h)anthracene	34556	53–70–3
Di-n-butylphthalate	39110	84–74–2
1,3-Dichlorobenzene	34566	541–73–1
1,2-Dichlorobenzene	34536	95–50–1
1,4-Dichlorobenzene	34571	106–46–7
3,3′-Dichlorobenzidine	34631	91–94–1
Dieldrin	39380	60–57–1
Diethyl phthalate	34336	84–66–2
Dimethyl phthalate	34341	131–11–3
2,4-Dinitrotoluene	34611	121–14–2
2,6-Dinitrotoluene	34626	606–20–2
Di-n-octylphthalate	34596	117–84–0
Endosulfan sulfate	34351	1031–07–8

TABLE 1—BASE/NEUTRAL EXTRACTABLES—Continued

Parameter	STORET No.	CAS No.
Endrin aldehyde	34366	7421–93–4
Fluoranthene	34376	206–44–0
Fluorene	34381	86–73–7
Heptachlor	39410	76–44–8
Heptchlor epoxide	39420	1024–57–3
Hexachlorobenzene	39700	118–74–1
Hexachlorobutadiene	34391	87–68–3
Hexachloroethane	34396	67–72–1
Indeno(1,2,3-cd)pyrene	34403	193–39–5
Isophorone	34408	78–59–1
Naphthalene	34696	91–20–3
Nitrobenzene	34447	98–95–3
N-Nitrosodi-n-propylamine	34428	621–64–7
PCB-1016	34671	12674–11–2
PCB-1221	39488	11104–28–2
PCB-1232	39492	11141–16–5
PCB-1242	39496	53469–21–9
PCB-1248	39500	12672–29–6
PCB-1254	39504	11097–69–1
PCB-1260	39508	11096–82–5
Phenanthrene	34461	85–01–8
Pyrene	34469	129–00–0
Toxaphene	39400	8001–35–2
1,2,4-Trichlorobenzene	34551	120–82–1

[a] The proper chemical name is 2,2′-oxybis(1-chloropropane).

TABLE 2—ACID EXTRACTABLES

Parameter	STORET No.	CAS No.
4-Chloro-3-methylphenol	34452	59–50–7
2-Chlorophenol	34586	95–57–8
2,4-Dichlorophenol	34601	120–83–2
2,4-Dimethylphenol	34606	105–67–9
2,4-Dinitrophenol	34616	51–28–5
2-Methyl-4,6-dinitrophenol	34657	534–52–1
2-Nitrophenol	34591	88–75–5
4-Nitrophenol	34646	100–02–7
Pentachlorophenol	39032	87–86–5
Phenol	34694	108–95–2
2,4,6-Trichlorophenol	34621	88–06–2

TABLE 3—ADDITIONAL EXTRACTABLE PARAMETERS[a]

Parameter	STORET No.	CAS No.	Method
Benzidine	39120	92–87–5	605
β-BHC	39337	319–84–6	608
δ-BHC	39340	58–89–8	608
Endosulfan I	34361	959–98–8	608
Endosulfan II	34356	33213–65–9	608
Endrin	39390	72–20–8	608
Hexachlorocylopentadiene	34386	77–47–4	612
N-Nitrosodimethylamine	34438	62–75–9	607
N-Nitrosodiphenylamine	34433	86–30–6	607

[a] See Section 1.2.

TABLE 4—CHROMATOGRAPHIC CONDITIONS, METHOD DETECTION LIMITS, AND CHARACTERISTIC MASSES FOR BASE/NEUTRAL EXTRACTABLES

Parameter	Retention time (min)	Method detection limit (μg/L)	Characteristic masses					
			Electron impact			Chemical ionization		
			Primary	Secondary	Secondary	Methane	Methane	Methane
1,3-Dichlorobenzene	7.4	1.9	146	148	113	146	148	150
1,4-Dichlorobenzene	7.8	4.4	146	148	113	146	148	150
Hexachloroethane	8.4	1.6	117	201	199	199	201	203
Bis(2-chloroethyl) ether[a]	8.4	5.7	93	63	95	63	107	109
1,2-Dichlorobenzene	8.4	1.9	146	148	113	146	148	150
Bis(2-chloroisopropyl) ether[a]	9.3	5.7	45	77	79	77	135	137
N-Nitrosodi-n-propylamine	.....	.....	130	42	101	.....	.....	.....
Nitrobenzene	11.1	1.9	77	123	65	124	152	164
Hexachlorobutadiene	11.4	0.9	225	223	227	223	225	227
1,2,4-Trichlorobenzene	11.6	1.9	180	182	145	181	183	209
Isophorone	11.9	2.2	82	95	138	139	167	178
Naphthalene	12.1	1.6	128	129	127	129	157	169
Bis(2-chloroethoxy) methane	12.2	5.3	93	95	123	65	107	137
Hexachlorocyclopentadiene[a]	13.9	.....	237	235	272	235	237	239
2-Chloronaphthalene	15.9	1.9	162	164	127	163	191	203
Acenaphthylene	17.4	3.5	152	151	153	152	153	181
Acenaphthene	17.8	1.9	154	153	152	154	155	183
Dimethyl phthalate	18.3	1.6	163	194	164	151	163	164
2,6-Dinitrotoluene	18.7	1.9	165	89	121	183	211	223
Fluorene	19.5	1.9	166	165	167	166	167	195
4-Chlorophenyl phenyl ether	19.5	4.2	204	206	141	.....	.....	.....
2,4-Dinitrotoluene	19.8	5.7	165	63	182	183	211	223
Diethyl phthalate	20.1	1.9	149	177	150	177	223	251
N-Nitrosodiphenylamine[b]	20.5	1.9	169	168	167	169	170	198
Hexachlorobenzene	21.0	1.9	284	142	249	284	286	288
β-BHC[b]	21.1	.....	183	181	109	.....	.....	.....
4-Bromophenyl phenyl ether	21.2	1.9	248	250	141	249	251	277
δ-BHC[b]	22.4	.....	183	181	109	.....	.....	.....
Phenanthrene	22.8	5.4	178	179	176	178	179	207
Anthracene	22.8	1.9	178	179	176	178	179	207
β-BHC	23.4	4.2	181	183	109	.....	.....	.....

TABLE 4—CHROMATOGRAPHIC CONDITIONS, METHOD DETECTION LIMITS, AND CHARACTERISTIC MASSES FOR BASE/NEUTRAL EXTRACTABLES—Continued

Parameter	Retention time (min)	Method detection limit (μg/L)	Characteristic masses					
			Electron impact			Chemical ionization		
			Primary	Secondary	Secondary	Methane	Methane	Methane
Heptachlor	23.4	1.9	100	272	274	.....	.....	.....
δ-BHC	23.7	3.1	183	109	181	.....	.....	.....
Aldrin	24.0	1.9	66	263	220	.....	.....	.....
Dibutyl phthalate	24.7	2.5	149	150	104	149	205	279
Heptachlor epoxide	25.6	2.2	353	355	351	.....	.....	.....
Endosulfan I [b]	26.4	.....	237	339	341	.....	.....	.....
Fluoranthene	26.5	2.2	202	101	100	203	231	243
Dieldrin	27.2	2.5	79	263	279	.....	.....	.....
4,4′-DDE	27.2	5.6	246	248	176	.....	.....	.....
Pyrene	27.3	1.9	202	101	100	203	231	243
Endrin [b]	27.9	.....	81	263	82	.....	.....	.....
Endosulfan II [b]	28.6	.....	237	339	341	.....	.....	.....
4,4′-DDD	28.6	2.8	235	237	165	.....	.....	.....
Benzidine [b]	28.8	44	184	92	185	185	213	225
4,4′-DDT	29.3	4.7	235	237	165	.....	.....	.....
Endosulfan sulfate	29.8	5.6	272	387	422	.....	.....	.....
Endrin aldehyde	.....	.....	67	345	250	.....	.....	.....
Butyl benzyl phthalate	29.9	2.5	149	91	206	149	299	327
Bis(2-ethylhexyl) phthalate	30.6	2.5	149	167	279	149	.....	.....
Chrysene	31.5	2.5	228	226	229	228	229	257
Benzo(a)anthracene	31.5	7.8	228	229	226	228	229	257
3,3′-Dichlorobenzidine	32.2	16.5	252	254	126	.....	.....	.....
Di-n-octyl phthalate	32.5	2.5	149	.....	.....	.....	.....	.....
Benzo(b)fluoranthene	34.9	4.8	252	253	125	252	253	281
Benzo(k)fluoranthene	34.9	2.5	252	253	125	252	253	281
Benzo(a)pyrene	36.4	2.5	252	253	125	252	253	281
Indeno(1,2,3-cd) pyrene	42.7	3.7	276	138	277	276	277	305
Dibenzo(a,h)anthracene	43.2	2.5	278	139	279	278	279	307
Benzo(ghi)perylene	45.1	4.1	276	138	277	276	277	305
N-Nitrosodimethylamine [b]	.....	.....	42	74	44	.....	.....	.....
Chlordane [c]	19–30	.....	373	375	377	.....	.....	.....
Toxaphene [c]	25–34	.....	159	231	233	.....	.....	.....
PCB 1016 [c]	18–30	.....	224	260	294	.....	.....	.....
PCB 1221 [c]	15–30	30	190	224	260	.....	.....	.....
PCB 1232 [c]	15–32	.....	190	224	260	.....	.....	.....
PCB 1242 [c]	15–32	.....	224	260	294	.....	.....	.....
PCB 1248 [c]	12–34	.....	294	330	262	.....	.....	.....
PCB 1254 [c]	22–34	36	294	330	362	.....	.....	.....
PCB 1260 [c]	23–32	.....	330	362	394	.....	.....	.....

[a] The proper chemical name is 2,2′-bisoxy(1-chloropropane).
[b] See Section 1.2.
[c] These compounds are mixtures of various isomers (See Figures 2 through 12). Column conditions: Supelcoport (100/120 mesh) coated with 3% SP–2250 packed in a 1.8 m long × 2 mm ID glass column with helium carrier gas at 30 mL/min. flow rate. Column temperature held isothermal at 50 °C for 4 min., then programmed at 8 °C/min. to 270 °C and held for 30 min.

TABLE 5—CHROMATOGRAPHIC CONDITIONS, METHOD DETECTION LIMITS, AND CHARACTERISTIC MASSES FOR ACID EXTRACTABLES

Parameter	Retention time (min)	Method detection limit (μg/L)	Characteristic masses					
			Electron Impact			Chemical ionization		
			Primary	Secondary	Secondary	Methane	Methane	Methane
2-Chlorophenol	5.9	3.3	128	64	130	129	131	157
2-Nitrophenol	6.5	3.6	139	65	109	140	168	122
Phenol	8.0	1.5	94	65	66	95	123	135
2,4-Dimethylphenol	9.4	2.7	122	107	121	123	151	163
2,4-Dichlorophenol	9.8	2.7	162	164	98	163	165	167
2,4,6-Trichlorophenol	11.8	2.7	196	198	200	197	199	201
4-Chloro-3-methylphenol	13.2	3.0	142	107	144	143	171	183
2,4-Dinitrophenol	15.9	42	184	63	154	185	213	225
2-Methyl-4,6-dinitrophenol	16.2	24	198	182	77	199	227	239
Pentachlorophenol	17.5	3.6	266	264	268	267	265	269

TABLE 5—CHROMATOGRAPHIC CONDITIONS, METHOD DETECTION LIMITS, AND CHARACTERISTIC MASSES FOR ACID EXTRACTABLES—Continued

Parameter	Retention time (min)	Method detection limit (μg/L)	Characteristic masses					
			Electron Impact			Chemical ionization		
			Primary	Secondary	Secondary	Methane	Methane	Methane
4-Nitrophenol	20.3	2.4	65	139	109	140	168	122

Column conditions: Supelcoport (100/120 mesh) coated with 1% SP–1240DA packed in a 1.8 m long × 2mm ID glass column with helium carrier gas at 30 mL/min. flow rate. Column temperature held isothermal at 70 °C for 2 min. then programmed at 8 °C/min. to 200 °C.

TABLE 6—QC ACCEPTANCE CRITERIA—METHOD 625

Parameter	Test concentration (μg/L)	Limits for s (μg/L)	Range for X(μg/L)	Range for P, P_s (Percent)
Acenaphthene	100	27.6	60.1–132.3	47–145
Acenaphthylene	100	40.2	53.5–126.0	33–145
Aldrin	100	39.0	7.2–152.2	D–166
Anthracene	100	32.0	43.4–118.0	27–133
Benzo(a)anthracene	100	27.6	41.8–133.0	33–143
Benzo(b)fluoranthene	100	38.8	42.0–140.4	24–159
Benzo(k)fluoranthene	100	32.3	25.2–145.7	11–162
Benzo(a)pyrene	100	39.0	31.7–148.0	17–163
Benzo(ghi)perylene	100	58.9	D–195.0	D–219
Benzyl butyl phthalate	100	23.4	D–139.9	D–152
β-BHC	100	31.5	41.5–130.6	24–149
δ-BHC	100	21.6	D–100.0	D–110
Bis(2-chloroethyl) ether	100	55.0	42.9–126.0	12–158
Bis(2-chloroethoxy)methane	100	34.5	49.2–164.7	33–184
Bis(2-chloroisopropyl) ether[a]	100	46.3	62.8–138.6	36–166
Bis(2-ethylhexyl) phthalate	100	41.1	28.9–136.8	8–158
4-Bromophenyl phenyl ether	100	23.0	64.9–114.4	53–127
2-Chloronaphthalene	100	13.0	64.5–113.5	60–118
4-Chlorophenyl phenyl ether	100	33.4	38.4–144.7	25–158
Chrysene	100	48.3	44.1–139.9	17–168
4,4′-DDD	100	31.0	D–134.5	D–145
4,4′-DDE	100	32.0	19.2–119.7	4–136
4,4′-DDT	100	61.6	D–170.6	D–203
Dibenzo(a,h)anthracene	100	70.0	D–199.7	D–227
Di-n-butyl phthalate	100	16.7	8.4–111.0	1–118
1,2-Dichlorobenzene	100	30.9	48.6–112.0	32–129
1,3-Dichlorobenzene	100	41.7	16.7–153.9	D–172
1,4,-Dichlorobenzene	100	32.1	37.3–105.7	20–124
3,3′-Dhlorobenzidine	100	71.4	8.2–212.5	D–262
Dieldrin	100	30.7	44.3–119.3	29–136
Diethyl phthalate	100	26.5	D–100.0	D–114
Dimethyl phthalate	100	23.2	D–100.0	D–112
2,4-Dinitrotoluene	100	21.8	47.5–126.9	39–139
2,6-Dinitrotoluene	100	29.6	68.1–136.7	50–158
Di-n-octyl phthalate	100	31.4	18.6–131.8	4–146
Endosulfan sulfate	100	16.7	D–103.5	D–107
Endrin aldehyde	100	32.5	D–188.8	D–209
Fluoranthene	100	32.8	42.9–121.3	26–137
Fluorene	100	20.7	71.6–108.4	59–121
Heptachlor	100	37.2	D–172.2	D–192
Heptachlor epoxide	100	54.7	70.9–109.4	26–155
Hexachlorobenzene	100	24.9	7.8–141.5	D–152
Hexachlorobutadiene	100	26.3	37.8–102.2	24–116
Hexachloroethane	100	24.5	55.2–100.0	40–113
Indeno(1,2,3-cd)pyrene	100	44.6	D–150.9	D–171
Isophorone	100	63.3	46.6–180.2	21–196
Naphthalene	100	30.1	35.6–119.6	21–133
Nitrobenzene	100	39.3	54.3–157.6	35–180
N-Nitrosodi-n-propylamine	100	55.4	13.6–197.9	D–230
PCB-1260	100	54.2	19.3–121.0	D–164
Phenanthrene	100	20.6	65.2–108.7	54–120
Pyrene	100	25.2	69.6–100.0	52–115
1,2,4-Trichlorobenzene	100	28.1	57.3–129.2	44–142
4-Chloro-3-methylphenol	100	37.2	40.8–127.9	22–147
2-Chlorophenol	100	28.7	36.2–120.4	23–134

TABLE 6—QC ACCEPTANCE CRITERIA—METHOD 625—Continued

Parameter	Test conclusion (μg/L)	Limits for s (μg/L)	Range for X(μg/L)	Range for P, P_s (Percent)
2,4-Dichlorophenol	100	26.4	52.5–121.7	39–135
2,4-Dimethylphenol	100	26.1	41.8–109.0	32–119
2,4-Dinitrophenol	100	49.8	D–172.9	D–191
2-Methyl-4,6-dinitrophenol	100	93.2	53.0–100.0	D–181
2-Nitrophenol	100	35.2	45.0–166.7	29–182
4-Nitrophenol	100	47.2	13.0–106.5	D–132
Pentachlorophenol	100	48.9	38.1–151.8	14–176
Phenol	100	22.6	16.6–100.0	5–112
2,4,6-Trichlorophenol	100	31.7	52.4–129.2	37–144

s=Standard deviation for four recovery measurements, in μg/L (Section 8.2.4).
$\bar{X}$=Average recovery for four recovery measurements, in μg/L (Section 8.2.4).
P, P_s=Percent recovery measured (Section 8.3.2, Section 8.4.2).
D=Detected; result must be greater than zero.

NOTE: These criteria are based directly upon the method performance data in Table 7. Where necessary, the limits for recovery have been broadened to assure applicability of the limts to concentrations below those used to develop Table 7.

[a] The proper chemical name is 2,2′oxybis(1-chloropropane).

TABLE 7—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 625

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r′ (μg/L)	Overall precision, S′ (μg/L)
Acenaphthene	0.96C=0.19	$0.15\bar{X}-0.12$	$0.21\bar{X}-0.67$
Acenaphthylene	0.89C=0.74	$0.24\bar{X}-1.06$	$0.26\bar{X}-0.54$
Aldrin	0.78C=1.66	$0.27\bar{X}-1.28$	$0.43\bar{X}=1.13$
Anthracene	0.80C=0.68	$0.21\bar{X}-0.32$	$0.27\bar{X}-0.64$
Benzo(a)anthracene	0.88C−0.60	$0.15\bar{X}=0.93$	$0.26\bar{X}-0.28$
Benzo(b)fluoranthene	0.93C−1.80	$0.22\bar{X}=0.43$	$0.29\bar{X}=0.96$
Benzo(k)fluoranthene	0.87C−1.56	$0.19\bar{X}=1.03$	$0.35\bar{X}=0.40$
Benzo(a)pyrene	0.90C−0.13	$0.22\bar{X}=0.48$	$0.32\bar{X}=1.35$
Benzo(ghi)perylene	0.98C−0.86	$0.29\bar{X}=2.40$	$0.51\bar{X}-0.44$
Benzyl butyl phthalate	0.66C−1.68	$0.18\bar{X}=0.94$	$0.53\bar{X}=0.92$
β-BHC	0.87C−0.94	$0.20\bar{X}-0.58$	$0.30\bar{X}-1.94$
δ-BHC	0.29C−1.09	$0.34\bar{X}=0.86$	$0.93\bar{X}-0.17$
Bis(2-chloroethyl) ether	0.86C−1.54	$0.35\bar{X}-0.99$	$0.35\bar{X}=0.10$
Bis(2-chloroethoxy)methane	1.12C−5.04	$0.16\bar{X}=1.34$	$0.26\bar{X}=2.01$
Bis(2-chloroisopropyl) ether [a]	1.03C−2.31	$0.24\bar{X}=0.28$	$0.25\bar{X}=1.04$
Bis(2-ethylhexyl) phthalate	0.84C−1.18	$0.26\bar{X}=0.73$	$0.36\bar{X}=0.67$
4-Bromophenyl phenyl ether	0.91C−1.34	$0.13\bar{X}=0.66$	$0.16\bar{X}=0.66$
2-Chloronaphthalene	0.89C=0.01	$0.07\bar{X}=0.52$	$0.13\bar{X}=0.34$
4-Chlorophenyl phenyl ether	0.91C=0.53	$0.20\bar{X}-0.94$	$0.30\bar{X}-0.46$
Chrysene	0.93C−1.00	$0.28\bar{X}=0.13$	$0.33\bar{X}-0.09$
4,4′-DDD	0.56C−0.40	$0.29\bar{X}-0.32$	$0.66\bar{X}-0.96$
4,4′-DDE	0.70C−0.54	$0.26\bar{X}-1.17$	$0.39\bar{X}-1.04$
4,4′-DDT	0.79C−3.28	$0.42\bar{X}=0.19$	$0.65\bar{X}-0.58$
Dibenzo(a,h)anthracene	0.88C=4.72	$0.30\bar{X}=8.51$	$0.59\bar{X}=0.25$
Di-n-butyl phthalate	0.59C=0.71	$0.13\bar{X}=1.16$	$0.39\bar{X}=0.60$
1,2-Dichlorobenzene	0.80C=0.28	$0.20\bar{X}=0.47$	$0.24\bar{X}=0.39$
1,3-Dichlorobenzene	0.86C−0.70	$0.25\bar{X}=0.68$	$0.41\bar{X}=0.11$
1,4-Dichlorobenzene	0.73C−1.47	$0.24\bar{X}=0.23$	$0.29\bar{X}=0.36$
3,3′-Dichlorobenzidine	1.23C−12.65	$0.28\bar{X}=7.33$	$0.47\bar{X}=3.45$
Dieldrin	0.82C−0.16	$0.20\bar{X}-0.16$	$0.26\bar{X}-0.07$
Diethyl phthalate	0.43C=1.00	$0.28\bar{X}=1.44$	$0.52\bar{X}=0.22$
Dimethyl phthalate	0.20C=1.03	$0.54\bar{X}=0.19$	$1.05\bar{X}-0.92$
2,4-Dinitrotoluene	0.92C−4.81	$0.12\bar{X}=1.06$	$0.21\bar{X}=1.50$
2,6-Dinitrotoluene	1.06C−3.60	$0.14\bar{X}=1.26$	$0.19\bar{X}=0.35$
Di-n-octyl phthalate	0.76C−0.79	$0.21\bar{X}=1.19$	$0.37\bar{X}=1.19$
Endosulfan sulfate	0.39C=0.41	$0.12\bar{X}=2.47$	$0.63\bar{X}-1.03$
Endrin aldehyde	0.76C−3.86	$0.18\bar{X}=3.91$	$0.73\bar{X}-0.62$
Fluoranthene	0.81C=1.10	$0.22\bar{X}-0.73$	$0.28\bar{X}-0.60$
Fluorene	0.90C−0.00	$0.12\bar{X}=0.26$	$0.13\bar{X}=0.61$
Heptachlor	0.87C−2.97	$0.24\bar{X}-0.56$	$0.50\bar{X}-0.23$
Heptachlor epoxide	0.92C−1.87	$0.33\bar{X}-0.46$	$0.28\bar{X}=0.64$
Hexachlorobenzene	0.74C=0.66	$0.18\bar{X}-0.10$	$0.43\bar{X}-0.52$
Hexachlorobutadiene	0.71C−1.01	$0.19\bar{X}=0.92$	$0.26\bar{X}=0.49$
Hexachloroethane	0.73C−0.83	$0.17\bar{X}=0.67$	$0.17\bar{X}=0.80$
Indeno(1,2,3-cd)pyrene	0.78C−3.10	$0.29\bar{X}=1.46$	$0.50\bar{X}=0.44$
Isophorone	1.12C=1.41	$0.27\bar{X}=0.77$	$0.33\bar{X}=0.26$
Naphthalene	0.76C=1.58	$0.21\bar{X}-0.41$	$0.30\bar{X}-0.68$

TABLE 7—METHOD ACCURACY AND PRECISION AS FUNCTIONS OF CONCENTRATION—METHOD 625—Continued

Parameter	Accuracy, as recovery, X′ (μg/L)	Single analyst precision, s_r′ (μg/L)	Overall precision, S′ (μg/L)
Nitrobenzene	1.09C − 3.05	0.19$\bar{X}$=0.92	0.27$\bar{X}$=0.21
N-Nitrosodi-n-propylamine	1.12C − 6.22	0.27$\bar{X}$=0.68	0.44$\bar{X}$=0.47
PCB–1260	0.81C − 10.86	0.35$\bar{X}$=3.61	0.43$\bar{X}$=1.82
Phenanthrene	0.87C − 0.06	0.12$\bar{X}$=0.57	0.15$\bar{X}$=0.25
Pyrene	0.84C − 0.16	0.16$\bar{X}$=0.06	0.15$\bar{X}$=0.31
1,2,4-Trichlorobenzene	0.94C − 0.79	0.15$\bar{X}$=0.85	0.21$\bar{X}$=0.39
4-Chloro-3-methylphenol	0.84C=0.35	0.23$\bar{X}$=0.75	0.29$\bar{X}$=1.31
2-Chlorophenol	0.78C=0.29	0.18$\bar{X}$=1.46	0.28$\bar{X}$=0.97
2,4-Dichlorophenol	0.87C=0.13	0.15$\bar{X}$=1.25	0.21$\bar{X}$=1.28
2,4-Dimethylphenol	0.71C=4.41	0.16$\bar{X}$=1.21	0.22$\bar{X}$=1.31
2,4-Dinitrophenol	0.81C − 18.04	0.38$\bar{X}$=2.36	0.42$\bar{X}$=26.29
2-Methyl-4,6-Dinitrophenol	1.04C − 28.04	0.05$\bar{X}$=42.29	0.26$\bar{X}$=23.10
2-Nitrophenol	1.07C − 1.15	0.16$\bar{X}$=1.94	0.27$\bar{X}$=2.60
4-Nitrophenol	0.61C − 1.22	0.38$\bar{X}$=2.57	0.44$\bar{X}$=3.24
Pentachlorophenol	0.93C=1.99	0.24$\bar{X}$=3.03	0.30$\bar{X}$=4.33
Phenol	0.43C=1.26	0.26$\bar{X}$=0.73	0.35$\bar{X}$=0.58
2,4,6-Trichlorophenol	0.91C − 0.18	0.16$\bar{X}$=2.22	0.22$\bar{X}$=1.81

X′=Expected recovery for one or more measurements of a sample containing a concentration of C, in μg/L.
s_r′=Expected single analyst standard deviation of measurements at an average concentration found of $\bar{X}$, in μg/L.
S′= Expected interlaboratory standard deviation of measurements at an average concentration found of X, in μg/L.
C= True value for the concentration, in μg/L.
$\bar{X}$= Average recovery found for measurements of samples containing a concentration of C, in μg/L.
[a] The proper chemical name is 2,2′oxybis(1-chloropropane).

TABLE 8—SUGGESTED INTERNAL AND SURROGATE STANDARDS

Base/neutral fraction	Acid fraction
Aniline-d_5	2-Fluorophenol.
Anthracene-d_{10}	Pentafluorophenol.
Benzo(a)anthracene-d_{12}	Phenol-d_5
4,4′-Dibromobiphenyl	2-Perfluoromethyl phenol.
4,4′-Dibromooctafluorobiphenyl.	
Decafluorobiphenyl	
2,2[1]-Difluorobiphenyl	
4-Fluoroaniline	
1-Fluoronaphthalene	
2-Fluoronaphthalene	
Naphthalene-d_8	
Nitrobenzene-d_5	
2,3,4,5,6-Pentafluorobiphenyl	
Phenanthrene-d_{10}	
Pyridine-d_5	

TABLE 9—DFTPP KEY MASSES AND ABUNDANCE CRITERIA

Mass	m/z Abundance criteria
51	30–60 percent of mass 198.
68	Less than 2 percent of mass 69.
70	Less than 2 percent of mass 69.
127	40–60 percent of mass 198.
197	Less than 1 percent of mass 198.
198	Base peak, 100 percent relative abundance.
199	5–9 percent of mass 198.
275	10–30 percent of mass 198.
365	Greater than 1 percent of mass 198.
441	Present but less than mass 443.
442	Greater than 40 percent of mass 198.
443	17–23 percent of mass 442.

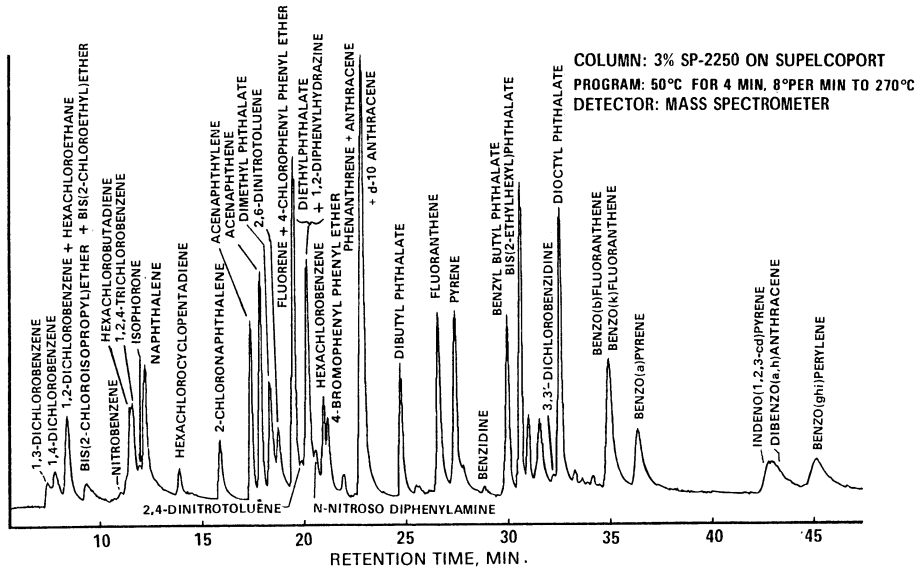


Figure 1. Gas chromatogram of base/neutral fraction.

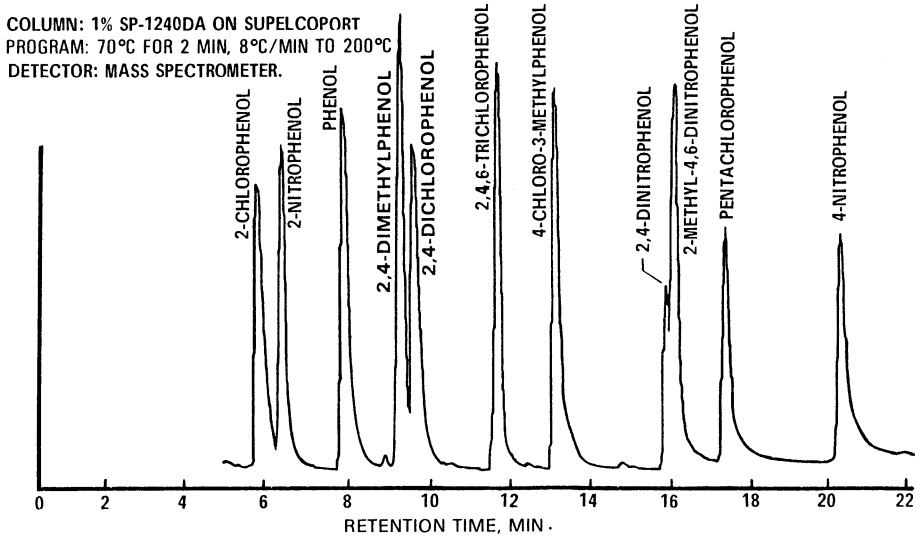


Figure 2. Gas chromatogram of acid fraction.

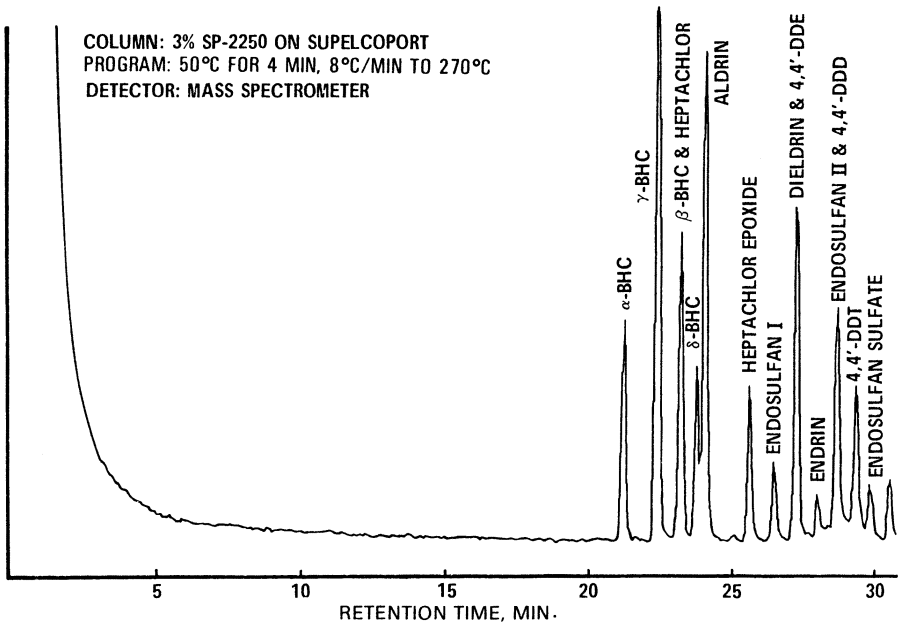


Figure 3. Gas chromatogram of pesticide fraction.

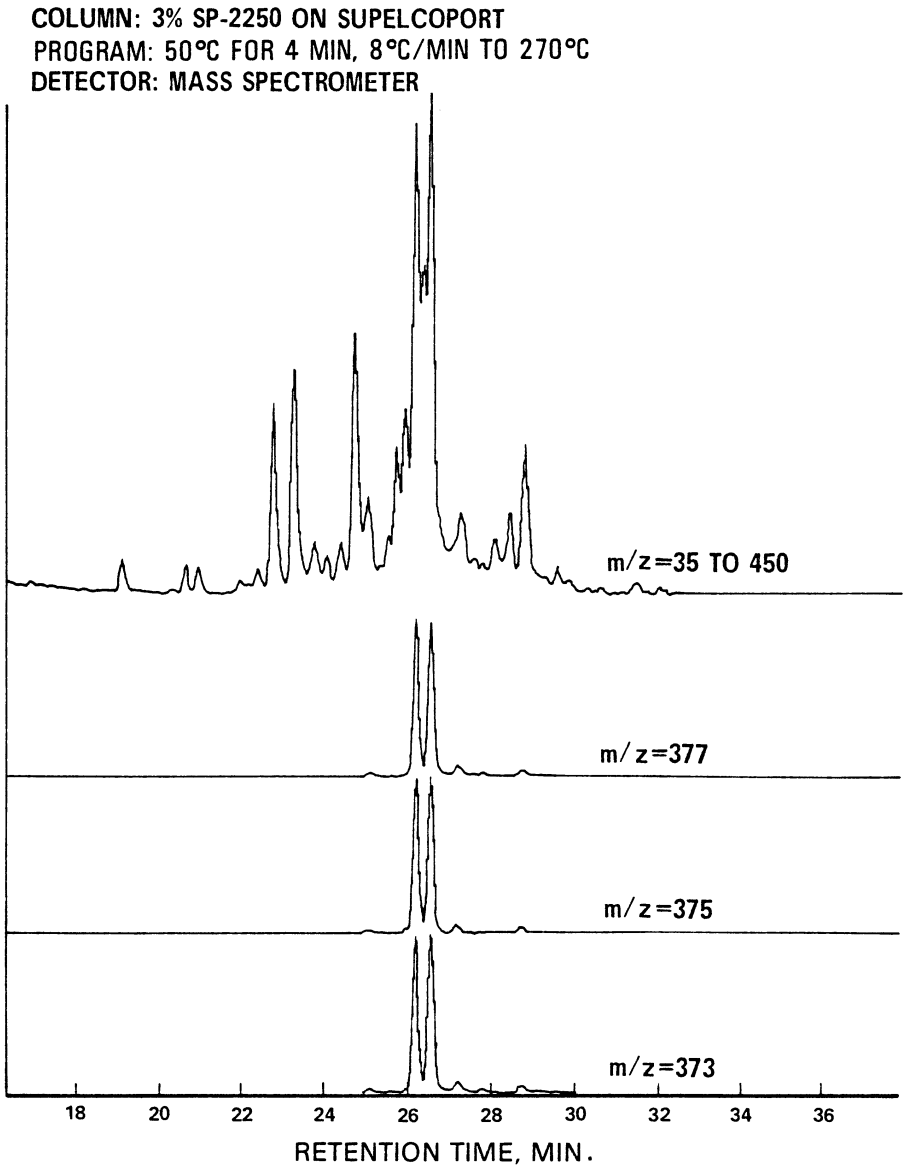


Figure 4. Gas chromatogram of chlordane.

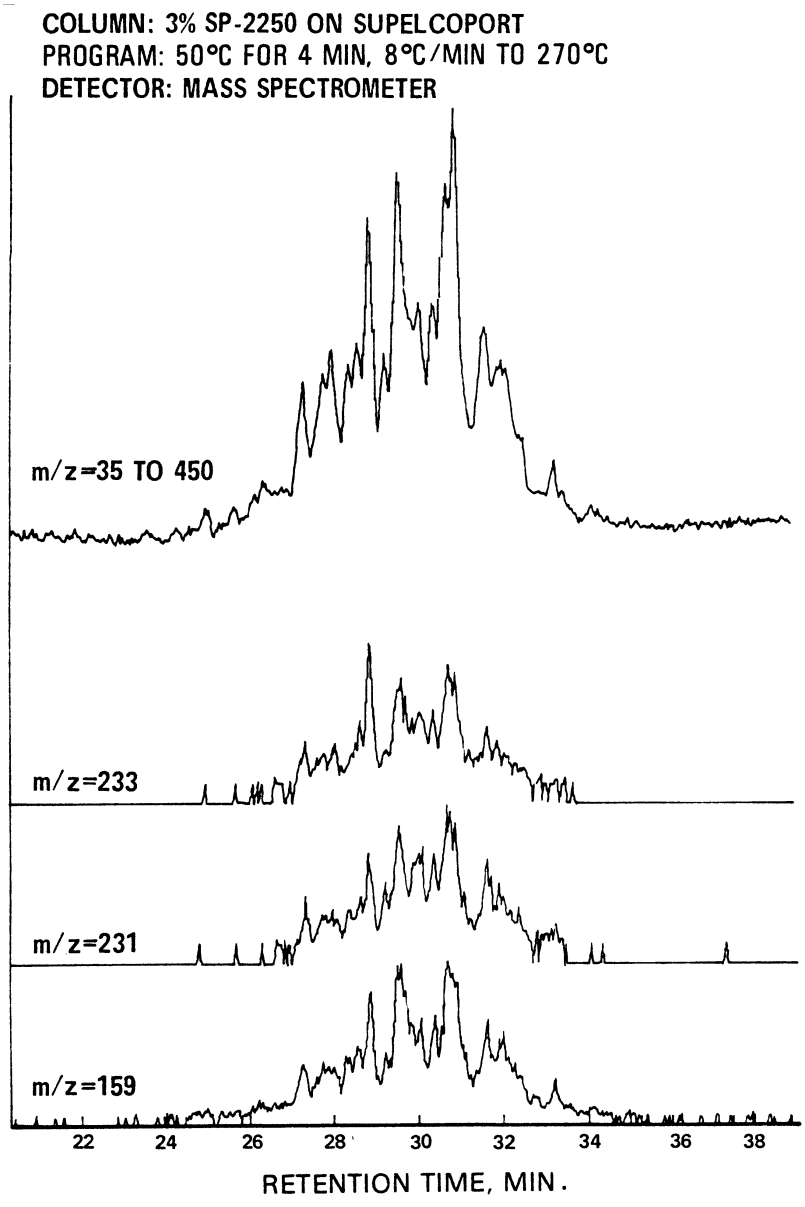


Figure 5. Gas chromatogram of toxaphene.

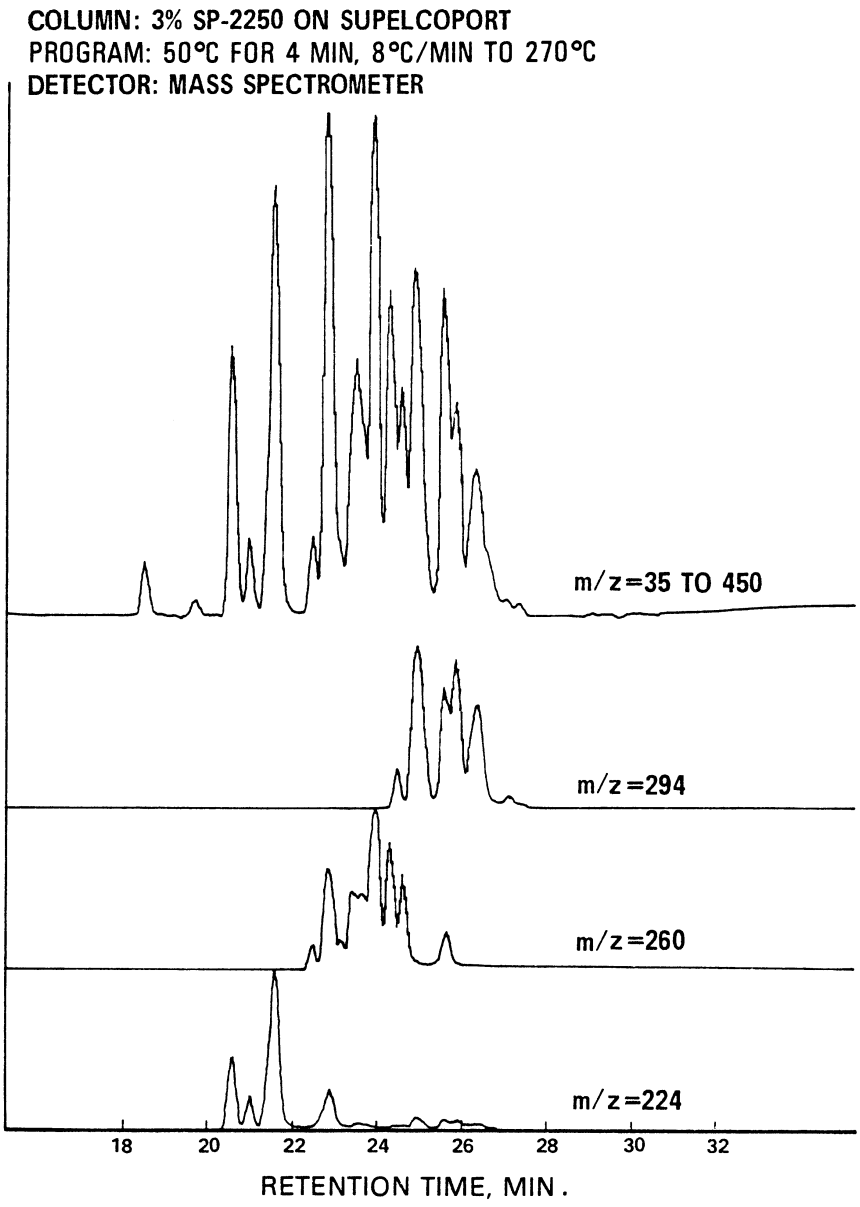


Figure 6. Gas chromatogram of PCB-1016.

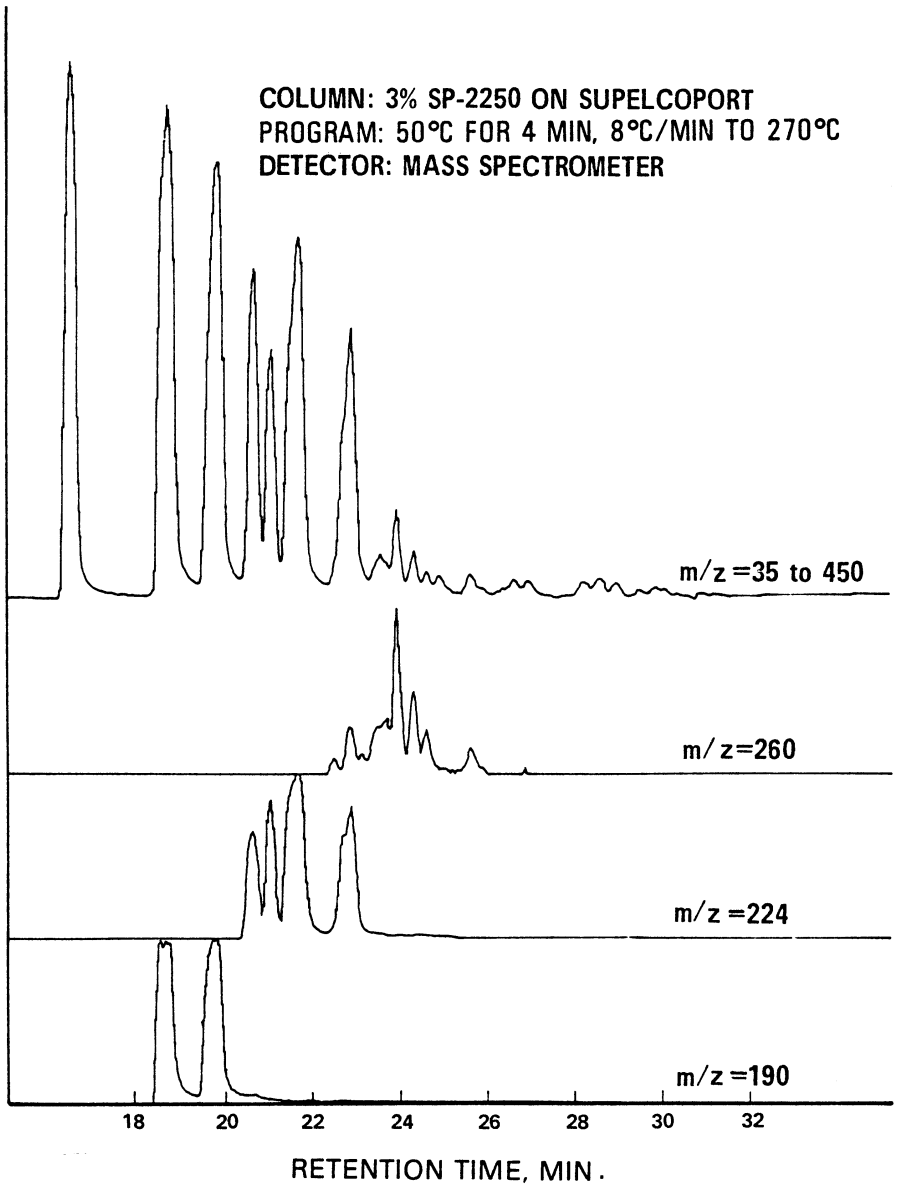


Figure 7. Gas chromatogram of PCB-1221.

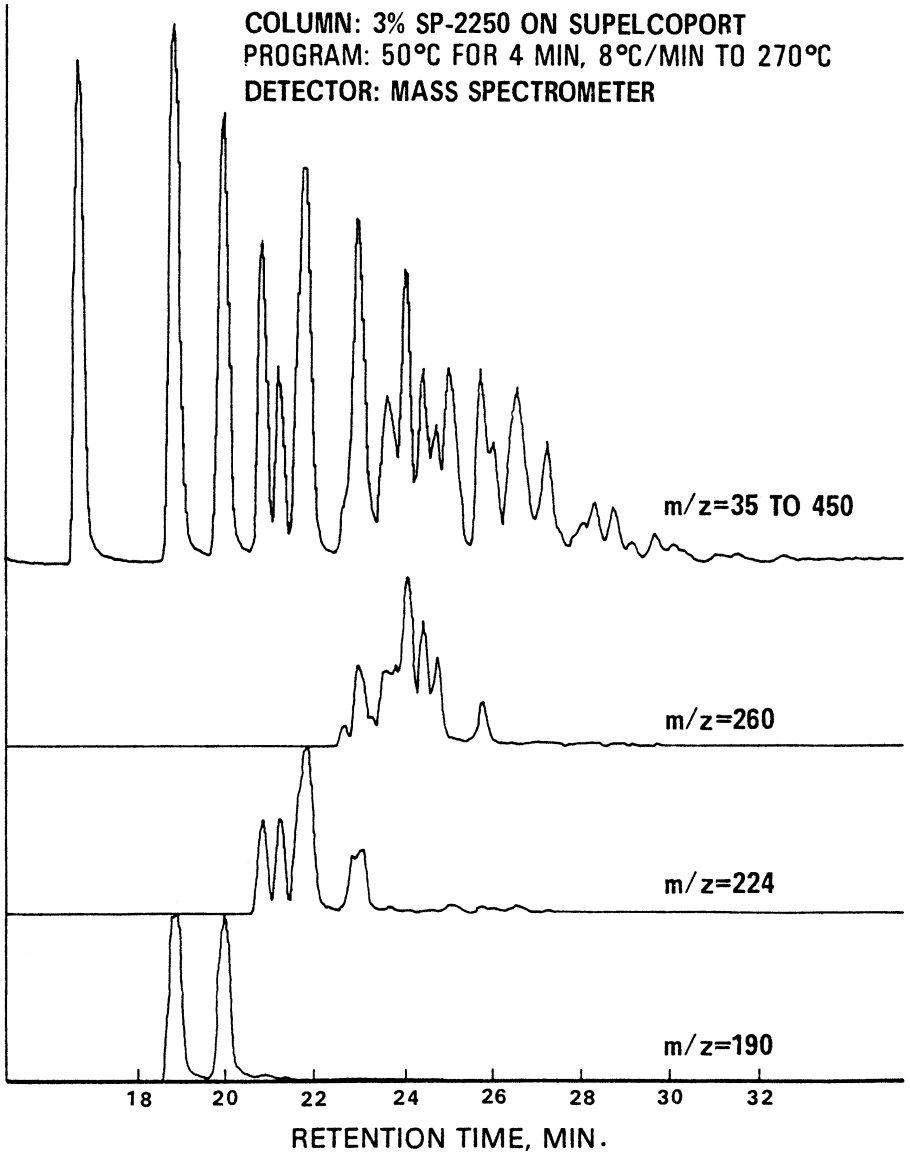


Figure 8. Gas chromatogram of PCB-1232.

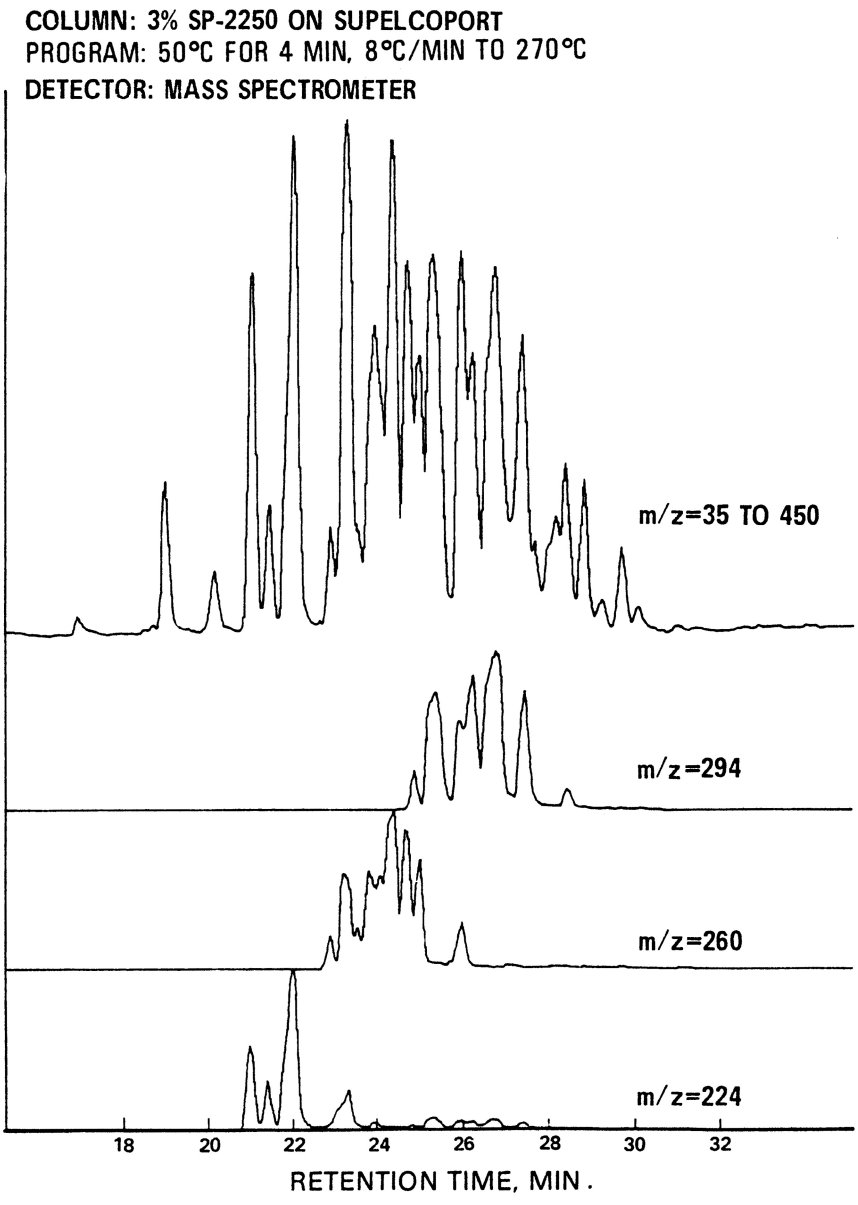


Figure 9. Gas chromatogram of PCB-1242.

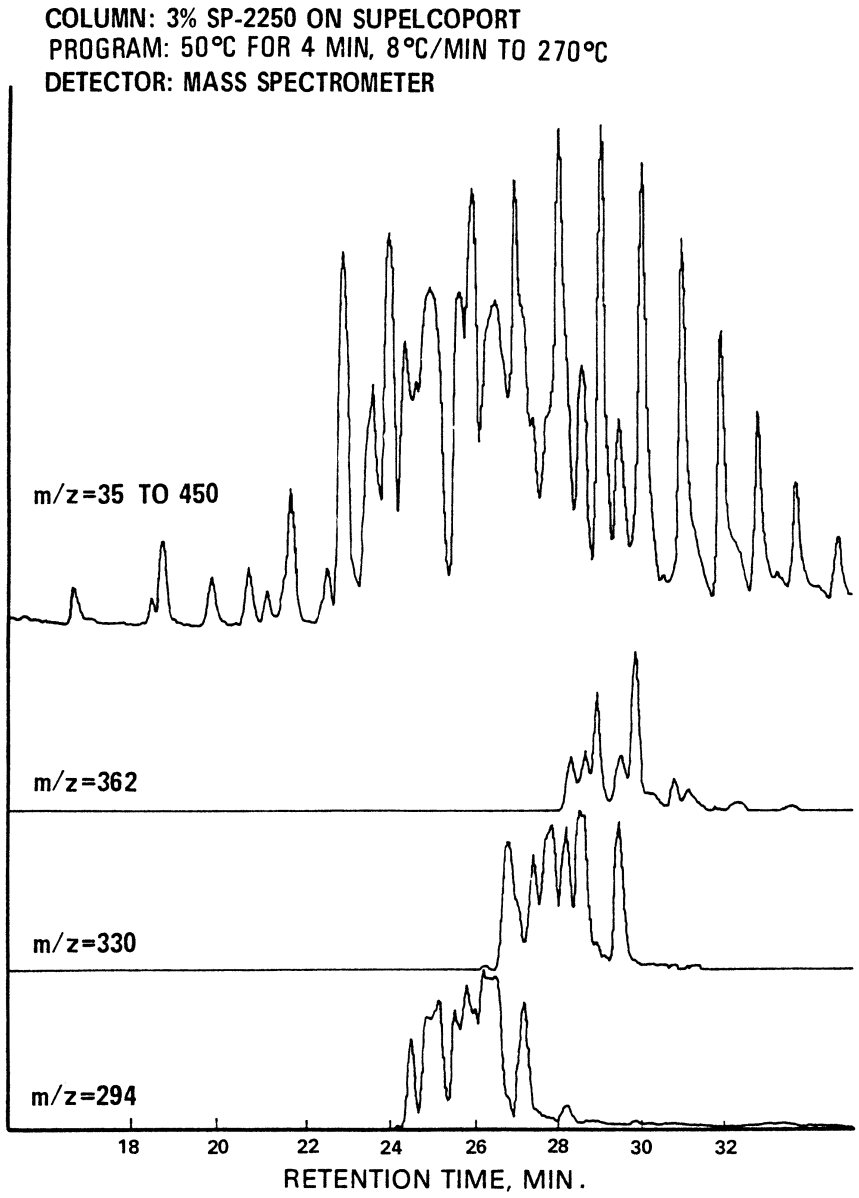


Figure 10. Gas chromatogram of PCB-1248.

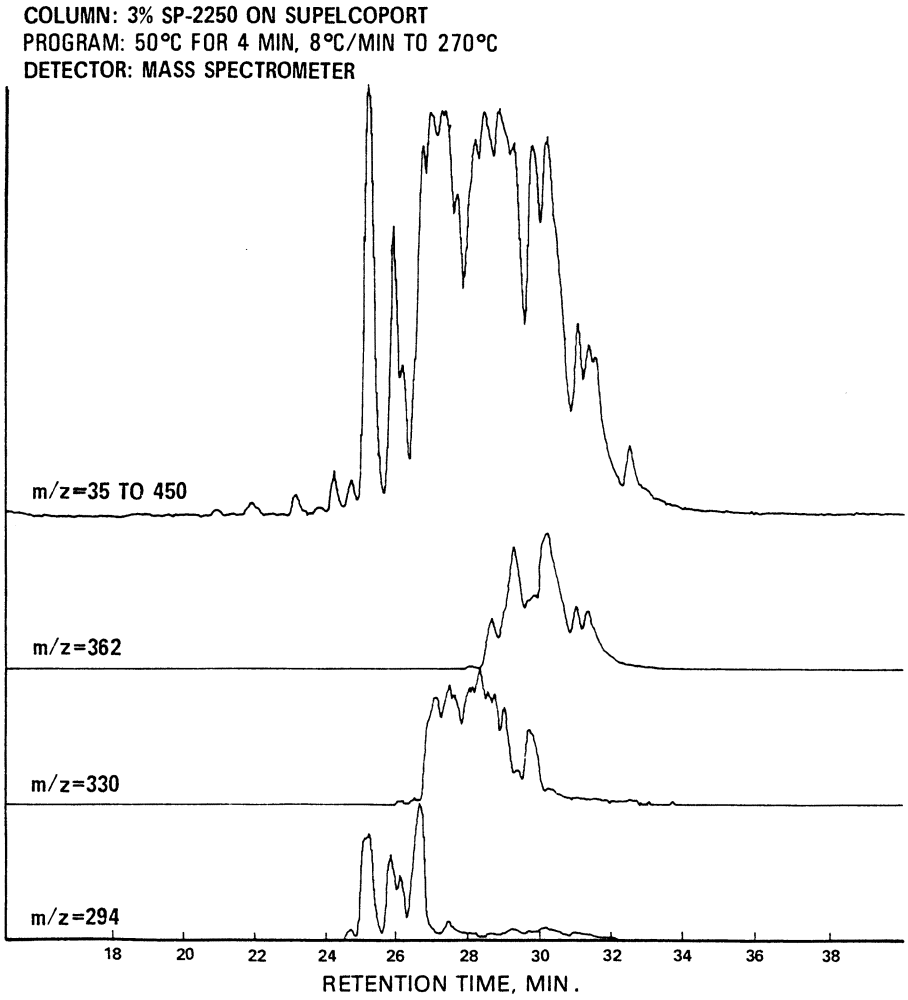


Figure 11. Gas chromatogram of PCB-1254.

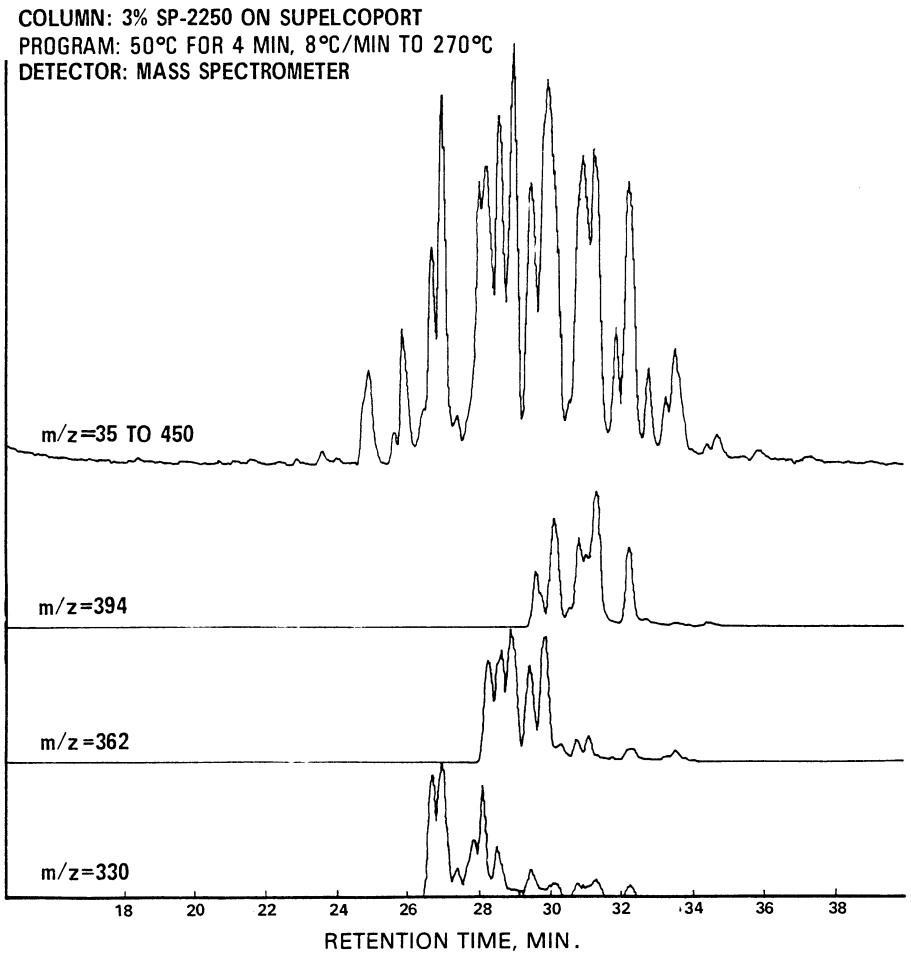
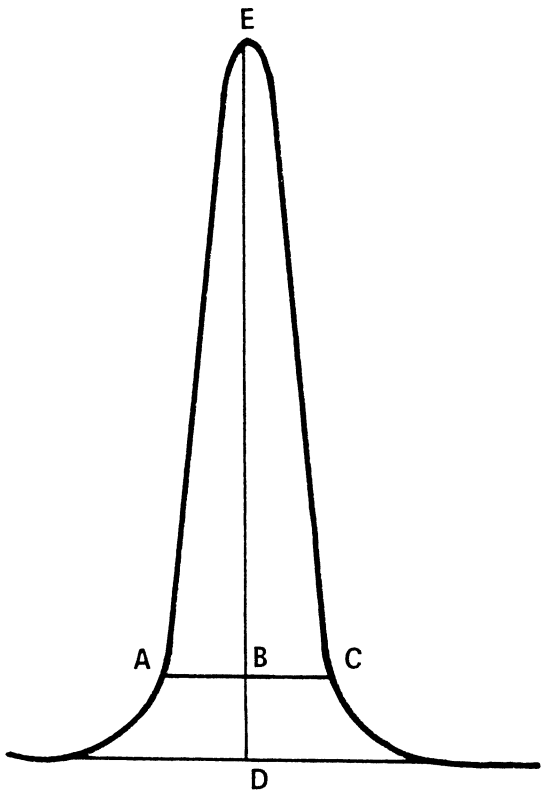


Figure 12. Gas chromatogram of PCB-1260.



Example calculation: Peak Height = DE = 100 mm
10% Peak Height = BD = 10 mm
Peak Width at 10% Peak Height = AC = 23 mm
AB = 11 mm
BC = 12 mm

Therefore: Tailing Factor = $\frac{12}{11}$ = 1.1

Figure 13. Tailing factor calculation.

ATTACHMENT 1 TO METHOD 625

INTRODUCTION

To support measurement of several semivolatile pollutants, EPA has developed this attachment to EPA Method 625.[1] The modifications listed in this attachment are approved only for monitoring wastestreams from the Centralized Waste Treatment Point Source Category (40 CFR Part 437) and the Landfills Point Source Category (40 CFR Part 445). EPA Method 625 (the Method) involves sample extraction with methylene chloride followed by analysis of the extract using either packed or capillary column gas chromatography/mass spectrometry (GC/MS). This attachment addresses the addition of the semivolatile pollutants listed in Tables 1 and 2, to all applicable standard, stock, and spiking solutions utilized for the determination of semivolatile organic compounds by EPA Method 625.

1.0 EPA METHOD 625 MODIFICATION SUMMARY

The additional semivolatile organic compounds listed in Tables 1 and 2 are added to all applicable calibration, spiking, and other solutions utilized in the determination of base/neutral and acid compounds by EPA Method 625. The instrument is to be calibrated with these compounds, using a capillary column, and all procedures and quality control tests stated in the Method must be performed.

2.0 SECTION MODIFICATIONS

NOTE: All section and figure numbers in this Attachment reference section and figure numbers in EPA Method 625 unless noted otherwise. Sections not listed here remain unchanged.

Section 6.7 The stock standard solutions described in this section are modified such that the analytes in Tables 1 and 2 of this attachment are required in addition to those specified in the Method.

Section 7.2 The calibration standards described in this section are modified to include the analytes in Tables 1 and 2 of this attachment.

Section 8.2 The precision and accuracy requirements are modified to include the analytes listed in Tables 1 and 2 of this attachment. Additional performance criteria are supplied in Table 5 of this attachment.

Section 8.3 The matrix spike is modified to include the analytes listed in Tables 1 and 2 of this attachment.

Section 8.4 The QC check standard is modified to include the analytes listed in Tables 1 and 2 of this attachment. Additional performance criteria are supplied in Table 5 of this attachment.

Section 16.0 Additional method performance information is supplied with this attachment.

TABLE 1—BASE/NEUTRAL EXTRACTABLES

Parameter	CAS No.
acetophenone [1]	98–86–2
alpha-terpineol [3]	98–55–5
aniline [2]	62–53–3
carbazole [1]	86–74–8
o-cresol [1]	95–48–7
n-decane [1]	124–18–5
2,3-dichloroaniline [1]	608–27–5
n-octadecane [1]	593–45–3
pyridine [2]	110–86–1

CAS = Chemical Abstracts Registry.
[1] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.
[2] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.
[3] Analysis of this pollutant is approved only for the Landfills industry.

TABLE 2—ACID EXTRACTABLES

Parameter	CAS No.
p-cresol [1]	106–44–5

CAS = Chemical Abstracts Registry.
[1] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 3—CHROMATOGRAPHIC CONDITIONS,[1] METHOD DETECTION LIMITS (MDLS), AND CHARACTERISTIC M/Z'S FOR BASE/NEUTRAL EXTRACTABLES

Analyte	Retention time (min) [2]	MDL (µg/L)	Characteristic m/z's		
			Electron impact		
			Primary	Secondary	Secondary
pyridine [3]	4.93	4.6	79	52	51
N-Nitro sodimethylamine	4.95	.....	42	74	44
aniline [3]	10.82	3.3	93	66	65
Bis(2-chloroethyl)ether	10.94	.....	93	63	95
n-decane [4]	11.11	5.0	57	.....	.....
1,3-Dichlorobenzene	11.47	.....	146	148	113
1,4-Dichlorobenzene	11.62	.....	146	148	113
1,2-Dichlorobenzene	12.17	.....	146	148	113

[1] EPA Method 625: Base/Neutrals and Acids, 40 CFR Part 136, Appendix A.

TABLE 3—CHROMATOGRAPHIC CONDITIONS,[1] METHOD DETECTION LIMITS (MDLS), AND CHARACTERISTIC M/Z'S FOR BASE/NEUTRAL EXTRACTABLES—Continued

Analyte	Retention time (min)[2]	MDL (µg/L)	Characteristic m/z's		
			Electron impact		
			Primary	Secondary	Secondary
o-creso[1]	12.48	4.7	108	107	79
Bis(2-chloro- isopropyl)ether	12.51	.....	45	77	79
acetophenone[4]	12.88	3.4	105	77	51
N-Nitrosodi-n-propylamine	12.97	.....	130	42	101
Hexachloroethane	13.08	.....	117	201	199
Nitrobenzene	13.40	.....	77	123	65
Isophorone	14.11	.....	82	95	138
Bis (2-chloro ethoxy)methane	14.82	.....	93	95	123
1,2,4-Trichlorobenzene	15.37	.....	180	182	145
alpha-terpineol	15.55	5.0	59	.....	.....
Naphthalene	15.56	.....	128	129	127
Hexachlorobutadiene	16.12	.....	225	223	227
Hexachlorocyclopentadiene	18.47	.....	237	235	272
2,3-dichloroaniline[4]	18.82	2.5	161	163	90
2-Chloronaphthalene	19.35	.....	162	164	127
Dimethyl phthalate	20.48	.....	163	194	164
Acenaphthylene	20.69	.....	152	151	153
2,6-Dinitrotoluene	20.73	.....	165	89	121
Acenaphthene	21.30	.....	154	153	152
2,4-Dinitrotoluene	22.00	.....	165	63	182
Diethylphthalate	22.74	.....	149	177	150
4-Chlorophenyl phenyl ether	22.90	.....	204	206	141
Fluorene	22.92	.....	166	165	167
N-Nitro sodiphenylamine	23.35	.....	169	168	167
4-Bromophenyl phenyl ether	24.44	.....	248	250	141
Hexachlorobenzene	24.93	.....	284	142	249
n-octadecane[4]	25.39	2.0	57	.....	.....
Phenanthrene	25.98	.....	178	179	176
Anthracene	26.12	.....	178	179	176
Carbazole[4]	26.66	4.0	167	.....	.....
Dibutyl phthalate	27.84	.....	149	150	104
Fluoranthene	29.82	.....	202	101	100
Benzidine	30.26	.....	184	92	185
Pyrene	30.56	.....	202	101	100
Butyl benzyl phthalate	32.63	.....	149	91	206
3,3'-Dichlorobenzidine	34.28	.....	252	254	126
Benzo(a)anthracene	34.33	.....	228	229	226
Bis(2-ethyl hexyl)phthalate	34.36	.....	149	167	279
Chrysene	34.44	.....	228	226	229
Di-n-octyl-phthalate	36.17	.....	149	.....	.....
Benzo(b)fluoranthene	37.90	.....	252	253	125
Benzo(k)fluoranthene	37.97	.....	252	253	125
Benzo(a)pyrene	39.17	.....	252	253	125
Dibenzo(a,h) anthracene	44.91	.....	278	139	279
Indeno(1,2,3-c,d)pyrene	45.01	.....	276	138	277
Benzo(ghi)perylene	46.56	.....	276	138	277

[1] The data presented in this table were obtained under the following conditions:

Column—30 ±5 meters × 0.25 ±.02 mm i.d., 94% methyl, 5% phenyl, 1% vinyl, bonded phase fused silica capillary column (DB–5).

Temperature program—Five minutes at 30 °C; 30–280 °C at 8 °C per minute; isothermal at 280 °C until benzo(ghi)perylene elutes.

Gas velocity—30±5 cm/sec at 30 °C.

[2] Retention times are from Method 1625, Revision C, using a capillary column, and are intended to be consistent for all analytes in Tables 4 and 5 of this attachment.

[3] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

[4] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.

TABLE 4—CHROMATOGRAPHIC CONDITIONS,[1] METHOD DETECTION LIMITS (MDLS), AND CHARACTERISTIC M/Z'S FOR ACID EXTRACTABLES

Analyte	Retention time[2] (min)	MDL (µg/L)	Characteristic m/z's		
			Electron impact		
			Primary	Secondary	Secondary
Phenol	10.76	.....	94	65	66
2-Chlorophenol	11.08	.....	128	64	130

TABLE 4—CHROMATOGRAPHIC CONDITIONS,[1] METHOD DETECTION LIMITS (MDLS), AND CHARACTERISTIC M/Z'S FOR ACID EXTRACTABLES—Continued

Analyte	Retention time[2] (min)	MDL (µg/L)	Characteristic m/z's		
			Electron impact		
			Primary	Secondary	Secondary
p-cresol[3]	12.92	7.8	108	107	77
2-Nitrophenol	14.38		139	65	109
2,4-Dimethylphenol	14.54		122	107	121
2,4-Dichlorophenol	15.12		162	164	98
4-Chloro-3-methylphenol	16.83		142	107	144
2,4,6-Trichlorophenol	18.80		196	198	200
2,4-Dinitrophenol	21.51		184	63	154
4-Nitrophenol	21.77		65	139	109
2-Methyl-4,6-dinitrophenol	22.83		198	182	77
Pentachlorophenol	25.52		266	264	268

[1] The data presented in this table were obtained under the following conditions:
Column—30 ±5 meters × 0.25 ±.02 mm i.d., 94% methyl, 5% phenyl, 1% vinyl silicone bonded phase fused silica capillary column (DB–5).
Temperature program—Five minutes at 30 °C; 30–280 °C at 8 °C per minute; isothermal at 280 °C until benzo(ghi)perylene elutes.
Gas velocity—30 ±5 cm/sec at 30 °C
[2] Retention times are from EPA Method 1625, Revision C, using a capillary column, and are intended to be consistent for all analytes in Tables 3 and 4 of this attachment.
[3] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 5—QC ACCEPTANCE CRITERIA

Analyte	Test conclusion (µg/L)	Limits for s (µg/L)	Range for X (µg/L)	Range for P, P_s(%)
acetophenone[1]	100	51	23–254	61–144
alpha-terpineol	100	47	46–163	58–156
aniline[2]	100	71	15–278	46–134
carbazole[1]	100	17	79–111	73–131
o-cresol[1]	100	23	30–146	55–126
p-cresol[2]	100	22	11–617	76–107
n-decane[1]	100	70	D–651	D-ns
2,3-dichloroaniline[1]	100	13	40–160	68–134
n-octadecane[1]	100	10	52–147	65–123
pyridine[2]	100	ns	7–392	33–158

s = Standard deviation for four recovery measurements, in µg/L (Section 8.2)
X = Average recovery for four recovery measurements in µg/L (Section 8.2)
P,Ps = Percent recovery measured (Section 8.3, Section 8.4)
D = Detected; result must be greater than zero.
ns = no specification; limit is outside the range that can be measured reliably.
[1] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.
[2] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

METHOD 1613, REVISION B

Tetra- Through Octa-Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS

1.0 Scope and Application

1.1 This method is for determination of tetra- through octa-chlorinated dibenzo-p-dioxins (CDDs) and dibenzofurans (CDFs) in water, soil, sediment, sludge, tissue, and other sample matrices by high resolution gas chromatography/high resolution mass spectrometry (HRGC/HRMS). The method is for use in EPA's data gathering and monitoring programs associated with the Clean Water Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act, and the Safe Drinking Water Act. The method is based on a compilation of EPA, industry, commercial laboratory, and academic methods (References 1–6).

1.2 The seventeen 2,3,7,8-substituted CDDs/CDFs listed in Table 1 may be determined by this method. Specifications are also provided for separate determination of 2,3,7,8-tetrachloro-dibenzo-p-dioxin (2,3,7,8-TCDD) and 2,3,7,8-tetrachloro-dibenzofuran (2,3,7,8-TCDF).

1.3 The detection limits and quantitation levels in this method are usually dependent on the level of interferences rather than instrumental limitations. The minimum levels (MLs) in Table 2 are the levels at which the CDDs/CDFs can be determined with no interferences present. The Method Detection

Limit (MDL) for 2,3,7,8-TCDD has been determined as 4.4 pg/L (parts-per-quadrillion) using this method.

1.4 The GC/MS portions of this method are for use only by analysts experienced with HRGC/HRMS or under the close supervision of such qualified persons. Each laboratory that uses this method must demonstrate the ability to generate acceptable results using the procedure in Section 9.2.

1.5 This method is "performance-based". The analyst is permitted to modify the method to overcome interferences or lower the cost of measurements, provided that all performance criteria in this method are met. The requirements for establishing method equivalency are given in Section 9.1.2.

1.6 Any modification of this method, beyond those expressly permitted, shall be considered a major modification subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

2.0 Summary of Method

Flow charts that summarize procedures for sample preparation, extraction, and analysis are given in Figure 1 for aqueous and solid samples, Figure 2 for multi-phase samples, and Figure 3 for tissue samples.

2.1 Extraction.

2.1.1 Aqueous samples (samples containing less than 1% solids)—Stable isotopically labeled analogs of 15 of the 2,3,7,8-substituted CDDs/CDFs are spiked into a 1 L sample, and the sample is extracted by one of three procedures:

2.1.1.1 Samples containing no visible particles are extracted with methylene chloride in a separatory funnel or by the solid-phase extraction technique summarized in Section 2.1.1.3. The extract is concentrated for cleanup.

2.1.1.2 Samples containing visible particles are vacuum filtered through a glass-fiber filter. The filter is extracted in a Soxhlet/Dean-Stark (SDS) extractor (Reference 7), and the filtrate is extracted with methylene chloride in a separatory funnel. The methylene chloride extract is concentrated and combined with the SDS extract prior to cleanup.

2.1.1.3 The sample is vacuum filtered through a glass-fiber filter on top of a solid-phase extraction (SPE) disk. The filter and disk are extracted in an SDS extractor, and the extract is concentrated for cleanup.

2.1.2 Solid, semi-solid, and multi-phase samples (but not tissue)—The labeled compounds are spiked into a sample containing 10 g (dry weight) of solids. Samples containing multiple phases are pressure filtered and any aqueous liquid is discarded. Coarse solids are ground or homogenized. Any non-aqueous liquid from multi-phase samples is combined with the solids and extracted in an SDS extractor. The extract is concentrated for cleanup.

2.1.3 Fish and other tissue—The sample is extracted by one of two procedures:

2.1.3.1 Soxhlet or SDS extraction—A 20 g aliquot of sample is homogenized, and a 10 g aliquot is spiked with the labeled compounds. The sample is mixed with sodium sulfate, allowed to dry for 12–24 hours, and extracted for 18–24 hours using methylene chloride:hexane (1:1) in a Soxhlet extractor. The extract is evaporated to dryness, and the lipid content is determined.

2.1.3.2 HCl digestion—A 20 g aliquot is homogenized, and a 10 g aliquot is placed in a bottle and spiked with the labeled compounds. After equilibration, 200 mL of hydrochloric acid and 200 mL of methylene chloride:hexane (1:1) are added, and the bottle is agitated for 12–24 hours. The extract is evaporated to dryness, and the lipid content is determined.

2.2 After extraction, $^{37}Cl_4$-labeled 2,3,7,8-TCDD is added to each extract to measure the efficiency of the cleanup process. Sample cleanups may include back-extraction with acid and/or base, and gel permeation, alumina, silica gel, Florisil and activated carbon chromatography. High-performance liquid chromatography (HPLC) can be used for further isolation of the 2,3,7,8-isomers or other specific isomers or congeners. Prior to the cleanup procedures cited above, tissue extracts are cleaned up using an anthropogenic isolation column, a batch silica gel adsorption, or sulfuric acid and base back-extraction, depending on the tissue extraction procedure used.

2.3 After cleanup, the extract is concentrated to near dryness. Immediately prior to injection, internal standards are added to each extract, and an aliquot of the extract is injected into the gas chromatograph. The analytes are separated by the GC and detected by a high-resolution (≥10,000) mass spectrometer. Two exact m/z's are monitored for each analyte.

2.4 An individual CDD/CDF is identified by comparing the GC retention time and ion-abundance ratio of two exact m/z's with the corresponding retention time of an authentic standard and the theoretical or acquired ion-abundance ratio of the two exact m/z's. The non-2,3,7,8 substituted isomers and congeners are identified when retention times and ion-abundance ratios agree within predefined limits. Isomer specificity for 2,3,7,8-TCDD and 2,3,7,8-TCDF is achieved using GC columns that resolve these isomers from the other tetra-isomers.

2.5 Quantitative analysis is performed using selected ion current profile (SICP) areas, in one of three ways:

2.5.1 For the 15 2,3,7,8-substituted CDDs/CDFs with labeled analogs (see Table 1), the GC/MS system is calibrated, and the concentration of each compound is determined using the isotope dilution technique.

2.5.2 For 1,2,3,7,8,9-HxCDD, OCDF, and the labeled compounds, the GC/MS system is calibrated and the concentration of each compound is determined using the internal standard technique.

2.5.3 For non-2,3,7,8-substituted isomers and for all isomers at a given level of chlorination (i.e., total TCDD), concentrations are determined using response factors from calibration of the CDDs/CDFs at the same level of chlorination.

2.6 The quality of the analysis is assured through reproducible calibration and testing of the extraction, cleanup, and GC/MS systems.

3.0 Definitions

Definitions are given in the glossary at the end of this method.

4.0 Contamination and Interferences

4.1 Solvents, reagents, glassware, and other sample processing hardware may yield artifacts and/or elevated baselines causing misinterpretation of chromatograms (References 8–9). Specific selection of reagents and purification of solvents by distillation in all-glass systems may be required. Where possible, reagents are cleaned by extraction or solvent rinse.

4.2 Proper cleaning of glassware is extremely important, because glassware may not only contaminate the samples but may also remove the analytes of interest by adsorption on the glass surface.

4.2.1 Glassware should be rinsed with solvent and washed with a detergent solution as soon after use as is practical. Sonication of glassware containing a detergent solution for approximately 30 seconds may aid in cleaning. Glassware with removable parts, particularly separatory funnels with fluoropolymer stopcocks, must be disassembled prior to detergent washing.

4.2.2 After detergent washing, glassware should be rinsed immediately, first with methanol, then with hot tap water. The tap water rinse is followed by another methanol rinse, then acetone, and then methylene chloride.

4.2.3 Do not bake reusable glassware in an oven as a routine part of cleaning. Baking may be warranted after particularly dirty samples are encountered but should be minimized, as repeated baking of glassware may cause active sites on the glass surface that will irreversibly adsorb CDDs/CDFs.

4.2.4 Immediately prior to use, the Soxhlet apparatus should be pre-extracted with toluene for approximately three hours (see Sections 12.3.1 through 12.3.3). Separatory funnels should be shaken with methylene chloride/toluene (80/20 mixture) for two minutes, drained, and then shaken with pure methylene chloride for two minutes.

4.3 All materials used in the analysis shall be demonstrated to be free from interferences by running reference matrix method blanks initially and with each sample batch (samples started through the extraction process on a given 12-hour shift, to a maximum of 20 samples).

4.3.1 The reference matrix must simulate, as closely as possible, the sample matrix under test. Ideally, the reference matrix should not contain the CDDs/CDFs in detectable amounts, but should contain potential interferents in the concentrations expected to be found in the samples to be analyzed. For example, a reference sample of human adipose tissue containing pentachloronaphthalene can be used to exercise the cleanup systems when samples containing pentachloronaphthalene are expected.

4.3.2 When a reference matrix that simulates the sample matrix under test is not available, reagent water (Section 7.6.1) can be used to simulate water samples; playground sand (Section 7.6.2) or white quartz sand (Section 7.3.2) can be used to simulate soils; filter paper (Section 7.6.3) can be used to simulate papers and similar materials; and corn oil (Section 7.6.4) can be used to simulate tissues.

4.4 Interferences coextracted from samples will vary considerably from source to source, depending on the diversity of the site being sampled. Interfering compounds may be present at concentrations several orders of magnitude higher than the CDDs/CDFs. The most frequently encountered interferences are chlorinated biphenyls, methoxy biphenyls, hydroxydiphenyl ethers, benzylphenyl ethers, polynuclear aromatics, and pesticides. Because very low levels of CDDs/CDFs are measured by this method, the elimination of interferences is essential. The cleanup steps given in Section 13 can be used to reduce or eliminate these interferences and thereby permit reliable determination of the CDDs/CDFs at the levels shown in Table 2.

4.5 Each piece of reusable glassware should be numbered to associate that glassware with the processing of a particular sample. This will assist the laboratory in tracking possible sources of contamination for individual samples, identifying glassware associated with highly contaminated samples that may require extra cleaning, and determining when glassware should be discarded.

4.6 Cleanup of tissue—The natural lipid content of tissue can interfere in the analysis of tissue samples for the CDDs/CDFs. The lipid contents of different species and portions of tissue can vary widely. Lipids are soluble to varying degrees in various organic solvents and may be present in sufficient quantity to overwhelm the column chromatographic cleanup procedures used for cleanup of sample extracts. Lipids must

be removed by the lipid removal procedures in Section 13.7, followed by alumina (Section 13.4) or Florisil (Section 13.8), and carbon (Section 13.5) as minimum additional cleanup steps. If chlorodiphenyl ethers are detected, as indicated by the presence of peaks at the exact m/z's monitored for these interferents, alumina and/or Florisil cleanup must be employed to eliminate these interferences.

5.0 Safety

5.1 The toxicity or carcinogenicity of each compound or reagent used in this method has not been precisely determined; however, each chemical compound should be treated as a potential health hazard. Exposure to these compounds should be reduced to the lowest possible level.

5.1.1 The 2,3,7,8-TCDD isomer has been found to be acnegenic, carcinogenic, and teratogenic in laboratory animal studies. It is soluble in water to approximately 200 ppt and in organic solvents to 0.14%. On the basis of the available toxicological and physical properties of 2,3,7,8-TCDD, all of the CDDs/CDFs should be handled only by highly trained personnel thoroughly familiar with handling and cautionary procedures and the associated risks.

5.1.2 It is recommended that the laboratory purchase dilute standard solutions of the analytes in this method. However, if primary solutions are prepared, they shall be prepared in a hood, and a NIOSH/MESA approved toxic gas respirator shall be worn when high concentrations are handled.

5.2 The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material safety data sheets (MSDSs) should also be made available to all personnel involved in these analyses. It is also suggested that the laboratory perform personal hygiene monitoring of each analyst who uses this method and that the results of this monitoring be made available to the analyst. Additional information on laboratory safety can be found in References 10–13. The references and bibliography at the end of Reference 13 are particularly comprehensive in dealing with the general subject of laboratory safety.

5.3 The CDDs/CDFs and samples suspected to contain these compounds are handled using essentially the same techniques employed in handling radioactive or infectious materials. Well-ventilated, controlled access laboratories are required. Assistance in evaluating the health hazards of particular laboratory conditions may be obtained from certain consulting laboratories and from State Departments of Health or Labor, many of which have an industrial health service. The CDDs/CDFs are extremely toxic to laboratory animals. Each laboratory must develop a strict safety program for handling these compounds. The practices in References 2 and 14 are highly recommended.

5.3.1 Facility—When finely divided samples (dusts, soils, dry chemicals) are handled, all operations (including removal of samples from sample containers, weighing, transferring, and mixing) should be performed in a glove box demonstrated to be leak tight or in a fume hood demonstrated to have adequate air flow. Gross losses to the laboratory ventilation system must not be allowed. Handling of the dilute solutions normally used in analytical and animal work presents no inhalation hazards except in the case of an accident.

5.3.2 Protective equipment—Disposable plastic gloves, apron or lab coat, safety glasses or mask, and a glove box or fume hood adequate for radioactive work should be used. During analytical operations that may give rise to aerosols or dusts, personnel should wear respirators equipped with activated carbon filters. Eye protection equipment (preferably full face shields) must be worn while working with exposed samples or pure analytical standards. Latex gloves are commonly used to reduce exposure of the hands. When handling samples suspected or known to contain high concentrations of the CDDs/CDFs, an additional set of gloves can also be worn beneath the latex gloves.

5.3.3 Training—Workers must be trained in the proper method of removing contaminated gloves and clothing without contacting the exterior surfaces.

5.3.4 Personal hygiene—Hands and forearms should be washed thoroughly after each manipulation and before breaks (coffee, lunch, and shift).

5.3.5 Confinement—Isolated work areas posted with signs, segregated glassware and tools, and plastic absorbent paper on bench tops will aid in confining contamination.

5.3.6 Effluent vapors—The effluents of sample splitters from the gas chromatograph (GC) and from roughing pumps on the mass spectrometer (MS) should pass through either a column of activated charcoal or be bubbled through a trap containing oil or high-boiling alcohols to condense CDD/CDF vapors.

5.3.7 Waste Handling—Good technique includes minimizing contaminated waste. Plastic bag liners should be used in waste cans. Janitors and other personnel must be trained in the safe handling of waste.

5.3.8 Decontamination

5.3.8.1 Decontamination of personnel—Use any mild soap with plenty of scrubbing action.

5.3.8.2 Glassware, tools, and surfaces—Chlorothene NU Solvent is the least toxic solvent shown to be effective. Satisfactory cleaning may be accomplished by rinsing with Chlorothene, then washing with any detergent and water. If glassware is first rinsed

with solvent, then the dish water may be disposed of in the sewer. Given the cost of disposal, it is prudent to minimize solvent wastes.

5.3.9 Laundry—Clothing known to be contaminated should be collected in plastic bags. Persons who convey the bags and launder the clothing should be advised of the hazard and trained in proper handling. The clothing may be put into a washer without contact if the launderer knows of the potential problem. The washer should be run through a cycle before being used again for other clothing.

5.3.10 Wipe tests—A useful method of determining cleanliness of work surfaces and tools is to wipe the surface with a piece of filter paper. Extraction and analysis by GC with an electron capture detector (ECD) can achieve a limit of detection of 0.1 μg per wipe; analysis using this method can achieve an even lower detection limit. Less than 0.1 μg per wipe indicates acceptable cleanliness; anything higher warrants further cleaning. More than 10 μg on a wipe constitutes an acute hazard and requires prompt cleaning before further use of the equipment or work space, and indicates that unacceptable work practices have been employed.

5.3.11 Table or wrist-action shaker—The use of a table or wrist-action shaker for extraction of tissues presents the possibility of breakage of the extraction bottle and spillage of acid and flammable organic solvent. A secondary containment system around the shaker is suggested to prevent the spread of acid and solvents in the event of such a breakage. The speed and intensity of shaking action should also be adjusted to minimize the possibility of breakage.

6.0 Apparatus and Materials

NOTE: Brand names, suppliers, and part numbers are for illustration purposes only and no endorsement is implied. Equivalent performance may be achieved using apparatus and materials other than those specified here. Meeting the performance requirements of this method is the responsibility of the laboratory.

6.1 Sampling Equipment for Discrete or Composite Sampling

6.1.1 Sample bottles and caps

6.1.1.1 Liquid samples (waters, sludges and similar materials containing 5% solids or less)—Sample bottle, amber glass, 1.1 L minimum, with screw cap.

6.1.1.2 Solid samples (soils, sediments, sludges, paper pulps, filter cake, compost, and similar materials that contain more than 5% solids)—Sample bottle, wide mouth, amber glass, 500 mL minimum.

6.1.1.3 If amber bottles are not available, samples shall be protected from light.

6.1.1.4 Bottle caps—Threaded to fit sample bottles. Caps shall be lined with fluoropolymer.

6.1.1.5 Cleaning

6.1.1.5.1 Bottles are detergent water washed, then solvent rinsed before use.

6.1.1.5.2 Liners are detergent water washed, rinsed with reagent water (Section 7.6.1) followed by solvent, and baked at approximately 200 °C for a minimum of 1 hour prior to use.

6.1.2 Compositing equipment—Automatic or manual compositing system incorporating glass containers cleaned per bottle cleaning procedure above. Only glass or fluoropolymer tubing shall be used. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used in the pump only. Before use, the tubing shall be thoroughly rinsed with methanol, followed by repeated rinsing with reagent water to minimize sample contamination. An integrating flow meter is used to collect proportional composite samples.

6.2 Equipment for Glassware Cleaning—Laboratory sink with overhead fume hood.

6.3 Equipment for Sample Preparation

6.3.1 Laboratory fume hood of sufficient size to contain the sample preparation equipment listed below.

6.3.2 Glove box (optional).

6.3.3 Tissue homogenizer—VirTis Model 45 Macro homogenizer (American Scientific Products H–3515, or equivalent) with stainless steel Macro-shaft and Turbo-shear blade.

6.3.4 Meat grinder—Hobart, or equivalent, with 3–5 mm holes in inner plate.

6.3.5 Equipment for determining percent moisture

6.3.5.1 Oven—Capable of maintaining a temperature of 110 ±5 °C.

6.3.5.2 Dessicator.

6.3.6 Balances

6.3.6.1 Analytical—Capable of weighing 0.1 mg.

6.3.6.2 Top loading—Capable of weighing 10 mg.

6.4 Extraction Apparatus

6.4.1 Water samples

6.4.1.1 pH meter, with combination glass electrode.

6.4.1.2 pH paper, wide range (Hydrion Papers, or equivalent).

6.4.1.3 Graduated cylinder, 1 L capacity.

6.4.1.4 Liquid/liquid extraction—Separatory funnels, 250 mL, 500 mL, and 2000 mL, with fluoropolymer stopcocks.

6.4.1.5 Solid-phase extraction

6.4.1.5.1 One liter filtration apparatus, including glass funnel, glass frit support, clamp, adapter, stopper, filtration flask, and vacuum tubing (Figure 4). For wastewater samples, the apparatus should accept 90 or 144 mm disks. For drinking water or other samples containing low solids, smaller disks may be used.

6.4.1.5.2 Vacuum source capable of maintaining 25 in. Hg, equipped with shutoff valve and vacuum gauge.

6.4.1.5.3 Glass-fiber filter—Whatman GMF 150 (or equivalent), 1 micron pore size, to fit filtration apparatus in Section 6.4.1.5.1.

6.4.1.5.4 Solid-phase extraction disk containing octadecyl (C_{18}) bonded silica uniformly enmeshed in an inert matrix—Fisher Scientific 14–378F (or equivalent), to fit filtration apparatus in Section 6.4.1.5.1.

6.4.2 Soxhlet/Dean-Stark (SDS) extractor (Figure 5)—For filters and solid/sludge samples.

6.4.2.1 Soxhlet—50 mm ID, 200 mL capacity with 500 mL flask (Cal-Glass LG–6900, or equivalent, except substitute 500 mL round-bottom flask for 300 mL flat-bottom flask).

6.4.2.2 Thimble—43 × 123 to fit Soxhlet (Cal-Glass LG–6901–122, or equivalent).

6.4.2.3 Moisture trap—Dean Stark or Barret with fluoropolymer stopcock, to fit Soxhlet.

6.4.2.4 Heating mantle—Hemispherical, to fit 500 mL round-bottom flask (Cal-Glass LG–8801–112, or equivalent).

6.4.2.5 Variable transformer—Powerstat (or equivalent), 110 volt, 10 amp.

6.4.3 Apparatus for extraction of tissue.

6.4.3.1 Bottle for extraction (if digestion/extraction using HCl is used)" 500–600 mL wide-mouth clear glass, with fluoropolymer-lined cap.

6.4.3.2 Bottle for back-extraction—100–200 mL narrow-mouth clear glass with fluoropolymer-lined cap.

6.4.3.3 Mechanical shaker—Wrist-action or platform-type rotary shaker that produces vigorous agitation (Sybron Thermolyne Model LE "Big Bill" rotator/shaker, or equivalent).

6.4.3.4 Rack attached to shaker table to permit agitation of four to nine samples simultaneously.

6.4.4 Beakers—400–500 mL.

6.4.5 Spatulas—Stainless steel.

6.5 Filtration Apparatus.

6.5.1 Pyrex glass wool—Solvent-extracted by SDS for three hours minimum.

NOTE: Baking glass wool may cause active sites that will irreversibly adsorb CDDs/CDFs.

6.5.2 Glass funnel—125–250 mL.

6.5.3 Glass-fiber filter paper—Whatman GF/D (or equivalent), to fit glass funnel in Section 6.5.2.

6.5.4 Drying column—15–20 mm ID Pyrex chromatographic column equipped with coarse-glass frit or glass-wool plug.

6.5.5 Buchner funnel—15 cm.

6.5.6 Glass-fiber filter paper—to fit Buchner funnel in Section 6.5.5.

6.5.7 Filtration flasks—1.5–2.0 L, with side arm.

6.5.8 Pressure filtration apparatus—Millipore YT30 142 HW, or equivalent.

6.6 Centrifuge Apparatus.

6.6.1 Centrifuge—Capable of rotating 500 mL centrifuge bottles or 15 mL centrifuge tubes at 5,000 rpm minimum.

6.6.2 Centrifuge bottles—500 mL, with screw-caps, to fit centrifuge.

6.6.3 Centrifuge tubes—12–15 mL, with screw-caps, to fit centrifuge.

6.7 Cleanup Apparatus.

6.7.1 Automated gel permeation chromatograph (Analytical Biochemical Labs, Inc, Columbia, MO, Model GPC Autoprep 1002, or equivalent).

6.7.1.1 Column—600–700 mm long × 25 mm ID, packed with 70 g of
SX–3 Bio-beads (Bio-Rad Laboratories, Richmond, CA, or equivalent).

6.7.1.2 Syringe—10 mL, with Luer fitting.

6.7.1.3 Syringe filter holder—stainless steel, and glass-fiber or fluoropolymer filters (Gelman 4310, or equivalent).

6.7.1.4 UV detectors—254 nm, preparative or semi-preparative flow cell (Isco, Inc., Type 6; Schmadzu, 5 mm path length; Beckman-Altex 152W, 8 µL micro-prep flow cell, 2 mm path; Pharmacia UV–1, 3 mm flow cell; LDC Milton-Roy UV–3, monitor #1203; or equivalent).

6.7.2 Reverse-phase high-performance liquid chromatograph.

6.7.2.1 Column oven and detector—Perkin-Elmer Model LC–65T (or equivalent) operated at 0.02 AUFS at 235 nm.

6.7.2.2 Injector—Rheodyne 7120 (or equivalent) with 50 µL sample loop.

6.7.2.3 Column—Two 6.2 mm × 250 mm Zorbax-ODS columns in series (DuPont Instruments Division, Wilmington, DE, or equivalent), operated at 50 °C with 2.0 mL/min methanol isocratic effluent.

6.7.2.4 Pump—Altex 110A (or equivalent).

6.7.3 Pipets.

6.7.3.1 Disposable, pasteur—150 mm long × 5-mm ID (Fisher Scientific 13–678–6A, or equivalent).

6.7.3.2 Disposable, serological—10 mL (6 mm ID).

6.7.4 Glass chromatographic columns.

6.7.4.1 150 mm long × 8-mm ID, (Kontes K–420155, or equivalent) with coarse-glass frit or glass-wool plug and 250 mL reservoir.

6.7.4.2 200 mm long × 15 mm ID, with coarse-glass frit or glass-wool plug and 250 mL reservoir.

6.7.4.3 300 mm long × 25 mm ID, with 300 mL reservoir and glass or fluoropolymer stopcock.

6.7.5 Stirring apparatus for batch silica cleanup of tissue extracts.

6.7.5.1 Mechanical stirrer—Corning Model 320, or equivalent.

6.7.5.2 Bottle—500–600 mL wide-mouth clear glass.

6.7.6 Oven—For baking and storage of adsorbents, capable of maintaining a constant temperature (±5 °C) in the range of 105–250 °C.

6.8 Concentration Apparatus.

6.8.1 Rotary evaporator—Buchi/Brinkman-American Scientific No. E5045–10 or equivalent, equipped with a variable temperature water bath.

6.8.1.1 Vacuum source for rotary evaporator equipped with shutoff valve at the evaporator and vacuum gauge.

6.8.1.2 A recirculating water pump and chiller are recommended, as use of tap water for cooling the evaporator wastes large volumes of water and can lead to inconsistent performance as water temperatures and pressures vary.

6.8.1.3 Round-bottom flask—100 mL and 500 mL or larger, with ground-glass fitting compatible with the rotary evaporator.

6.8.2 Kuderna-Danish (K–D) Concentrator.

6.8.2.1 Concentrator tube—10 mL, graduated (Kontes K–570050–1025, or equivalent) with calibration verified. Ground-glass stopper (size 19/22 joint) is used to prevent evaporation of extracts.

6.8.2.2 Evaporation flask—500 mL (Kontes K–570001–0500, or equivalent), attached to concentrator tube with springs (Kontes K–662750–0012 or equivalent).

6.8.2.3 Snyder column—Three-ball macro (Kontes K–503000–0232, or equivalent).

6.8.2.4 Boiling chips.

6.8.2.4.1 Glass or silicon carbide—Approximately 10/40 mesh, extracted with methylene chloride and baked at 450 °C for one hour minimum.

6.8.2.4.2 Fluoropolymer (optional)—Extracted with methylene chloride.

6.8.2.5 Water bath—Heated, with concentric ring cover, capable of maintaining a temperature within ±2 °C, installed in a fume hood.

6.8.3 Nitrogen blowdown apparatus—Equipped with water bath controlled in the range of 30–60 °C (N-Evap, Organomation Associates, Inc., South Berlin, MA, or equivalent), installed in a fume hood.

6.8.4 Sample vials.

6.8.4.1 Amber glass—2–5 mL with fluoropolymer-lined screw-cap.

6.8.4.2 Glass—0.3 mL, conical, with fluoropolymer-lined screw or crimp cap.

6.9 Gas Chromatograph—Shall have splitless or on-column injection port for capillary column, temperature program with isothermal hold, and shall meet all of the performance specifications in Section 10.

6.9.1 GC column for CDDs/CDFs and for isomer specificity for 2,3,7,8-TCDD—60±5 m long × 0.32±0.02 mm ID; 0.25 µm 5% phenyl, 94% methyl, 1% vinyl silicone bonded-phase fused-silica capillary column (J&W DB–5, or equivalent).

6.9.2 GC column for isomer specificity for 2,3,7,8-TCDF—30±5 m long × 0.32±0.02 mm ID; 0.25 µm bonded-phase fused-silica capillary column (J&W DB–225, or equivalent).

6.10 Mass Spectrometer—28–40 eV electron impact ionization, shall be capable of repetitively selectively monitoring 12 exact m/z's minimum at high resolution (≥10,000) during a period of approximately one second, and shall meet all of the performance specifications in Section 10.

6.11 GC/MS Interface—The mass spectrometer (MS) shall be interfaced to the GC such that the end of the capillary column terminates within 1 cm of the ion source but does not intercept the electron or ion beams.

6.12 Data System—Capable of collecting, recording, and storing MS data.

7.0 Reagents and Standards

7.1 pH Adjustment and Back-Extraction.

7.1.1 Potassium hydroxide—Dissolve 20 g reagent grade KOH in 100 mL reagent water.

7.1.2 Sulfuric acid—Reagent grade (specific gravity 1.84).

7.1.3 Hydrochloric acid—Reagent grade, 6N.

7.1.4 Sodium chloride—Reagent grade, prepare at 5% (w/v) solution in reagent water.

7.2 Solution Drying and Evaporation.

7.2.1 Solution drying—Sodium sulfate, reagent grade, granular, anhydrous (Baker 3375, or equivalent), rinsed with methylene chloride (20 mL/g), baked at 400 °C for one hour minimum, cooled in a dessicator, and stored in a pre-cleaned glass bottle with screw-cap that prevents moisture from entering. If, after heating, the sodium sulfate develops a noticeable grayish cast (due to the presence of carbon in the crystal matrix), that batch of reagent is not suitable for use and should be discarded. Extraction with methylene chloride (as opposed to simple rinsing) and baking at a lower temperature may produce sodium sulfate that is suitable for use.

7.2.2 Tissue drying—Sodium sulfate, reagent grade, powdered, treated and stored as above.

7.2.3 Prepurified nitrogen.

7.3 Extraction.

7.3.1 Solvents—Acetone, toluene, cyclohexane, hexane, methanol, methylene chloride, and nonane; distilled in glass, pesticide quality, lot-certified to be free of interferences.

7.3.2 White quartz sand, 60/70 mesh—For Soxhlet/Dean-Stark extraction (Aldrich Chemical, Cat. No. 27–437–9, or equivalent). Bake at 450 °C for four hours minimum.

7.4 GPC Calibration Solution—Prepare a solution containing 300 mg/mL corn oil, 15 mg/mL bis(2-ethylhexyl) phthalate, 1.4 mg/mL pentachlorophenol, 0.1 mg/mL perylene, and 0.5 mg/mL sulfur.

7.5 Adsorbents for Sample Cleanup.

7.5.1 Silica gel.

7.5.1.1 Activated silica gel—100–200 mesh, Supelco 1–3651 (or equivalent), rinsed with methylene chloride, baked at 180 °C for a minimum of one hour, cooled in a dessicator, and stored in a precleaned glass bottle with

screw-cap that prevents moisture from entering.

7.5.1.2 Acid silica gel (30% w/w)—Thoroughly mix 44.0 g of concentrated sulfuric acid with 100.0 g of activated silica gel in a clean container. Break up aggregates with a stirring rod until a uniform mixture is obtained. Store in a bottle with a fluoropolymer-lined screw-cap.

7.5.1.3 Basic silica gel—Thoroughly mix 30 g of 1N sodium hydroxide with 100 g of activated silica gel in a clean container. Break up aggregates with a stirring rod until a uniform mixture is obtained. Store in a bottle with a fluoropolymer-lined screw-cap.

7.5.1.4 Potassium silicate.

7.5.1.4.1 Dissolve 56 g of high purity potassium hydroxide (Aldrich, or equivalent) in 300 mL of methanol in a 750–1000 mL flat-bottom flask.

7.5.1.4.2 Add 100 g of silica gel and a stirring bar, and stir on a hot plate at 60–70 °C for one to two hours.

7.5.1.4.3 Decant the liquid and rinse the potassium silicate twice with 100 mL portions of methanol, followed by a single rinse with 100 mL of methylene chloride.

7.5.1.4.4 Spread the potassium silicate on solvent-rinsed aluminum foil and dry for two to four hours in a hood.

7.5.1.4.5 Activate overnight at 200–250 °C.

7.5.2 Alumina—Either one of two types of alumina, acid or basic, may be used in the cleanup of sample extracts, provided that the laboratory can meet the performance specifications for the recovery of labeled compounds described in Section 9.3. The same type of alumina must be used for all samples, including those used to demonstrate initial precision and recovery (Section 9.2) and ongoing precision and recovery (Section 15.5).

7.5.2.1 Acid alumina—Supelco 19996–6C (or equivalent). Activate by heating to 130 °C for a minimum of 12 hours.

7.5.2.2 Basic alumina—Supelco 19944–6C (or equivalent). Activate by heating to 600 °C for a minimum of 24 hours. Alternatively, activate by heating in a tube furnace at 650–700 °C under an air flow rate of approximately 400 cc/minute. Do not heat over 700 °C, as this can lead to reduced capacity for retaining the analytes. Store at 130 °C in a covered flask. Use within five days of baking.

7.5.3 Carbon.

7.5.3.1 Carbopak C—(Supelco 1–0258, or equivalent).

7.5.3.2 Celite 545—(Supelco 2–0199, or equivalent).

7.5.3.3 Thoroughly mix 9.0 g Carbopak C and 41.0 g Celite 545 to produce an 18% w/w mixture. Activate the mixture at 130 °C for a minimum of six hours. Store in a dessicator.

7.5.4 Anthropogenic isolation column—Pack the column in Section 6.7.4.3 from bottom to top with the following:

7.5.4.1 2 g silica gel (Section 7.5.1.1).

7.5.4.2 2 g potassium silicate (Section 7.5.1.4).

7.5.4.3 2 g granular anhydrous sodium sulfate (Section 7.2.1).

7.5.4.4 10 g acid silica gel (Section 7.5.1.2).

7.5.4.5 2 g granular anhydrous sodium sulfate.

7.5.5 Florisil column.

7.5.5.1 Florisil—60–100 mesh, Floridin Corp (or equivalent). Soxhlet extract in 500 g portions for 24 hours.

7.5.5.2 Insert a glass wool plug into the tapered end of a graduated serological pipet (Section 6.7.3.2). Pack with 1.5 g (approx 2 mL) of Florisil topped with approx 1 mL of sodium sulfate (Section 7.2.1) and a glass wool plug.

7.5.5.3 Activate in an oven at 130–150 °C for a minimum of 24 hours and cool for 30 minutes. Use within 90 minutes of cooling.

7.6 Reference Matrices—Matrices in which the CDDs/CDFs and interfering compounds are not detected by this method.

7.6.1 Reagent water—Bottled water purchased locally, or prepared by passage through activated carbon.

7.6.2 High-solids reference matrix—Playground sand or similar material. Prepared by extraction with methylene chloride and/or baking at 450 °C for a minimum of four hours.

7.6.3 Paper reference matrix—Glass-fiber filter, Gelman Type A, or equivalent. Cut paper to simulate the surface area of the paper sample being tested.

7.6.4 Tissue reference matrix—Corn or other vegetable oil. May be prepared by extraction with methylene chloride.

7.6.5 Other matrices—This method may be verified on any reference matrix by performing the tests given in Section 9.2. Ideally, the matrix should be free of the CDDs/CDFs, but in no case shall the background level of the CDDs/CDFs in the reference matrix exceed three times the minimum levels in Table 2. If low background levels of the CDDs/CDFs are present in the reference matrix, the spike level of the analytes used in Section 9.2 should be increased to provide a spike-to-background ratio in the range of 1:1 to 5:1 (Reference 15).

7.7 Standard Solutions—Purchased as solutions or mixtures with certification to their purity, concentration, and authenticity, or prepared from materials of known purity and composition. If the chemical purity is 98% or greater, the weight may be used without correction to compute the concentration of the standard. When not being used, standards are stored in the dark at room temperature in screw-capped vials with fluoropolymer-lined caps. A mark is placed on the vial at the level of the solution so that solvent loss by evaporation can be detected. If solvent loss has occurred, the solution should be replaced.

7.8 Stock Solutions.

7.8.1 Preparation—Prepare in nonane per the steps below or purchase as dilute solutions (Cambridge Isotope Laboratories (CIL), Woburn, MA, or equivalent). Observe the safety precautions in Section 5, and the recommendation in Section 5.1.2.

7.8.2 Dissolve an appropriate amount of assayed reference material in solvent. For example, weigh 1–2 mg of 2,3,7,8-TCDD to three significant figures in a 10 mL ground-glass-stoppered volumetric flask and fill to the mark with nonane. After the TCDD is completely dissolved, transfer the solution to a clean 15 mL vial with fluoropolymer-lined cap.

7.8.3 Stock standard solutions should be checked for signs of degradation prior to the preparation of calibration or performance test standards. Reference standards that can be used to determine the accuracy of calibration standards are available from CIL and may be available from other vendors.

7.9 PAR Stock Solution

7.9.1 All CDDs/CDFs—Using the solutions in Section 7.8, prepare the PAR stock solution to contain the CDDs/CDFs at the concentrations shown in Table 3. When diluted, the solution will become the PAR (Section 7.14).

7.9.2 If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, prepare the PAR stock solution to contain these compounds only.

7.10 Labeled-Compound Spiking Solution.

7.10.1 All CDDs/CDFs—From stock solutions, or from purchased mixtures, prepare this solution to contain the labeled compounds in nonane at the concentrations shown in Table 3. This solution is diluted with acetone prior to use (Section 7.10.3).

7.10.2 If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, prepare the labeled-compound solution to contain these compounds only. This solution is diluted with acetone prior to use (Section 7.10.3).

7.10.3 Dilute a sufficient volume of the labeled compound solution (Section 7.10.1 or 7.10.2) by a factor of 50 with acetone to prepare a diluted spiking solution. Each sample requires 1.0 mL of the diluted solution, but no more solution should be prepared than can be used in one day.

7.11 Cleanup Standard—Prepare $^{37}Cl^{4}$-2,3,7,8-TCDD in nonane at the concentration shown in Table 3. The cleanup standard is added to all extracts prior to cleanup to measure the efficiency of the cleanup process.

7.12 Internal Standard(s).

7.12.1 All CDDs/CDFs—Prepare the internal standard solution to contain $^{13}C^{12}$-1,2,3,4-TCDD and $^{13}C^{2}$-1,2,3,7,8,9-HxCDD in nonane at the concentration shown in Table 3.

7.12.2 If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, prepare the internal standard solution to contain $^{13}C_{12}$–1,2,3,4-TCDD only.

7.13 Calibration Standards (CS1 through CS5)—Combine the solutions in Sections 7.9 through 7.12 to produce the five calibration solutions shown in Table 4 in nonane. These solutions permit the relative response (labeled to native) and response factor to be measured as a function of concentration. The CS3 standard is used for calibration verification (VER). If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, combine the solutions appropriate to these compounds.

7.14 Precision and Recovery (PAR) Standard—Used for determination of initial (Section 9.2) and ongoing (Section 15.5) precision and recovery. Dilute 10 µL of the precision and recovery standard (Section 7.9.1 or 7.9.2) to 2.0 mL with acetone for each sample matrix for each sample batch. One mL each are required for the blank and OPR with each matrix in each batch.

7.15 GC Retention Time Window Defining Solution and Isomer Specificity Test Standard—Used to define the beginning and ending retention times for the dioxin and furan isomers and to demonstrate isomer specificity of the GC columns employed for determination of 2,3,7,8-TCDD and 2,3,7,8-TCDF. The standard must contain the compounds listed in Table 5 (CIL EDF—4006, or equivalent), at a minimum. It is not necessary to monitor the window-defining compounds if only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined. In this case, an isomer-specificity test standard containing the most closely eluted isomers listed in Table 5 (CIL EDF-4033, or equivalent) may be used.

7.16 QC Check Sample—A QC Check Sample should be obtained from a source independent of the calibration standards. Ideally, this check sample would be a certified reference material containing the CDDs/CDFs in known concentrations in a sample matrix similar to the matrix under test.

7.17 Stability of Solutions—Standard solutions used for quantitative purposes (Sections 7.9 through 7.15) should be analyzed periodically, and should be assayed against reference standards (Section 7.8.3) before further use.

8.0 Sample Collection, Preservation, Storage, and Holding Times

8.1 Collect samples in amber glass containers following conventional sampling practices (Reference 16). Aqueous samples that flow freely are collected in refrigerated bottles using automatic sampling equipment. Solid samples are collected as grab samples using wide-mouth jars.

8.2 Maintain aqueous samples in the dark at 0–4 °C from the time of collection until receipt at the laboratory. If residual chlorine is present in aqueous samples, add 80 mg sodium thiosulfate per liter of water. EPA

Methods 330.4 and 330.5 may be used to measure residual chlorine (Reference 17). If sample pH is greater than 9, adjust to pH 7–9 with sulfuric acid.

Maintain solid, semi-solid, oily, and mixed-phase samples in the dark at <4 °C from the time of collection until receipt at the laboratory.

Store aqueous samples in the dark at 0–4 °C. Store solid, semi-solid, oily, mixed-phase, and tissue samples in the dark at <−10 °C.

8.3 Fish and Tissue Samples.

8.3.1 Fish may be cleaned, filleted, or processed in other ways in the field, such that the laboratory may expect to receive whole fish, fish fillets, or other tissues for analysis.

8.3.2 Fish collected in the field should be wrapped in aluminum foil, and must be maintained at a temperature less than 4 °C from the time of collection until receipt at the laboratory.

8.3.3 Samples must be frozen upon receipt at the laboratory and maintained in the dark at <−10 °C until prepared. Maintain unused sample in the dark at <−10 °C.

8.4 Holding Times.

8.4.1 There are no demonstrated maximum holding times associated with CDDs/CDFs in aqueous, solid, semi-solid, tissues, or other sample matrices. If stored in the dark at 0–4 °C and preserved as given above (if required), aqueous samples may be stored for up to one year. Similarly, if stored in the dark at <−10 °C, solid, semi-solid, multiphase, and tissue samples may be stored for up to one year.

8.4.2 Store sample extracts in the dark at <−10 °C until analyzed. If stored in the dark at <−10 °C, sample extracts may be stored for up to one year.

9.0 Quality Assurance/Quality Control

9.1 Each laboratory that uses this method is required to operate a formal quality assurance program (Reference 18). The minimum requirements of this program consist of an initial demonstration of laboratory capability, analysis of samples spiked with labeled compounds to evaluate and document data quality, and analysis of standards and blanks as tests of continued performance. Laboratory performance is compared to established performance criteria to determine if the results of analyses meet the performance characteristics of the method.

If the method is to be applied to sample matrix other than water (e.g., soils, filter cake, compost, tissue) the most appropriate alternate matrix (Sections 7.6.2 through 7.6.5) is substituted for the reagent water matrix (Section 7.6.1) in all performance tests.

9.1.1 The analyst shall make an initial demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 9.2.

9.1.2 In recognition of advances that are occurring in analytical technology, and to allow the analyst to overcome sample matrix interferences, the analyst is permitted certain options to improve separations or lower the costs of measurements. These options include alternate extraction, concentration, cleanup procedures, and changes in columns and detectors. Alternate determinative techniques, such as the substitution of spectroscopic or immuno-assay techniques, and changes that degrade method performance, are not allowed. If an analytical technique other than the techniques specified in this method is used, that technique must have a specificity equal to or better than the specificity of the techniques in this method for the analytes of interest.

9.1.2.1 Each time a modification is made to this method, the analyst is required to repeat the procedure in Section 9.2. If the detection limit of the method will be affected by the change, the laboratory is required to demonstrate that the MDL (40 CFR Part 136, Appendix B) is lower than one-third the regulatory compliance level or one-third the ML in this method, whichever is higher. If calibration will be affected by the change, the analyst must recalibrate the instrument per Section 10.

9.1.2.2 The laboratory is required to maintain records of modifications made to this method. These records include the following, at a minimum:

9.1.2.2.1 The names, titles, addresses, and telephone numbers of the analyst(s) who performed the analyses and modification, and of the quality control officer who witnessed and will verify the analyses and modifications.

9.1.2.2.2 A listing of pollutant(s) measured, by name and CAS Registry number.

9.1.2.2.3 A narrative stating reason(s) for the modifications.

9.1.2.2.4 Results from all quality control (QC) tests comparing the modified method to this method, including:

(a) Calibration (Section 10.5 through 10.7).

(b) Calibration verification (Section 15.3).

(c) Initial precision and recovery (Section 9.2).

(d) Labeled compound recovery (Section 9.3).

(e) Analysis of blanks (Section 9.5).

(f) Accuracy assessment (Section 9.4).

9.1.2.2.5 Data that will allow an independent reviewer to validate each determination by tracing the instrument output (peak height, area, or other signal) to the final result. These data are to include:

(a) Sample numbers and other identifiers.

(b) Extraction dates.

(c) Analysis dates and times.

(d) Analysis sequence/run chronology.

(e) Sample weight or volume (Section 11).

(f) Extract volume prior to each cleanup step (Section 13).

(g) Extract volume after each cleanup step (Section 13).

(h) Final extract volume prior to injection (Section 14).

(i) Injection volume (Section 14.3).

(j) Dilution data, differentiating between dilution of a sample or extract (Section 17.5).

(k) Instrument and operating conditions.

(l) Column (dimensions, liquid phase, solid support, film thickness, etc).

(m) Operating conditions (temperatures, temperature program, flow rates).

(n) Detector (type, operating conditions, etc).

(o) Chromatograms, printer tapes, and other recordings of raw data.

(p) Quantitation reports, data system outputs, and other data to link the raw data to the results reported.

9.1.3 Analyses of method blanks are required to demonstrate freedom from contamination (Section 4.3). The procedures and criteria for analysis of a method blank are described in Sections 9.5 and 15.6.

9.1.4 The laboratory shall spike all samples with labeled compounds to monitor method performance. This test is described in Section 9.3. When results of these spikes indicate atypical method performance for samples, the samples are diluted to bring method performance within acceptable limits. Procedures for dilution are given in Section 17.5.

9.1.5 The laboratory shall, on an ongoing basis, demonstrate through calibration verification and the analysis of the ongoing precision and recovery aliquot that the analytical system is in control. These procedures are described in Sections 15.1 through 15.5.

9.1.6 The laboratory shall maintain records to define the quality of data that is generated. Development of accuracy statements is described in Section 9.4.

9.2 Initial Precision and Recovery (IPR)—To establish the ability to generate acceptable precision and recovery, the analyst shall perform the following operations.

9.2.1 For low solids (aqueous) samples, extract, concentrate, and analyze four 1 L aliquots of reagent water spiked with the diluted labeled compound spiking solution (Section 7.10.3) and the precision and recovery standard (Section 7.14) according to the procedures in Sections 11 through 18. For an alternative sample matrix, four aliquots of the alternative reference matrix (Section 7.6) are used. All sample processing steps that are to be used for processing samples, including preparation (Section 11), extraction (Section 12), and cleanup (Section 13), shall be included in this test.

9.2.2 Using results of the set of four analyses, compute the average concentration (X) of the extracts in ng/mL and the standard deviation of the concentration (s) in ng/mL for each compound, by isotope dilution for CDDs/CDFs with a labeled analog, and by internal standard for 1,2,3,7,8,9-HxCDD, OCDF, and the labeled compounds.

9.2.3 For each CDD/CDF and labeled compound, compare s and X with the corresponding limits for initial precision and recovery in Table 6. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, compare s and X with the corresponding limits for initial precision and recovery in Table 6a. If s and X for all compounds meet the acceptance criteria, system performance is acceptable and analysis of blanks and samples may begin. If, however, any individual s exceeds the precision limit or any individual X falls outside the range for accuracy, system performance is unacceptable for that compound. Correct the problem and repeat the test (Section 9.2).

9.3 The laboratory shall spike all samples with the diluted labeled compound spiking solution (Section 7.10.3) to assess method performance on the sample matrix.

9.3.1 Analyze each sample according to the procedures in Sections 11 through 18.

9.3.2 Compute the percent recovery of the labeled compounds and the cleanup standard using the internal standard method (Section 17.2).

9.3.3 The recovery of each labeled compound must be within the limits in Table 7 when all 2,3,7,8-substituted CDDs/CDFs are determined, and within the limits in Table 7a when only 2,3,7,8-TCDD and 2,3,7,8-TCDF are determined. If the recovery of any compound falls outside of these limits, method performance is unacceptable for that compound in that sample. To overcome such difficulties, water samples are diluted and smaller amounts of soils, sludges, sediments, and other matrices are reanalyzed per Section 18.4.

9.4 Recovery of labeled compounds from samples should be assessed and records should be maintained.

9.4.1 After the analysis of five samples of a given matrix type (water, soil, sludge, pulp, etc.) for which the labeled compounds pass the tests in Section 9.3, compute the average percent recovery (R) and the standard deviation of the percent recovery (SR) for the labeled compounds only. Express the assessment as a percent recovery interval from $R-2S_R$ to $R=2S_R$ for each matrix. For example, if R = 90% and S_R = 10% for five analyses of pulp, the recovery interval is expressed as 70–110%.

9.4.2 Update the accuracy assessment for each labeled compound in each matrix on a regular basis (e.g., after each 5–10 new measurements).

9.5 Method Blanks—Reference matrix method blanks are analyzed to demonstrate freedom from contamination (Section 4.3).

9.5.1 Prepare, extract, clean up, and concentrate a method blank with each sample batch (samples of the same matrix started through the extraction process on the same 12-hour shift, to a maximum of 20 samples). The matrix for the method blank shall be similar to sample matrix for the batch, e.g., a 1 L reagent water blank (Section 7.6.1), high-solids reference matrix blank (Section 7.6.2), paper matrix blank (Section 7.6.3); tissue blank (Section 7.6.4) or alternative reference matrix blank (Section 7.6.5). Analyze the blank immediately after analysis of the OPR (Section 15.5) to demonstrate freedom from contamination.

9.5.2 If any 2,3,7,8-substituted CDD/CDF (Table 1) is found in the blank at greater than the minimum level (Table 2) or one-third the regulatory compliance level, whichever is greater; or if any potentially interfering compound is found in the blank at the minimum level for each level of chlorination given in Table 2 (assuming a response factor of 1 relative to the $^{13}C_{12}$-1,2,3,4-TCDD internal standard for compounds not listed in Table 1), analysis of samples is halted until the blank associated with the sample batch shows no evidence of contamination at this level. All samples must be associated with an uncontaminated method blank before the results for those samples may be reported for regulatory compliance purposes.

9.6 QC Check Sample—Analyze the QC Check Sample (Section 7.16) periodically to assure the accuracy of calibration standards and the overall reliability of the analytical process. It is suggested that the QC Check Sample be analyzed at least quarterly.

9.7 The specifications contained in this method can be met if the apparatus used is calibrated properly and then maintained in a calibrated state. The standards used for calibration (Section 10), calibration verification (Section 15.3), and for initial (Section 9.2) and ongoing (Section 15.5) precision and recovery should be identical, so that the most precise results will be obtained. A GC/MS instrument will provide the most reproducible results if dedicated to the settings and conditions required for the analyses of CDDs/CDFs by this method.

9.8 Depending on specific program requirements, field replicates may be collected to determine the precision of the sampling technique, and spiked samples may be required to determine the accuracy of the analysis when the internal standard method is used.

10.0 Calibration

10.1 Establish the operating conditions necessary to meet the minimum retention times for the internal standards in Section 10.2.4 and the relative retention times for the CDDs/CDFs in Table 2.

10.1.1 Suggested GC operating conditions:

Injector temperature: 270 °C
Interface temperature: 290 °C
Initial temperature: 200 °C
Initial time: Two minutes
Temperature program:
200–220 °C, at 5 °C/minute
220 °C for 16 minutes
220–235 °C, at 5 °C/minute
235 °C for seven minutes
235–330 °C, at 5 °C/minute

NOTE: All portions of the column that connect the GC to the ion source shall remain at or above the interface temperature specified above during analysis to preclude condensation of less volatile compounds.

Optimize GC conditions for compound separation and sensitivity. Once optimized, the same GC conditions must be used for the analysis of all standards, blanks, IPR and OPR aliquots, and samples.

10.1.2 Mass spectrometer (MS) resolution—Obtain a selected ion current profile (SICP) of each analyte in Table 3 at the two exact m/z's specified in Table 8 and at ≥10,000 resolving power by injecting an authentic standard of the CDDs/CDFs either singly or as part of a mixture in which there is no interference between closely eluted components.

10.1.2.1 The analysis time for CDDs/CDFs may exceed the long-term mass stability of the mass spectrometer. Because the instrument is operated in the high-resolution mode, mass drifts of a few ppm (e.g., 5 ppm in mass) can have serious adverse effects on instrument performance. Therefore, a mass-drift correction is mandatory and a lock-mass m/z from PFK is used for drift correction. The lock-mass m/z is dependent on the exact m/z's monitored within each descriptor, as shown in Table 8. The level of PFK metered into the HRMS during analyses should be adjusted so that the amplitude of the most intense selected lock-mass m/z signal (regardless of the descriptor number) does not exceed 10% of the full-scale deflection for a given set of detector parameters. Under those conditions, sensitivity changes that might occur during the analysis can be more effectively monitored.

NOTE: Excessive PFK (or any other reference substance) may cause noise problems and contamination of the ion source necessitating increased frequency of source cleaning.

10.1.2.2 If the HRMS has the capability to monitor resolution during the analysis, it is acceptable to terminate the analysis when the resolution falls below 10,000 to save reanalysis time.

10.1.2.3 Using a PFK molecular leak, tune the instrument to meet the minimum required resolving power of 10,000 (10% valley) at m/z 304.9824 (PFK) or any other reference signal close to m/z 304 (from TCDF). For each

descriptor (Table 8), monitor and record the resolution and exact m/z's of three to five reference peaks covering the mass range of the descriptor. The resolution must be greater than or equal to 10,000, and the deviation between the exact m/z and the theoretical m/z (Table 8) for each exact m/z monitored must be less than 5 ppm.

10.2 Ion Abundance Ratios, Minimum Levels, Signal-to-Noise Ratios, and Absolute Retention Times—Choose an injection volume of either 1 µL or 2 µL, consistent with the capability of the HRGC/HRMS instrument. Inject a 1 µL or 2 µL aliquot of the CS1 calibration solution (Table 4) using the GC conditions from Section 10.1.1. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, the operating conditions and specifications below apply to analysis of those compounds only.

10.2.1 Measure the SICP areas for each analyte, and compute the ion abundance ratios at the exact m/z's specified in Table 8. Compare the computed ratio to the theoretical ratio given in Table 9.

10.2.1.1 The exact m/z's to be monitored in each descriptor are shown in Table 8. Each group or descriptor shall be monitored in succession as a function of GC retention time to ensure that all CDDs/CDFs are detected. Additional m/z's may be monitored in each descriptor, and the m/z's may be divided among more than the five descriptors listed in Table 8, provided that the laboratory is able to monitor the m/z's of all the CDDs/CDFs that may elute from the GC in a given retention-time window. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, the descriptors may be modified to include only the exact m/z's for the tetra-and penta-isomers, the diphenyl ethers, and the lock m/z's.

10.2.1.2 The mass spectrometer shall be operated in a mass-drift correction mode, using perfluorokerosene (PFK) to provide lock m/z's. The lock-mass for each group of m/z's is shown in Table 8. Each lock mass shall be monitored and shall not vary by more than ±20% throughout its respective retention time window. Variations of the lock mass by more than 20% indicate the presence of coeluting interferences that may significantly reduce the sensitivity of the mass spectrometer. Reinjection of another aliquot of the sample extract will not resolve the problem. Additional cleanup of the extract may be required to remove the interferences.

10.2.2 All CDDs/CDFs and labeled compounds in the CS1 standard shall be within the QC limits in Table 9 for their respective ion abundance ratios; otherwise, the mass spectrometer shall be adjusted and this test repeated until the m/z ratios fall within the limits specified. If the adjustment alters the resolution of the mass spectrometer, resolution shall be verified (Section 10.1.2) prior to repeat of the test.

10.2.3 Verify that the HRGC/HRMS instrument meets the minimum levels in Table 2. The peaks representing the CDDs/CDFs and labeled compounds in the CS1 calibration standard must have signal-to-noise ratios (S/N) greater than or equal to 10.0. Otherwise, the mass spectrometer shall be adjusted and this test repeated until the minimum levels in Table 2 are met.

10.2.4 The absolute retention time of $^{13}C_{12}$-1,2,3,4–TCDD (Section 7.12) shall exceed 25.0 minutes on the DB–5 column, and the retention time of $^{13}C_{12}$-1,2,3,4–TCDD shall exceed 15.0 minutes on the DB–225 column; otherwise, the GC temperature program shall be adjusted and this test repeated until the above-stated minimum retention time criteria are met.

2010.3 Retention-Time Windows—Analyze the window defining mixtures (Section 7.15) using the optimized temperature program in Section 10.1. Table 5 gives the elution order (first/last) of the window-defining compounds. If 2,3,7,8-TCDD and 2,3,7,8-TCDF only are to be analyzed, this test is not required.

10.4 Isomer Specificity.

10.4.1 Analyze the isomer specificity test standards (Section 7.15) using the procedure in Section 14 and the optimized conditions for sample analysis (Section 10.1.1).

10.4.2 Compute the percent valley between the GC peaks that elute most closely to the 2,3,7,8-TCDD and TCDF isomers, on their respective columns, per Figures 6 and 7.

10.4.3 Verify that the height of the valley between the most closely eluted isomers and the 2,3,7,8-substituted isomers is less than 25% (computed as 100 x/y in Figures 6 and 7). If the valley exceeds 25%, adjust the analytical conditions and repeat the test or replace the GC column and recalibrate (Sections 10.1.2 through 10.7).

10.5 Calibration by Isotope Dilution—Isotope dilution calibration is used for the 15 2,3,7,8-substituted CDDs/CDFs for which labeled compounds are added to samples prior to extraction. The reference compound for each CDD/CDF compound is shown in Table 2.

10.5.1 A calibration curve encompassing the concentration range is prepared for each compound to be determined. The relative response (RR) (labeled to native) vs. concentration in standard solutions is plotted or computed using a linear regression. Relative response is determined according to the procedures described below. Five calibration points are employed.

10.5.2 The response of each CDD/CDF relative to its labeled analog is determined using the area responses of both the primary and secondary exact m/z's specified in Table 8, for each calibration standard, as follows:

$$RR = \frac{(A1_n + A2_n)C_l}{(A1_l + A2_l)C_n}$$

where:

$A1_n$ and $A2_n$ = The areas of the primary and secondary m/z's for the CDD/CDF.

$A1_l$ and $A2_l$ = The areas of the primary and secondary m/z's for the labeled compound.

C_l = The concentration of the labeled compound in the calibration standard (Table 4).

C_n = The concentration of the native compound in the calibration standard (Table 4).

10.5.3 To calibrate the analytical system by isotope dilution, inject a volume of calibration standards CS1 through CS5 (Section 7.13 and Table 4) identical to the volume chosen in Section 10.2, using the procedure in Section 14 and the conditions in Section 10.1.1 and Table 2. Compute the relative response (RR) at each concentration.

10.5.4 Linearity—If the relative response for any compound is constant (less than 20% coefficient of variation) over the five-point calibration range, an averaged relative response may be used for that compound; otherwise, the complete calibration curve for that compound shall be used over the five-point calibration range.

10.6 Calibration by Internal Standard—The internal standard method is applied to determination of 1,2,3,7,8,9-HxCDD (Section 17.1.2), OCDF (Section 17.1.1), the non 2,3,7,8-substituted compounds, and to the determination of labeled compounds for intralaboratory statistics (Sections 9.4 and 15.5.4).

10.6.1 Response factors—Calibration requires the determination of response factors (RF) defined by the following equation:

$$RF = \frac{(A1_s + A2_s)C_{is}}{(A1_{is} + A2_{is})C_s}$$

where:

$A1_s$ and $A2_s$ = The areas of the primary and secondary m/z's for the CDD/CDF.

$A1_{is}$ and $A2_{is}$ = The areas of the primary and secondary m/z's for the internal standard.

C_{is} = The concentration of the internal standard (Table 4).

C_s = The concentration of the compound in the calibration standard (Table 4).

NOTE: There is only one m/z for $^{37}Cl_4$-2,3,7,8-TCDD. See Table 8.

10.6.2 To calibrate the analytical system by internal standard, inject 1.0 μL or 2.0 μL of calibration standards CS1 through CS5 (Section 7.13 and Table 4) using the procedure in Section 14 and the conditions in Section 10.1.1 and Table 2. Compute the response factor (RF) at each concentration.

10.6.3 Linearity—If the response factor (RF) for any compound is constant (less than 35% coefficient of variation) over the five-point calibration range, an averaged response factor may be used for that compound; otherwise, the complete calibration curve for that compound shall be used over the five-point range.

10.7 Combined Calibration—By using calibration solutions (Section 7.13 and Table 4) containing the CDDs/CDFs and labeled compounds and the internal standards, a single set of analyses can be used to produce calibration curves for the isotope dilution and internal standard methods. These curves are verified each shift (Section 15.3) by analyzing the calibration verification standard (VER, Table 4). Recalibration is required if any of the calibration verification criteria (Section 15.3) cannot be met.

10.8 Data Storage—MS data shall be collected, recorded, and stored.

10.8.1 Data acquisition—The signal at each exact m/z shall be collected repetitively throughout the monitoring period and stored on a mass storage device.

10.8.2 Response factors and multipoint calibrations—The data system shall be used to record and maintain lists of response factors (response ratios for isotope dilution) and multipoint calibration curves. Computations of relative standard deviation (coefficient of variation) shall be used to test calibration linearity. Statistics on initial performance (Section 9.2) and ongoing performance (Section 15.5) should be computed and maintained, either on the instrument data system, or on a separate computer system.

11.0 Sample Preparation

11.1 Sample preparation involves modifying the physical form of the sample so that the CDDs/CDFs can be extracted efficiently. In general, the samples must be in a liquid form or in the form of finely divided solids in order for efficient extraction to take place. Table 10 lists the phases and suggested quantities for extraction of various sample matrices.

For samples known or expected to contain high levels of the CDDs/CDFs, the smallest sample size representative of the entire sample should be used (see Section 17.5).

For all samples, the blank and IPR/OPR aliquots must be processed through the same steps as the sample to check for contamination and losses in the preparation processes.

11.1.1 For samples that contain particles, percent solids and particle size are determined using the procedures in Sections 11.2 and 11.3, respectively.

11.1.2 Aqueous samples—Because CDDs/CDFs may be bound to suspended particles, the preparation of aqueous samples is dependent on the solids content of the sample.

11.1.2.1 Aqueous samples visibly absent particles are prepared per Section 11.4 and extracted directly using the separatory funnel or SPE techniques in Sections 12.1 or 12.2, respectively.

11.1.2.2 Aqueous samples containing visible particles and containing one percent suspended solids or less are prepared using the procedure in Section 11.4. After preparation, the sample is extracted directly using the SPE technique in 12.2 or filtered per Section 11.4.3. After filtration, the particles and filter are extracted using the SDS procedure in Section 12.3 and the filtrate is extracted using the separatory funnel procedure in Section 12.1.

11.1.2.3 For aqueous samples containing greater than one percent solids, a sample aliquot sufficient to provide 10 g of dry solids is used, as described in Section 11.5.

11.1.3 Solid samples are prepared using the procedure described in Section 11.5 followed by extraction via the SDS procedure in Section 12.3.

11.1.4 Multiphase samples—The phase(s) containing the CDDs/CDFs is separated from the non-CDD/CDF phase using pressure filtration and centrifugation, as described in Section 11.6. The CDDs/CDFs will be in the organic phase in a multiphase sample in which an organic phase exists.

11.1.5 Procedures for grinding, homogenization, and blending of various sample phases are given in Section 11.7.

11.1.6 Tissue samples—Preparation procedures for fish and other tissues are given in Section 11.8.

11.2 Determination of Percent Suspended Solids.

NOTE: This aliquot is used for determining the solids content of the sample, not for determination of CDDs/CDFs.

11.2.1 Aqueous liquids and multi-phase samples consisting of mainly an aqueous phase.

11.2.1.1 Dessicate and weigh a GF/D filter (Section 6.5.3) to three significant figures.

11.2.1.2 Filter 10.0±0.02 mL of well-mixed sample through the filter.

11.2.1.3 Dry the filter a minimum of 12 hours at 110±5 °C and cool in a dessicator.

11.2.1.4 Calculate percent solids as follows:

$$\%\ \text{solids} = \frac{\text{weight of sample aliquot after drying (g)} - \text{weight of filter (g)}}{10\ \text{g}} \times 100$$

11.2.2 Non-aqueous liquids, solids, semi-solid samples, and multi-phase samples in which the main phase is not aqueous; but not tissues.

11.2.2.1 Weigh 5–10 g of sample to three significant figures in a tared beaker.

11.2.2.2 Dry a minimum of 12 hours at 110±5 °C, and cool in a dessicator.

11.2.2.3 Calculate percent solids as follows:

$$\%\ \text{solids} = \frac{\text{weight of sample aliquot after drying}}{\text{weight of sample aliquot before drying}} \times 100$$

11.3 Determination of Particle Size.

11.3.1 Spread the dried sample from Section 11.2.2.2 on a piece of filter paper or aluminum foil in a fume hood or glove box.

11.3.2 Estimate the size of the particles in the sample. If the size of the largest particles is greater than 1 mm, the particle size must be reduced to 1 mm or less prior to extraction using the procedures in Section 11.7.

11.4 Preparation of Aqueous Samples Containing 1% Suspended Solids or Less.

11.4.1 Aqueous samples visibly absent particles are prepared per the procedure below and extracted directly using the separatory funnel or SPE techniques in Sections 12.1 or 12.2, respectively. Aqueous samples containing visible particles and one percent suspended solids or less are prepared using the procedure below and extracted using either the SPE technique in Section 12.2 or further prepared using the filtration procedure in Section 11.4.3. The filtration procedure is followed by SDS extraction of the filter and particles (Section 12.3) and separatory funnel extraction of the filtrate (Section 12.1). The SPE procedure is followed by SDS extraction of the filter and disk.

11.4.2 Preparation of sample and QC aliquots.

11.4.2.1 Mark the original level of the sample on the sample bottle for reference. Weigh the sample plus bottle to ± 1.

11.4.2.2 Spike 1.0 mL of the diluted labeled-compound spiking solution (Section 7.10.3) into the sample bottle. Cap the bottle and mix the sample by careful shaking. Allow the sample to equilibrate for one to two hours, with occasional shaking.

11.4.2.3 For each sample or sample batch (to a maximum of 20 samples) to be extracted during the same 12-hour shift, place two 1.0 L aliquots of reagent water in clean sample bottles or flasks.

11.4.2.4 Spike 1.0 mL of the diluted labeled-compound spiking solution (Section 7.10.3) into both reagent water aliquots. One of these aliquots will serve as the method blank.

11.4.2.5 Spike 1.0 mL of the PAR standard (Section 7.14) into the remaining reagent water aliquot. This aliquot will serve as the OPR (Section 15.5).

11.4.2.6 If SPE is to be used, add 5 mL of methanol to the sample, cap and shake the sample to mix thoroughly, and proceed to Section 12.2 for extraction. If SPE is not to be used, and the sample is visibly absent particles, proceed to Section 12.1 for extraction. If SPE is not to be used and the sample contains visible particles, proceed to the following section for filtration of particles.

11.4.3 Filtration of particles.

11.4.3.1 Assemble a Buchner funnel (Section 6.5.5) on top of a clean filtration flask. Apply vacuum to the flask, and pour the entire contents of the sample bottle through a glass-fiber filter (Section 6.5.6) in the Buchner funnel, swirling the sample remaining in the bottle to suspend any particles.

11.4.3.2 Rinse the sample bottle twice with approximately 5 mL portions of reagent water to transfer any remaining particles onto the filter.

11.4.3.3 Rinse any particles off the sides of the Buchner funnel with small quantities of reagent water.

11.4.3.4 Weigh the empty sample bottle to ±1 g. Determine the weight of the sample by difference. Save the bottle for further use.

11.4.3.5 Extract the filtrate using the separatory funnel procedure in Section 12.1.

11.4.3.6 Extract the filter containing the particles using the SDS procedure in Section 12.3.

11.5 Preparation of Samples Containing Greater Than 1% Solids.

11.5.1 Weigh a well-mixed aliquot of each sample (of the same matrix type) sufficient to provide 10 g of dry solids (based on the solids determination in Section 11.2) into a clean beaker or glass jar.

11.5.2 Spike 1.0 mL of the diluted labeled compound spiking solution (Section 7.10.3) into the sample.

11.5.3 For each sample or sample batch (to a maximum of 20 samples) to be extracted during the same 12-hour shift, weigh two 10 g aliquots of the appropriate reference matrix (Section 7.6) into clean beakers or glass jars.

11.5.4 Spike 1.0 mL of the diluted labeled compound spiking solution (Section 7.10.3) into each reference matrix aliquot. One aliquot will serve as the method blank. Spike 1.0 mL of the PAR standard (Section 7.14) into the other reference matrix aliquot. This aliquot will serve as the OPR (Section 15.5).

11.5.5 Stir or tumble and equilibrate the aliquots for one to two hours.

11.5.6 Decant excess water. If necessary to remove water, filter the sample through a glass-fiber filter and discard the aqueous liquid.

11.5.7 If particles >1mm are present in the sample (as determined in Section 11.3.2), spread the sample on clean aluminum foil in a hood. After the sample is dry, grind to reduce the particle size (Section 11.7).

11.5.8 Extract the sample and QC aliquots using the SDS procedure in Section 12.3.

11.6 Multiphase Samples.

11.6.1 Using the percent solids determined in Section 11.2.1 or 11.2.2, determine the volume of sample that will provide 10 g of solids, up to 1 L of sample.

11.6.2 Pressure filter the amount of sample determined in Section 11.6.1 through Whatman GF/D glass-fiber filter paper (Section 6.5.3). Pressure filter the blank and OPR aliquots through GF/D papers also. If necessary to separate the phases and/or settle the solids, centrifuge these aliquots prior to filtration.

11.6.3 Discard any aqueous phase (if present). Remove any non-aqueous liquid present and reserve the maximum amount filtered from the sample (Section 11.6.1) or 10 g, whichever is less, for combination with the solid phase (Section 12.3.5).

11.6.4 If particles >1mm are present in the sample (as determined in Section 11.3.2) and the sample is capable of being dried, spread the sample and QC aliquots on clean aluminum foil in a hood. After the aliquots are dry or if the sample cannot be dried, reduce the particle size using the procedures in Section 11.7 and extract the reduced particles using the SDS procedure in Section 12.3. If particles >1mm are not present, extract the particles and filter in the sample and QC aliquots directly using the SDS procedure in Section 12.3.

11.7 Sample grinding, homogenization, or blending—Samples with particle sizes greater than 1 mm (as determined in Section 11.3.2) are subjected to grinding, homogenization, or blending. The method of reducing particle size to less than 1 mm is matrix-dependent. In general, hard particles can be reduced by grinding with a mortar and pestle. Softer particles can be reduced by grinding in a Wiley mill or meat grinder, by homogenization, or in a blender.

11.7.1 Each size-reducing preparation procedure on each matrix shall be verified by running the tests in Section 9.2 before the procedure is employed routinely.

11.7.2 The grinding, homogenization, or blending procedures shall be carried out in a glove box or fume hood to prevent particles from contaminating the work environment.

11.7.3 Grinding—Certain papers and pulps, slurries, and amorphous solids can be ground in a Wiley mill or heavy duty meat grinder. In some cases, reducing the temperature of the sample to freezing or to dry ice or liquid nitrogen temperatures can aid in the grinding process. Grind the sample aliquots from Section 11.5.7 or 11.6.4 in a clean grinder. Do not allow the sample temperature to exceed 50 °C. Grind the blank and reference matrix aliquots using a clean grinder.

11.7.4 Homogenization or blending—Particles that are not ground effectively, or particles greater than 1 mm in size after grinding, can often be reduced in size by high speed homogenization or blending. Homogenize and/or blend the particles or filter from Section 11.5.7 or 11.6.4 for the sample, blank, and OPR aliquots.

11.7.5 Extract the aliquots using the SDS procedure in Section 12.3.

11.8 Fish and Other Tissues—Prior to processing tissue samples, the laboratory must determine the exact tissue to be analyzed. Common requests for analysis of fish tissue include whole fish—skin on, whole fish—skin removed, edible fish fillets (filleted in the field or by the laboratory), specific organs, and other portions. Once the appropriate tissue has been determined, the sample must be homogenized.

11.8.1 Homogenization.

11.8.1.1 Samples are homogenized while still frozen, where practical. If the laboratory must dissect the whole fish to obtain the appropriate tissue for analysis, the unused tissues may be rapidly refrozen and stored in a clean glass jar for subsequent use.

11.8.1.2 Each analysis requires 10 g of tissue (wet weight). Therefore, the laboratory should homogenize at least 20 g of tissue to allow for re-extraction of a second aliquot of the same homogenized sample, if re-analysis is required. When whole fish analysis is necessary, the entire fish is homogenized.

11.8.1.3 Homogenize the sample in a tissue homogenizer (Section 6.3.3) or grind in a meat grinder (Section 6.3.4). Cut tissue too large to feed into the grinder into smaller pieces. To assure homogeneity, grind three times.

11.8.1.4 Transfer approximately 10 g (wet weight) of homogenized tissue to a clean, tared, 400–500 mL beaker. For the alternate HCl digestion/extraction, transfer the tissue to a clean, tared 500–600 mL wide-mouth bottle. Record the weight to the nearest 10 mg.

11.8.1.5 Transfer the remaining homogenized tissue to a clean jar with a fluoropolymer-lined lid. Seal the jar and store the tissue at < -10 °C. Return any tissue that was not homogenized to its original container and store at < -10 °C.

11.8.2 QC aliquots.

11.8.2.1 Prepare a method blank by adding approximately 10 g of the oily liquid reference matrix (Section 7.6.4) to a 400–500 mL beaker. For the alternate HCl digestion/extraction, add the reference matrix to a 500–600 mL wide-mouth bottle. Record the weight to the nearest 10 mg.

11.8.2.2 Prepare a precision and recovery aliquot by adding approximately 10 g of the oily liquid reference matrix (Section 7.6.4) to a separate 400–500 mL beaker or wide-mouth bottle, depending on the extraction procedure to be used. Record the weight to the nearest 10 mg. If the initial precision and recovery test is to be performed, use four aliquots; if the ongoing precision and recovery test is to be performed, use a single aliquot.

11.8.3 Spiking

11.8.3.1 Spike 1.0 mL of the labeled compound spiking solution (Section 7.10.3) into the sample, blank, and OPR aliquot.

11.8.3.2 Spike 1.0 mL of the PAR standard (Section 7.14) into the OPR aliquot.

11.8.4 Extract the aliquots using the procedures in Section 12.4.

12.0 Extraction and Concentration

Extraction procedures include separatory funnel (Section 12.1) and solid phase (Section 12.2) for aqueous liquids; Soxhlet/Dean-Stark (Section 12.3) for solids, filters, and SPE disks; and Soxhlet extraction (Section 12.4.1) and HCl digestion (Section 12.4.2) for tissues. Acid/base back-extraction (Section 12.5) is used for initial cleanup of extracts.

Macro-concentration procedures include rotary evaporation (Section 12.6.1), heating mantle (Section 12.6.2), and Kuderna-Danish (K–D) evaporation (Section 12.6.3). Microconcentration uses nitrogen blowdown (Section 12.7).

12.1 Separatory funnel extraction of filtrates and of aqueous samples visibly absent particles.

12.1.1 Pour the spiked sample (Section 11.4.2.2) or filtrate (Section 11.4.3.5) into a 2 L separatory funnel. Rinse the bottle or flask twice with 5 mL of reagent water and add these rinses to the separatory funnel.

12.1.2 Add 60 mL methylene chloride to the empty sample bottle (Section 12.1.1), seal, and shake 60 seconds to rinse the inner surface. Transfer the solvent to the separatory funnel, and extract the sample by shaking the funnel for two minutes with periodic venting. Allow the organic layer to separate from the aqueous phase for a minimum of 10 minutes. If an emulsion forms and is more than one-third the volume of the solvent layer, employ mechanical techniques to complete the phase separation (see note below). Drain the methylene chloride extract

through a solvent-rinsed glass funnel approximately one-half full of granular anhydrous sodium sulfate (Section 7.2.1) supported on clean glass-fiber paper into a solvent-rinsed concentration device (Section 12.6).

NOTE: If an emulsion forms, the analyst must employ mechanical techniques to complete the phase separation. The optimum technique depends upon the sample, but may include stirring, filtration through glass wool, use of phase separation paper, centrifugation, use of an ultrasonic bath with ice, addition of NaCl, or other physical methods. Alternatively, solid-phase or other extraction techniques may be used to prevent emulsion formation. Any alternative technique is acceptable so long as the requirements in Section 9 are met.

Experience with aqueous samples high in dissolved organic materials (e.g., paper mill effluents) has shown that acidification of the sample prior to extraction may reduce the formation of emulsions. Paper industry methods suggest that the addition of up to 400 mL of ethanol to a 1 L effluent sample may also reduce emulsion formation. However, studies by EPA suggest that the effect may be a result of sample dilution, and that the addition of reagent water may serve the same function. Mechanical techniques may still be necessary to complete the phase separation. If either acidification or addition of ethanol is utilized, the laboratory must perform the startup tests described in Section 9.2 using the same techniques.

12.1.3 Extract the water sample two more times with 60 mL portions of methylene chloride. Drain each portion through the sodium sulfate into the concentrator. After the third extraction, rinse the separatory funnel with at least 20 mL of methylene chloride, and drain this rinse through the sodium sulfate into the concentrator. Repeat this rinse at least twice. Set aside the funnel with sodium sulfate if the extract is to be combined with the extract from the particles.

12.1.4 Concentrate the extract using one of the macro-concentration procedures in Section 12.6.

12.1.4.1 If the extract is from a sample visibly absent particles (Section 11.1.2.1), adjust the final volume of the concentrated extract to approximately 10 mL with hexane, transfer to a 250 mL separatory funnel, and back-extract using the procedure in Section 12.5.

12.1.4.2 If the extract is from the aqueous filtrate (Section 11.4.3.5), set aside the concentration apparatus for addition of the SDS extract from the particles (Section 12.3.9.1.2).

12.2 SPE of Samples Containing Less Than 1% Solids (References 19–20).

12.2.1 Disk preparation.

12.2.1.1 Place an SPE disk on the base of the filter holder (Figure 4) and wet with toluene. While holding a GMF 150 filter above the SPE disk with tweezers, wet the filter with toluene and lay the filter on the SPE disk, making sure that air is not trapped between the filter and disk. Clamp the filter and SPE disk between the 1 L glass reservoir and the vacuum filtration flask.

12.2.1.2 Rinse the sides of the filtration flask with approx 15 mL of toluene using a squeeze bottle or syringe. Apply vacuum momentarily until a few drops appear at the drip tip. Release the vacuum and allow the filter/disk to soak for approx one minute. Apply vacuum and draw all of the toluene through the filter/disk. Repeat the wash step with approx 15 mL of acetone and allow the filter/disk to air dry.

12.2.1.3 Re-wet the filter/disk with approximately 15 mL of methanol, allowing the filter/disk to soak for approximately one minute. Pull the methanol through the filter/disk using the vacuum, but retain a layer of methanol approximately 1 mm thick on the filter. Do not allow the disk to go dry from this point until the end of the extraction.

12.2.1.4 Rinse the filter/disk with two 50-mL portions of reagent water by adding the water to the reservoir and pulling most through, leaving a layer of water on the surface of the filter.

12.2.2 Extraction.

12.2.2.1 Pour the spiked sample (Section 11.4.2.2), blank (Section 11.4.2.4), or IPR/OPR aliquot (Section 11.4.2.5) into the reservoir and turn on the vacuum to begin the extraction. Adjust the vacuum to complete the extraction in no less than 10 minutes. For samples containing a high concentration of particles (suspended solids), filtration times may be eight hours or longer.

12.2.2.2 Before all of the sample has been pulled through the filter/disk, rinse the sample bottle with approximately 50 mL of reagent water to remove any solids, and pour into the reservoir. Pull through the filter/disk. Use additional reagent water rinses until all visible solids are removed.

12.2.2.3 Before all of the sample and rinses have been pulled through the filter/disk, rinse the sides of the reservoir with small portions of reagent water.

12.2.2.4 Allow the filter/disk to dry, then remove the filter and disk and place in a glass Petri dish. Extract the filter and disk per Section 12.3.

12.3 SDS Extraction of Samples Containing Particles, and of Filters and/or Disks.

12.3.1 Charge a clean extraction thimble (Section 6.4.2.2) with 5.0 g of 100/200 mesh silica (Section 7.5.1.1) topped with 100 g of quartz sand (Section 7.3.2).

NOTE: Do not disturb the silica layer throughout the extraction process.

12.3.2 Place the thimble in a clean extractor. Place 30–40 mL of toluene in the receiver and 200–250 mL of toluene in the flask.

12.3.3 Pre-extract the glassware by heating the flask until the toluene is boiling. When properly adjusted, one to two drops of toluene will fall per second from the condenser tip into the receiver. Extract the apparatus for a minimum of three hours.

12.3.4 After pre-extraction, cool and disassemble the apparatus. Rinse the thimble with toluene and allow to air dry.

12.3.5 Load the wet sample, filter, and/or disk from Section 11.4.3.6, 11.5.8, 11.6.4, 11.7.3, 11.7.4, or 12.2.2.4 and any nonaqueous liquid from Section 11.6.3 into the thimble and manually mix into the sand layer with a clean metal spatula, carefully breaking up any large lumps of sample.

12.3.6 Reassemble the pre-extracted SDS apparatus, and add a fresh charge of toluene to the receiver and reflux flask. Apply power to the heating mantle to begin refluxing. Adjust the reflux rate to match the rate of percolation through the sand and silica beds until water removal lessens the restriction to toluene flow. Frequently check the apparatus for foaming during the first two hours of extraction. If foaming occurs, reduce the reflux rate until foaming subsides.

12.3.7 Drain the water from the receiver at one to two hours and eight to nine hours, or sooner if the receiver fills with water. Reflux the sample for a total of 16–24 hours. Cool and disassemble the apparatus. Record the total volume of water collected.

12.3.8 Remove the distilling flask. Drain the water from the Dean-Stark receiver and add any toluene in the receiver to the extract in the flask.

12.3.9 Concentrate the extract using one of the macro-concentration procedures in Section 12.6 per the following:

12.3.9.1 Extracts from the particles in an aqueous sample containing less than 1% solids (Section 11.4.3.6).

12.3.9.1.1 Concentrate the extract to approximately 5 mL using the rotary evaporator or heating mantle procedures in Section 12.6.1 or 12.6.2.

12.3.9.1.2 Quantitatively transfer the extract through the sodium sulfate (Section 12.1.3) into the apparatus that was set aside (Section 12.1.4.2) and reconcentrate to the level of the toluene.

12.3.9.1.3 Adjust to approximately 10 mL with hexane, transfer to a 250 mL separatory funnel, and proceed with back-extraction (Section 12.5).

12.3.9.2 Extracts from particles (Sections 11.5 through 11.6) or from the SPE filter and disk (Section 12.2.2.4)—Concentrate to approximately 10 mL using the rotary evaporator or heating mantle (Section 12.6.1 or 12.6.2), transfer to a 250 mL separatory funnel, and proceed with back-extraction (Section 12.5).

12.4 Extraction of Tissue—Two procedures are provided for tissue extraction.

12.4.1 Soxhlet extraction (Reference 21).

12.4.1.1 Add 30–40 g of powdered anhydrous sodium sulfate to each of the beakers (Section 11.8.4) and mix thoroughly. Cover the beakers with aluminum foil and allow to equilibrate for 12–24 hours. Remix prior to extraction to prevent clumping.

12.4.1.2 Assemble and pre-extract the Soxhlet apparatus per Sections 12.3.1 through 12.3.4, except use the methylene chloride:hexane (1:1) mixture for the pre-extraction and rinsing and omit the quartz sand. The Dean-Stark moisture trap may also be omitted, if desired.

12.4.1.3 Reassemble the pre-extracted Soxhlet apparatus and add a fresh charge of methylene chloride:hexane to the reflux flask.

12.4.1.4 Transfer the sample/sodium sulfate mixture (Section 12.4.1.1) to the Soxhlet thimble, and install the thimble in the Soxhlet apparatus.

12.4.1.5 Rinse the beaker with several portions of solvent mixture and add to the thimble. Fill the thimble/receiver with solvent. Extract for 18–24 hours.

12.4.1.6 After extraction, cool and disassemble the apparatus.

12.4.1.7 Quantitatively transfer the extract to a macro-concentration device (Section 12.6), and concentrate to near dryness. Set aside the concentration apparatus for reuse.

12.4.1.8 Complete the removal of the solvent using the nitrogen blowdown procedure (Section 12.7) and a water bath temperature of 60 °C. Weigh the receiver, record the weight, and return the receiver to the blowdown apparatus, concentrating the residue until a constant weight is obtained.

12.4.1.9 Percent lipid determination—The lipid content is determined by extraction of tissue with the same solvent system (methylene chloride:hexane) that was used in EPA's National Dioxin Study (Reference 22) so that lipid contents are consistent with that study.

12.4.1.9.1 Redissolve the residue in the receiver in hexane and spike 1.0 mL of the cleanup standard (Section 7.11) into the solution.

12.4.1.9.2 Transfer the residue/hexane to the anthropogenic isolation column (Section 13.7.1) or bottle for the acidified silica gel batch cleanup (Section 13.7.2), retaining the boiling chips in the concentration apparatus. Use several rinses to assure that all material is transferred. If necessary, sonicate or heat the receiver slightly to assure that all material is re-dissolved. Allow the receiver to dry. Weigh the receiver and boiling chips.

12.4.1.9.3 Calculate the lipid content to the nearest three significant figures as follows:

$$\text{Percent lipid} = \frac{\text{Weight of residue (g)}}{\text{Weight of tissue (g)}} \times 100$$

12.4.1.9.4 It is not necessary to determine the lipid content of the blank, IPR, or OPR aliquots.

12.4.2 HCl digestion/extraction and concentration (References 23–26).

12.4.2.1 Add 200 mL of 6 N HCl and 200 mL of methylene chloride:hexane (1:1) to the sample and QC aliquots (Section 11.8.4).

12.4.2.2 Cap and shake each bottle one to three times. Loosen the cap in a hood to vent excess pressure. Shake each bottle for 10–30 seconds and vent.

12.4.2.3 Tightly cap and place on shaker. Adjust the shaker action and speed so that the acid, solvent, and tissue are in constant motion. However, take care to avoid such violent action that the bottle may be dislodged from the shaker. Shake for 12–24 hours.

12.4.2.4 After digestion, remove the bottles from the shaker. Allow the bottles to stand so that the solvent and acid layers separate.

12.4.2.5 Decant the solvent through a glass funnel with glass-fiber filter (Sections 6.5.2 through 6.5.3) containing approximately 10 g of granular anhydrous sodium sulfate (Section 7.2.1) into a macro-concentration apparatus (Section 12.6). Rinse the contents of the bottle with two 25 mL portions of hexane and pour through the sodium sulfate into the apparatus.

12.4.2.6 Concentrate the solvent to near dryness using a macro-concentration procedure (Section 12.6).

12.4.2.7 Complete the removal of the solvent using the nitrogen blowdown apparatus (Section 12.7) and a water bath temperature of 60 °C. Weigh the receiver, record the weight, and return the receiver to the blowdown apparatus, concentrating the residue until a constant weight is obtained.

12.4.2.8 Percent lipid determination—The lipid content is determined in the same solvent system [methylene chloride:hexane (1:1)] that was used in EPA's National Dioxin Study (Reference 22) so that lipid contents are consistent with that study.

12.4.2.8.1 Redissolve the residue in the receiver in hexane and spike 1.0 mL of the cleanup standard (Section 7.11) into the solution.

12.4.2.8.2 Transfer the residue/hexane to the narrow-mouth 100–200 mL bottle retaining the boiling chips in the receiver. Use several rinses to assure that all material is transferred, to a maximum hexane volume of approximately 70 mL. Allow the receiver to dry. Weigh the receiver and boiling chips.

12.4.2.8.3 Calculate the percent lipid per Section 12.4.1.9.3. It is not necessary to determine the lipid content of the blank, IPR, or OPR aliquots.

12.4.2.9 Clean up the extract per Section 13.7.3.

12.5 Back-Extraction with Base and Acid.

12.5.1 Spike 1.0 mL of the cleanup standard (Section 7.11) into the separatory funnels containing the sample and QC extracts from Section 12.1.4.1, 12.3.9.1.3, or 12.3.9.2.

12.5.2 Partition the extract against 50 mL of potassium hydroxide solution (Section 7.1.1). Shake for two minutes with periodic venting into a hood. Remove and discard the aqueous layer. Repeat the base washing until no color is visible in the aqueous layer, to a maximum of four washings. Minimize contact time between the extract and the base to prevent degradation of the CDDs/CDFs. Stronger potassium hydroxide solutions may be employed for back-extraction, provided that the laboratory meets the specifications for labeled compound recovery and demonstrates acceptable performance using the procedure in Section 9.2.

12.5.3 Partition the extract against 50 mL of sodium chloride solution (Section 7.1.4) in the same way as with base. Discard the aqueous layer.

12.5.4 Partition the extract against 50 mL of sulfuric acid (Section 7.1.2) in the same way as with base. Repeat the acid washing until no color is visible in the aqueous layer, to a maximum of four washings.

12.5.5 Repeat the partitioning against sodium chloride solution and discard the aqueous layer.

12.5.6 Pour each extract through a drying column containing 7–10 cm of granular anhydrous sodium sulfate (Section 7.2.1). Rinse the separatory funnel with 30–50 mL of solvent, and pour through the drying column. Collect each extract in a round-bottom flask. Re-concentrate the sample and QC aliquots per Sections 12.6 through 12.7, and clean up the samples and QC aliquots per Section 13.

12.6 Macro-Concentration—Extracts in toluene are concentrated using a rotary evaporator or a heating mantle; extracts in methylene chloride or hexane are concentrated using a rotary evaporator, heating mantle, or Kuderna-Danish apparatus.

12.6.1 Rotary evaporation—Concentrate the extracts in separate round-bottom flasks.

12.6.1.1 Assemble the rotary evaporator according to manufacturer's instructions, and warm the water bath to 45 °C. On a daily basis, preclean the rotary evaporator by concentrating 100 mL of clean extraction solvent through the system. Archive both the concentrated solvent and the solvent in the catch flask for a contamination check if necessary. Between samples, three 2–3 mL aliquots of solvent should be rinsed down the feed tube into a waste beaker.

12.6.1.2 Attach the round-bottom flask containing the sample extract to the rotary evaporator. Slowly apply vacuum to the system, and begin rotating the sample flask.

12.6.1.3 Lower the flask into the water bath, and adjust the speed of rotation and the temperature as required to complete concentration in 15–20 minutes. At the proper rate of concentration, the flow of solvent into the receiving flask will be steady, but no bumping or visible boiling of the extract will occur.

NOTE: If the rate of concentration is too fast, analyte loss may occur.

12.6.1.4 When the liquid in the concentration flask has reached an apparent volume of approximately 2 mL, remove the flask from the water bath and stop the rotation. Slowly and carefully admit air into the system. Be sure not to open the valve so quickly that the sample is blown out of the flask. Rinse the feed tube with approximately 2 mL of solvent.

12.6.1.5 Proceed to Section 12.6.4 for preparation for back-extraction or micro-concentration and solvent exchange.

12.6.2 Heating mantle—Concentrate the extracts in separate round-bottom flasks.

12.6.2.1 Add one or two clean boiling chips to the round-bottom flask, and attach a three-ball macro Snyder column. Prewet the column by adding approximately 1 mL of solvent through the top. Place the round-bottom flask in a heating mantle, and apply heat as required to complete the concentration in 15–20 minutes. At the proper rate of distillation, the balls of the column will actively chatter, but the chambers will not flood.

12.6.2.2 When the liquid has reached an apparent volume of approximately 10 mL, remove the round-bottom flask from the heating mantle and allow the solvent to drain and cool for at least 10 minutes. Remove the Snyder column and rinse the glass joint into the receiver with small portions of solvent.

12.6.2.3 Proceed to Section 12.6.4 for preparation for back-extraction or micro-concentration and solvent exchange.

12.6.3 Kuderna-Danish (K–D)—Concentrate the extracts in separate 500 mL K–D flasks equipped with 10 mL concentrator tubes. The K–D technique is used for solvents such as methylene chloride and hexane. Toluene is difficult to concentrate using the K–D technique unless a water bath fed by a steam generator is used.

12.6.3.1 Add one to two clean boiling chips to the receiver. Attach a three-ball macro Snyder column. Prewet the column by adding approximately 1 mL of solvent through the top. Place the K–D apparatus in a hot water bath so that the entire lower rounded surface of the flask is bathed with steam.

12.6.3.2 Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15–20 minutes. At the proper rate of distillation, the balls of the column will actively chatter but the chambers will not flood.

12.6.3.3 When the liquid has reached an apparent volume of 1 mL, remove the K–D apparatus from the bath and allow the solvent to drain and cool for at least 10 minutes. Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1–2 mL of solvent. A 5 mL syringe is recommended for this operation.

12.6.3.4 Remove the three-ball Snyder column, add a fresh boiling chip, and attach a two-ball micro Snyder column to the concentrator tube. Prewet the column by adding approximately 0.5 mL of solvent through the top. Place the apparatus in the hot water bath.

12.6.3.5 Adjust the vertical position and the water temperature as required to complete the concentration in 5–10 minutes. At the proper rate of distillation, the balls of the column will actively chatter but the chambers will not flood.

12.6.3.6 When the liquid reaches an apparent volume of 0.5 mL, remove the apparatus from the water bath and allow to drain and cool for at least 10 minutes.

12.6.3.7 Proceed to 12.6.4 for preparation for back-extraction or micro-concentration and solvent exchange.

12.6.4 Preparation for back-extraction or micro-concentration and solvent exchange.

12.6.4.1 For back-extraction (Section 12.5), transfer the extract to a 250 mL separatory funnel. Rinse the concentration vessel with small portions of hexane, adjust the hexane volume in the separatory funnel to 10–20 mL, and proceed to back-extraction (Section 12.5).

12.6.4.2 For determination of the weight of residue in the extract, or for clean-up procedures other than back-extraction, transfer the extract to a blowdown vial using two to three rinses of solvent. Proceed with micro-concentration and solvent exchange (Section 12.7).

12.7 Micro-Concentration and Solvent Exchange.

12.7.1 Extracts to be subjected to GPC or HPLC cleanup are exchanged into methylene chloride. Extracts to be cleaned up using silica gel, alumina, carbon, and/or Florisil are exchanged into hexane.

12.7.2 Transfer the vial containing the sample extract to a nitrogen blowdown device. Adjust the flow of nitrogen so that the surface of the solvent is just visibly disturbed.

NOTE: A large vortex in the solvent may cause analyte loss.

12.7.3 Lower the vial into a 45 °C water bath and continue concentrating.

12.7.3.1 If the extract is to be concentrated to dryness for weight determination (Sections 12.4.1.8, 12.4.2.7, and 13.7.1.4), blow dry until a constant weight is obtained.

12.7.3.2 If the extract is to be concentrated for injection into the GC/MS or the

solvent is to be exchanged for extract cleanup, proceed as follows:

12.7.4 When the volume of the liquid is approximately 100 L, add 2–3 mL of the desired solvent (methylene chloride for GPC and HPLC, or hexane for the other cleanups) and continue concentration to approximately 100 µL. Repeat the addition of solvent and concentrate once more.

12.7.5 If the extract is to be cleaned up by GPC, adjust the volume of the extract to 5.0 mL with methylene chloride. If the extract is to be cleaned up by HPLC, further concentrate the extract to 30 µL. Proceed with GPC or HPLC cleanup (Section 13.2 or 13.6, respectively).

12.7.6 If the extract is to be cleaned up by column chromatography (alumina, silica gel, Carbopak/Celite, or Florisil), bring the final volume to 1.0 mL with hexane. Proceed with column cleanups (Sections 13.3 through 13.5 and 13.8).

12.7.7 If the extract is to be concentrated for injection into the GC/MS (Section 14), quantitatively transfer the extract to a 0.3 mL conical vial for final concentration, rinsing the larger vial with hexane and adding the rinse to the conical vial. Reduce the volume to approximately 100 µL. Add 10 µL of nonane to the vial, and evaporate the solvent to the level of the nonane. Seal the vial and label with the sample number. Store in the dark at room temperature until ready for GC/MS analysis. If GC/MS analysis will not be performed on the same day, store the vial at < −10 °C.

13.0 Extract Cleanup

13.1 Cleanup may not be necessary for relatively clean samples (e.g., treated effluents, groundwater, drinking water). If particular circumstances require the use of a cleanup procedure, the analyst may use any or all of the procedures below or any other appropriate procedure. Before using a cleanup procedure, the analyst must demonstrate that the requirements of Section 9.2 can be met using the cleanup procedure. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, the cleanup procedures may be optimized for isolation of these two compounds.

13.1.1 Gel permeation chromatography (Section 13.2) removes high molecular weight interferences that cause GC column performance to degrade. It should be used for all soil and sediment extracts and may be used for water extracts that are expected to contain high molecular weight organic compounds (e.g., polymeric materials, humic acids).

13.1.2 Acid, neutral, and basic silica gel (Section 13.3), alumina (Section 13.4), and Florisil (Section 13.8) are used to remove nonpolar and polar interferences. Alumina and Florisil are used to remove chlorodiphenyl ethers.

13.1.3 Carbopak/Celite (Section 13.5) is used to remove nonpolar interferences.

13.1.4 HPLC (Section 13.6) is used to provide specificity for the 2,3,7,8-substituted and other CDD and CDF isomers.

13.1.5 The anthropogenic isolation column (Section 13.7.1), acidified silica gel batch adsorption procedure (Section 13.7.2), and sulfuric acid and base back-extraction (Section 13.7.3) are used for removal of lipids from tissue samples.

13.2 Gel Permeation Chromatography (GPC).

13.2.1 Column packing.

13.2.1.1 Place 70–75 g of SX–3 Bio-beads (Section 6.7.1.1) in a 400–500 mL beaker.

13.2.1.2 Cover the beads with methylene chloride and allow to swell overnight (a minimum of 12 hours).

13.2.1.3 Transfer the swelled beads to the column (Section 6.7.1.1) and pump solvent through the column, from bottom to top, at 4.5–5.5 mL/minute prior to connecting the column to the detector.

13.2.1.4 After purging the column with solvent for one to two hours, adjust the column head pressure to 7–10 psig and purge for four to five hours to remove air. Maintain a head pressure of 7–10 psig. Connect the column to the detector (Section 6.7.1.4).

13.2.2 Column calibration.

13.2.2.1 Load 5 mL of the calibration solution (Section 7.4) into the sample loop.

13.2.2.2 Inject the calibration solution and record the signal from the detector. The elution pattern will be corn oil, bis(2-ethyl hexyl)phthalate, pentachlorophenol, perylene, and sulfur.

13.2.2.3 Set the "dump time" to allow >85% removal of the corn oil and >85% collection of the phthalate.

13.2.2.4 Set the "collect time" to the peak minimum between perylene and sulfur.

13.2.2.5 Verify the calibration with the calibration solution after every 20 extracts. Calibration is verified if the recovery of the pentachlorophenol is greater than 85%. If calibration is not verified, the system shall be recalibrated using the calibration solution, and the previous 20 samples shall be reextracted and cleaned up using the calibrated GPC system.

13.2.3 Extract cleanup—GPC requires that the column not be overloaded. The column specified in this method is designed to handle a maximum of 0.5 g of high molecular weight material in a 5 mL extract. If the extract is known or expected to contain more than 0.5 g, the extract is split into aliquots for GPC, and the aliquots are combined after elution from the column. The residue content of the extract may be obtained gravimetrically by evaporating the solvent from a 50 µL aliquot.

13.2.3.1 Filter the extract or load through the filter holder (Section 6.7.1.3) to remove the particles. Load the 5.0 mL extract onto the column.

13.2.3.2 Elute the extract using the calibration data determined in Section 13.2.2. Collect the eluate in a clean 400–500 mL beaker.

13.2.3.3 Rinse the sample loading tube thoroughly with methylene chloride between extracts to prepare for the next sample.

13.2.3.4 If a particularly dirty extract is encountered, a 5.0 mL methylene chloride blank shall be run through the system to check for carry-over.

13.2.3.5 Concentrate the eluate per Sections 12.6 and 12.7 for further cleanup or injection into the GC/MS.

13.3 Silica Gel Cleanup.

13.3.1 Place a glass-wool plug in a 15 mm ID chromatography column (Section 6.7.4.2). Pack the column bottom to top with: 1 g silica gel (Section 7.5.1.1), 4 g basic silica gel (Section 7.5.1.3), 1 g silica gel, 8 g acid silica gel (Section 7.5.1.2), 2 g silica gel, and 4 g granular anhydrous sodium sulfate (Section 7.2.1). Tap the column to settle the adsorbents.

13.3.2 Pre-elute the column with 50–100 mL of hexane. Close the stopcock when the hexane is within 1 mm of the sodium sulfate. Discard the eluate. Check the column for channeling. If channeling is present, discard the column and prepare another.

13.3.3 Apply the concentrated extract to the column. Open the stopcock until the extract is within 1 mm of the sodium sulfate.

13.3.4 Rinse the receiver twice with 1 mL portions of hexane, and apply separately to the column. Elute the CDDs/CDFs with 100 mL hexane, and collect the eluate.

13.3.5 Concentrate the eluate per Sections 12.6 and 12.7 for further cleanup or injection into the HPLC or GC/MS.

13.3.6 For extracts of samples known to contain large quantities of other organic compounds (such as paper mill effluents), it may be advisable to increase the capacity of the silica gel column. This may be accomplished by increasing the strengths of the acid and basic silica gels. The acid silica gel (Section 7.5.1.2) may be increased in strength to as much as 44% w/w (7.9 g sulfuric acid added to 10 g silica gel). The basic silica gel (Section 7.5.1.3) may be increased in strength to as much as 33% w/w (50 mL 1N NaOH added to 100 g silica gel), or the potassium silicate (Section 7.5.1.4) may be used.

NOTE: The use of stronger acid silica gel (44% w/w) may lead to charring of organic compounds in some extracts. The charred material may retain some of the analytes and lead to lower recoveries of CDDs/CDFs. Increasing the strengths of the acid and basic silica gel may also require different volumes of hexane than those specified above to elute the analytes off the column. Therefore, the performance of the method after such modifications must be verified by the procedure in Section 9.2.

13.4 Alumina Cleanup.

13.4.1 Place a glass-wool plug in a 15 mm ID chromatography column (Section 6.7.4.2).

13.4.2 If using acid alumina, pack the column by adding 6 g acid alumina (Section 7.5.2.1). If using basic alumina, substitute 6 g basic alumina (Section 7.5.2.2). Tap the column to settle the adsorbents.

13.4.3 Pre-elute the column with 50–100 mL of hexane. Close the stopcock when the hexane is within 1 mm of the alumina.

13.4.4 Discard the eluate. Check the column for channeling. If channeling is present, discard the column and prepare another.

13.4.5 Apply the concentrated extract to the column. Open the stopcock until the extract is within 1 mm of the alumina.

13.4.6 Rinse the receiver twice with 1 mL portions of hexane and apply separately to the column. Elute the interfering compounds with 100 mL hexane and discard the eluate.

13.4.7 The choice of eluting solvents will depend on the choice of alumina (acid or basic) made in Section 13.4.2.

13.4.7.1 If using acid alumina, elute the CDDs/CDFs from the column with 20 mL methylene chloride:hexane (20:80 v/v). Collect the eluate.

13.4.7.2 If using basic alumina, elute the CDDs/CDFs from the column with 20 mL methylene chloride:hexane (50:50 v/v). Collect the eluate.

13.4.8 Concentrate the eluate per Sections 12.6 and 12.7 for further cleanup or injection into the HPLC or GC/MS.

13.5 Carbon Column.

13.5.1 Cut both ends from a 10 mL disposable serological pipet (Section 6.7.3.2) to produce a 10 cm column. Fire-polish both ends and flare both ends if desired. Insert a glass-wool plug at one end, and pack the column with 0.55 g of Carbopak/Celite (Section 7.5.3.3) to form an adsorbent bed approximately 2 cm long. Insert a glass-wool plug on top of the bed to hold the adsorbent in place.

13.5.2 Pre-elute the column with 5 mL of toluene followed by 2 mL of methylene chloride: methanol:toluene (15:4:1 v/v), 1 mL of methylene chloride:cyclohexane (1:1 v/v), and 5 mL of hexane. If the flow rate of eluate exceeds 0.5 mL/minute, discard the column.

13.5.3 When the solvent is within 1 mm of the column packing, apply the sample extract to the column. Rinse the sample container twice with 1 mL portions of hexane and apply separately to the column. Apply 2 mL of hexane to complete the transfer.

13.5.4 Elute the interfering compounds with two 3 mL portions of hexane, 2 mL of methylene chloride:cyclohexane (1:1 v/v), and 2 mL of methylene chloride:methanol:toluene (15:4:1 v/v). Discard the eluate.

13.5.5 Invert the column, and elute the CDDs/CDFs with 20 mL of toluene. If carbon particles are present in the eluate, filter through glass-fiber filter paper.

13.5.6 Concentrate the eluate per Sections 12.6 and 12.7 for further cleanup or injection into the HPLC or GC/MS.

13.6 HPLC (Reference 6).

13.6.1 Column calibration.

13.6.1.1 Prepare a calibration standard containing the 2,3,7,8-substituted isomers and/or other isomers of interest at a concentration of approximately 500 pg/μL in methylene chloride.

13.6.1.2 Inject 30 μL of the calibration solution into the HPLC and record the signal from the detector. Collect the eluant for reuse. The elution order will be the tetra- through octa-isomers.

13.6.1.3 Establish the collection time for the tetra-isomers and for the other isomers of interest. Following calibration, flush the injection system with copious quantities of methylene chloride, including a minimum of five 50 μL injections while the detector is monitored, to ensure that residual CDDs/CDFs are removed from the system.

13.6.1.4 Verify the calibration with the calibration solution after every 20 extracts. Calibration is verified if the recovery of the CDDs/CDFs from the calibration standard (Section 13.6.1.1) is 75–125% compared to the calibration (Section 13.6.1.2). If calibration is not verified, the system shall be recalibrated using the calibration solution, and the previous 20 samples shall be re-extracted and cleaned up using the calibrated system.

13.6.2 Extract cleanup—HPLC requires that the column not be overloaded. The column specified in this method is designed to handle a maximum of 30 μL of extract. If the extract cannot be concentrated to less than 30 μL, it is split into fractions and the fractions are combined after elution from the column.

13.6.2.1 Rinse the sides of the vial twice with 30 μL of methylene chloride and reduce to 30 μL with the evaporation apparatus (Section 12.7).

13.6.2.2 Inject the 30 μL extract into the HPLC.

13.6.2.3 Elute the extract using the calibration data determined in Section 13.6.1. Collect the fraction(s) in a clean 20 mL concentrator tube containing 5 mL of hexane:acetone (1:1 v/v).

13.6.2.4 If an extract containing greater than 100 ng/mL of total CDD or CDF is encountered, a 30 μL methylene chloride blank shall be run through the system to check for carry-over.

13.6.2.5 Concentrate the eluate per Section 12.7 for injection into the GC/MS.

13.7 Cleanup of Tissue Lipids—Lipids are removed from the Soxhlet extract using either the anthropogenic isolation column (Section 13.7.1) or acidified silica gel (Section 13.7.2), or are removed from the HCl digested extract using sulfuric acid and base back-extraction (Section 13.7.3).

13.7.1 Anthropogenic isolation column (References 22 and 27)—Used for removal of lipids from the Soxhlet/SDS extraction (Section 12.4.1).

13.7.1.1 Prepare the column as given in Section 7.5.4.

13.7.1.2 Pre-elute the column with 100 mL of hexane. Drain the hexane layer to the top of the column, but do not expose the sodium sulfate.

13.7.1.3 Load the sample and rinses (Section 12.4.1.9.2) onto the column by draining each portion to the top of the bed. Elute the CDDs/CDFs from the column into the apparatus used for concentration (Section 12.4.1.7) using 200 mL of hexane.

13.7.1.4 Concentrate the cleaned up extract (Sections 12.6 through 12.7) to constant weight per Section 12.7.3.1. If more than 500 mg of material remains, repeat the cleanup using a fresh anthropogenic isolation column.

13.7.1.5 Redissolve the extract in a solvent suitable for the additional cleanups to be used (Sections 13.2 through 13.6 and 13.8).

13.7.1.6 Spike 1.0 mL of the cleanup standard (Section 7.11) into the residue/solvent.

13.7.1.7 Clean up the extract using the procedures in Sections 13.2 through 13.6 and 13.8. Alumina (Section 13.4) or Florisil (Section 13.8) and carbon (Section 13.5) are recommended as minimum additional cleanup steps.

13.7.1.8 Following cleanup, concentrate the extract to 10 μL as described in Section 12.7 and proceed with the analysis in Section 14.

13.7.2 Acidified silica gel (Reference 28)—Procedure alternate to the anthropogenic isolation column (Section 13.7.1) that is used for removal of lipids from the Soxhlet/SDS extraction (Section 12.4.1).

13.7.2.1 Adjust the volume of hexane in the bottle (Section 12.4.1.9.2) to approximately 200 mL.

13.7.2.2 Spike 1.0 mL of the cleanup standard (Section 7.11) into the residue/solvent.

13.7.2.3 Drop the stirring bar into the bottle, place the bottle on the stirring plate, and begin stirring.

13.7.2.4 Add 30–100 g of acid silica gel (Section 7.5.1.2) to the bottle while stirring, keeping the silica gel in motion. Stir for two to three hours.

NOTE: 30 grams of silica gel should be adequate for most samples and will minimize contamination from this source.

13.7.2.5 After stirring, pour the extract through approximately 10 g of granular anhydrous sodium sulfate (Section 7.2.1) contained in a funnel with glass-fiber filter into a macro contration device (Section 12.6). Rinse the bottle and sodium sulfate with hexane to complete the transfer.

13.7.2.6 Concentrate the extract per Sections 12.6 through 12.7 and clean up the extract using the procedures in Sections 13.2 through 13.6 and 13.8. Alumina (Section 13.4) or Florisil (Section 13.8) and carbon (Section 13.5) are recommended as minimum additional cleanup steps.

13.7.3 Sulfuric acid and base back-extraction. Used with HCl digested extracts (Section 12.4.2).

13.7.3.1 Spike 1.0 mL of the cleanup standard (Section 7.11) into the residue/solvent (Section 12.4.2.8.2).

13.7.3.2 Add 10 mL of concentrated sulfuric acid to the bottle. Immediately cap and shake one to three times. Loosen cap in a hood to vent excess pressure. Cap and shake the bottle so that the residue/solvent is exposed to the acid for a total time of approximately 45 seconds.

13.7.3.3 Decant the hexane into a 250 mL separatory funnel making sure that no acid is transferred. Complete the quantitative transfer with several hexane rinses.

13.7.3.4 Back extract the solvent/residue with 50 mL of potassium hydroxide solution per Section 12.5.2, followed by two reagent water rinses.

13.7.3.5 Drain the extract through a filter funnel containing approximately 10 g of granular anhydrous sodium sulfate in a glass-fiber filter into a macro concentration device (Section 12.6).

13.7.3.6 Concentrate the cleaned up extract to a volume suitable for the additional cleanups given in Sections 13.2 through 13.6 and 13.8. Gel permeation chromatography (Section 13.2), alumina (Section 13.4) or Florisil (Section 13.8), and Carbopak/Celite (Section 13.5) are recommended as minimum additional cleanup steps.

13.7.3.7 Following cleanup, concentrate the extract to 10 L as described in Section 12.7 and proceed with analysis per Section 14.

13.8 Florisil Cleanup (Reference 29).

13.8.1 Pre-elute the activated Florisil column (Section 7.5.3) with 10 mL of methylene chloride followed by 10 mL of hexane:methylene chloride (98:2 v/v) and discard the solvents.

13.8.2 When the solvent is within 1 mm of the packing, apply the sample extract (in hexane) to the column. Rinse the sample container twice with 1 mL portions of hexane and apply to the column.

13.8.3 Elute the interfering compounds with 20 mL of hexane:methylene chloride (98:2) and discard the eluate.

13.8.4 Elute the CDDs/CDFs with 35 mL of methylene chloride and collect the eluate. Concentrate the eluate per Sections 12.6 through 12.7 for further cleanup or for injection into the HPLC or GC/MS.

14.0 HRGC/HRMS Analysis

14.1 Establish the operating conditions given in Section 10.1.

14.2 Add 10 uL of the appropriate internal standard solution (Section 7.12) to the sample extract immediately prior to injection to minimize the possibility of loss by evaporation, adsorption, or reaction. If an extract is to be reanalyzed and evaporation has occurred, do not add more instrument internal standard solution. Rather, bring the extract back to its previous volume (e.g., 19 L) with pure nonane only (18 L if 2 L injections are used).

14.3 Inject 1.0 µL or 2.0 µL of the concentrated extract containing the internal standard solution, using on-column or splitless injection. The volume injected must be identical to the volume used for calibration (Section 10). Start the GC column initial isothermal hold upon injection. Start MS data collection after the solvent peak elutes. Stop data collection after the OCDD and OCDF have eluted. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, stop data collection after elution of these compounds. Return the column to the initial temperature for analysis of the next extract or standard.

15.0 System and Laboratory Performance

15.1 At the beginning of each 12-hour shift during which analyses are performed, GC/MS system performance and calibration are verified for all CDDs/CDFs and labeled compounds. For these tests, analysis of the CS3 calibration verification (VER) standard (Section 7.13 and Table 4) and the isomer specificity test standards (Section 7.15 and Table 5) shall be used to verify all performance criteria. Adjustment and/or recalibration (Section 10) shall be performed until all performance criteria are met. Only after all performance criteria are met may samples, blanks, IPRs, and OPRs be analyzed.

15.2 MS Resolution—A static resolving power of at least 10,000 (10% valley definition) must be demonstrated at the appropriate m/z before any analysis is performed. Static resolving power checks must be performed at the beginning and at the end of each 12-hour shift according to procedures in Section 10.1.2. Corrective actions must be implemented whenever the resolving power does not meet the requirement.

15.3 Calibration Verification.

15.3.1 Inject the VER standard using the procedure in Section 14.

15.3.2 The m/z abundance ratios for all CDDs/CDFs shall be within the limits in Table 9; otherwise, the mass spectrometer shall be adjusted until the m/z abundance ratios fall within the limits specified, and the verification test shall be repeated. If the adjustment alters the resolution of the mass spectrometer, resolution shall be verified (Section 10.1.2) prior to repeat of the verification test.

15.3.3 The peaks representing each CDD/CDF and labeled compound in the VER

standard must be present with S/N of at least 10; otherwise, the mass spectrometer shall be adjusted and the verification test repeated.

15.3.4 Compute the concentration of each CDD/CDF compound by isotope dilution (Section 10.5) for those compounds that have labeled analogs (Table 1). Compute the concentration of the labeled compounds by the internal standard method (Section 10.6). These concentrations are computed based on the calibration data in Section 10.

15.3.5 For each compound, compare the concentration with the calibration verification limit in Table 6. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, compare the concentration to the limit in Table 6a. If all compounds meet the acceptance criteria, calibration has been verified and analysis of standards and sample extracts may proceed. If, however, any compound fails its respective limit, the measurement system is not performing properly for that compound. In this event, prepare a fresh calibration standard or correct the problem causing the failure and repeat the resolution (Section 15.2) and verification (Section 15.3) tests, or recalibrate (Section 10).

15.4 Retention Times and GC Resolution.

15.4.1 Retention times.

15.4.1.1 Absolute—The absolute retention times of the $^{13}C_{12}$-1,2,3,4–TCDD and $^{13}C_{12}$-1,2,3,7,8,9-HxCDD GCMS internal standards in the verification test (Section 15.3) shall be within ±15 seconds of the retention times obtained during calibration (Sections 10.2.1 and 10.2.4).

15.4.1.2 Relative—The relative retention times of CDDs/CDFs and labeled compounds in the verification test (Section 15.3) shall be within the limits given in Table 2.

15.4.2 GC resolution.

15.4.2.1 Inject the isomer specificity standards (Section 7.15) on their respective columns.

15.4.2.2 The valley height between 2,3,7,8-TCDD and the other tetra-dioxin isomers at m/z 319.8965, and between 2,3,7,8-TCDF and the other tetra-furan isomers at m/z 303.9016 shall not exceed 25% on their respective columns (Figures 6 and 7).

15.4.3 If the absolute retention time of any compound is not within the limits specified or if the 2,3,7,8-isomers are not resolved, the GC is not performing properly. In this event, adjust the GC and repeat the verification test (Section 15.3) or recalibrate (Section 10), or replace the GC column and either verify calibration or recalibrate.

15.5 Ongoing Precision and Recovery.

15.5.1 Analyze the extract of the ongoing precision and recovery (OPR) aliquot (Section 11.4.2.5, 11.5.4, 11.6.2, 11.7.4, or 11.8.3.2) prior to analysis of samples from the same batch.

15.5.2 Compute the concentration of each CDD/CDF by isotope dilution for those compounds that have labeled analogs (Section 10.5). Compute the concentration of 1,2,3,7,8,9-HxCDD, OCDF, and each labeled compound by the internal standard method (Section 10.6).

15.5.3 For each CDD/CDF and labeled compound, compare the concentration to the OPR limits given in Table 6. If only 2,3,7,8-TCDD and 2,3,7,8-TCDF are to be determined, compare the concentration to the limits in Table 6a. If all compounds meet the acceptance criteria, system performance is acceptable and analysis of blanks and samples may proceed. If, however, any individual concentration falls outside of the range given, the extraction/concentration processes are not being performed properly for that compound. In this event, correct the problem, reprepare, extract, and clean up the sample batch and repeat the ongoing precision and recovery test (Section 15.5).

15.5.4 Add results that pass the specifications in Section 15.5.3 to initial and previous ongoing data for each compound in each matrix. Update QC charts to form a graphic representation of continued laboratory performance. Develop a statement of laboratory accuracy for each CDD/CDF in each matrix type by calculating the average percent recovery (R) and the standard deviation of percent recovery (S_R). Express the accuracy as a recovery interval from $R-2S_R$ to $R=2S_R$. For example, if R=95% and S_R=5%, the accuracy is 85–105%.

15.6 Blank—Analyze the method blank extracted with each sample batch immediately following analysis of the OPR aliquot to demonstrate freedom from contamination and freedom from carryover from the OPR analysis. The results of the analysis of the blank must meet the specifications in Section 9.5.2 before sample analyses may proceed.

16.0 Qualitative Determination

A CDD, CDF, or labeled compound is identified in a standard, blank, or sample when all of the criteria in Sections 16.1 through 16.4 are met.

16.1 The signals for the two exact m/z's in Table 8 must be present and must maximize within the same two seconds.

16.2 The signal-to-noise ratio (S/N) for the GC peak at each exact m/z must be greater than or equal to 2.5 for each CDD or CDF detected in a sample extract, and greater than or equal to 10 for all CDDs/CDFs in the calibration standard (Sections 10.2.3 and 15.3.3).

16.3 The ratio of the integrated areas of the two exact m/z's specified in Table 8 must be within the limit in Table 9, or within ±10% of the ratio in the midpoint (CS3) calibration or calibration verification (VER), whichever is most recent.

16.4 The relative retention time of the peak for a 2,3,7,8-substituted CDD or CDF must be within the limit in Table 2. The retention time of peaks representing non-

2,3,7,8-substituted CDDs/CDFs must be within the retention time windows established in Section 10.3.

16.5 Confirmatory Analysis—Isomer specificity for 2,3,7,8-TCDF cannot be achieved on the DB–5 column. Therefore, any sample in which 2,3,7,8-TCDF is identified by analysis on a DB–5 column must have a confirmatory analysis performed on a DB–225, SP–2330, or equivalent GC column. The operating conditions in Section 10.1.1 may be adjusted to optimize the analysis on the second GC column, but the GC/MS must meet the mass resolution and calibration specifications in Section 10.

16.6 If the criteria for identification in Sections 16.1 through 16.5 are not met, the CDD or CDF has not been identified and the results may not be reported for regulatory compliance purposes. If interferences preclude identification, a new aliquot of sample must be extracted, further cleaned up, and analyzed.

17.0 Quantitative Determination

17.1 Isotope Dilution Quantitation—By adding a known amount of a labeled compound to every sample prior to extraction, correction for recovery of the CDD/CDF can be made because the CDD/CDF and its labeled analog exhibit similar effects upon extraction, concentration, and gas chromatography. Relative response (RR) values are used in conjunction with the initial calibration data described in Section 10.5 to determine concentrations directly, so long as labeled compound spiking levels are constant, using the following equation:

$$C_{ex}\ (ng/mL) = \frac{(A1_n + A2_n)\,C_l}{(A1_l + A2_l)\,RR}$$

where:

C_{ex} = The concentration of the CDD/CDF in the extract, and the other terms are as defined in Section 10.5.2.

17.1.1 Because of a potential interference, the labeled analog of OCDF is not added to the sample. Therefore, OCDF is quantitated against labeled OCDD. As a result, the concentration of OCDF is corrected for the recovery of the labeled OCDD. In instances where OCDD and OCDF behave differently during sample extraction, concentration, and cleanup procedures, this may decrease the accuracy of the OCDF results. However, given the low toxicity of this compound relative to the other dioxins and furans, the potential decrease in accuracy is not considered significant.

17.1.2 Because $^{13}C_{12}$-1,2,3,7,8,9-HxCDD is used as an instrument internal standard (i.e., not added before extraction of the sample), it cannot be used to quantitate the 1,2,3,7,8,9-HxCDD by strict isotope dilution procedures. Therefore, 1,2,3,7,8,9-HxCDD is quantitated using the averaged response of the labeled analogs of the other two 2,3,7,8-substituted HxCDD's: 1,2,3,4,7,8-HxCDD and 1,2,3,6,7,8-HxCDD. As a result, the concentration of 1,2,3,7,8,9-HxCDD is corrected for the average recovery of the other two HxCDD's.

17.1.3 Any peaks representing non-2,3,7,8-substituted CDDs/CDFs are quantitated using an average of the response factors from all of the labeled 2,3,7,8-isomers at the same level of chlorination.

17.2 Internal Standard Quantitation and Labeled Compound Recovery.

17.2.1 Compute the concentrations of 1,2,3,7,8,9—HxCDD, OCDF, the ^{13}C-labeled analogs and the ^{37}C-labeled cleanup standard in the extract using the response factors determined from the initial calibration data (Section 10.6) and the following equation:

$$C_{ex}\ (ng/mL) = \frac{(A1_s + A2_s)\,C_{is}}{(A1_{is} + A2_{is})\,RF}$$

where:

C_{ex} = The concentration of the CDD/CDF in the extract, and the other terms are as defined in Section 10.6.1.

NOTE: There is only one m/z for the ^{37}Cl-labeled standard.

17.2.2 Using the concentration in the extract determined above, compute the percent recovery of the ^{13}C-labeled compounds and the ^{37}C-labeled cleanup standard using the following equation:

$$\text{Recovery (\%)} = \frac{\text{Concentration found (}\mu\text{g/mL)}}{\text{Concentration spiked (}\mu\text{g/mL)}} \times 100$$

17.3 The concentration of a CDD/CDF in the solid phase of the sample is computed using the concentration of the compound in the extract and the weight of the solids (Section 11.5.1), as follows:

$$\text{Concentration in solid (ng/kg)} = \frac{\left(C_{ex} \times V_{ex}\right)}{W_s}$$

where:

C_{ex} = The concentration of the compound in the extract.
V_{ex} = The extract volume in mL.
W_s = The sample weight (dry weight) in kg.

17.4 The concentration of a CDD/CDF in the aqueous phase of the sample is computed using the concentration of the compound in the extract and the volume of water extracted (Section 11.4 or 11.5), as follows:

$$\text{Concentration in aqueous phase (pg/L)} = \frac{\left(C_{ex} \times V_{ex}\right)}{V_s}$$

where:

C_{ex} = The concentration of the compound in the extract.
V_{ex} = The extract volume in mL.
V_s = The sample volume in liters.

17.5 If the SICP area at either quantitation m/z for any compound exceeds the calibration range of the system, a smaller sample aliquot is extracted.

17.5.1 For aqueous samples containing 1% solids or less, dilute 100 mL, 10 mL, etc., of sample to 1 L with reagent water and re-prepare, extract, clean up, and analyze per Sections 11 through 14.

17.5.2 For samples containing greater than 1% solids, extract an amount of sample equal to $^{1}/_{10}$, $^{1}/_{100}$, etc., of the amount used in Section 11.5.1. Re-prepare, extract, clean up, and analyze per Sections 11 through 14.

17.5.3 If a smaller sample size will not be representative of the entire sample, dilute the sample extract by a factor of 10, adjust the concentration of the instrument internal standard to 100 pg/μL in the extract, and analyze an aliquot of this diluted extract by the internal standard method.

17.6 Results are reported to three significant figures for the CDDs/CDFs and labeled compounds found in all standards, blanks, and samples.

17.6.1 Reporting units and levels.

17.6.1.1 Aqueous samples—Report results in pg/L (parts-per-quadrillion).

17.6.1.2 Samples containing greater than 1% solids (soils, sediments, filter cake, compost)—Report results in ng/kg based on the dry weight of the sample. Report the percent solids so that the result may be corrected.

17.6.1.3 Tissues—Report results in ng/kg of wet tissue, not on the basis of the lipid content of the sample. Report the percent lipid content, so that the data user can calculate the concentration on a lipid basis if desired.

17.6.1.4 Reporting level.

17.6.1.4.1 Standards (VER, IPR, OPR) and samples—Report results at or above the minimum level (Table 2). Report results below the minimum level as not detected or as required by the regulatory authority.

17.6.1.4.2 Blanks—Report results above one-third the ML.

17.6.2 Results for CDDs/CDFs in samples that have been diluted are reported at the least dilute level at which the areas at the quantitation m/z's are within the calibration range (Section 17.5).

17.6.3 For CDDs/CDFs having a labeled analog, results are reported at the least dilute level at which the area at the quantitation m/z is within the calibration range (Section 17.5) and the labeled compound recovery is within the normal range for the method (Section 9.3 and Tables 6, 6a, 7, and 7a).

17.6.4 Additionally, if requested, the total concentration of all isomers in an individual level of chlorination (i.e., total TCDD, total TCDF, total Paced, etc.) may be reported by summing the concentrations of all isomers identified in that level of chlorination, including both 2,3,7,8-substituted and non-2,3,7,8-substituted isomers.

18.0 Analysis of Complex Samples

18.1 Some samples may contain high levels (>10 ng/L; >1000 ng/kg) of the compounds of interest, interfering compounds, and/or polymeric materials. Some extracts will not concentrate to 10 μL (Section 12.7); others may overload the GC column and/or mass spectrometer.

18.2 Analyze a smaller aliquot of the sample (Section 17.5) when the extract will not concentrate to 10 μL after all cleanup procedures have been exhausted.

18.3 Chlorodiphenyl Ethers—If chromatographic peaks are detected at the retention time of any CDDs/CDFs in any of the m/z channels being monitored for the

chlorodiphenyl ethers (Table 8), cleanup procedures must be employed until these interferences are removed. Alumina (Section 13.4) and Florisil (Section 13.8) are recommended for removal of chlorodiphenyl ethers.

18.4 Recovery of Labeled Compounds—In most samples, recoveries of the labeled compounds will be similar to those from reagent water or from the alternate matrix (Section 7.6).

18.4.1 If the recovery of any of the labeled compounds is outside of the normal range (Table 7), a diluted sample shall be analyzed (Section 17.5).

18.4.2 If the recovery of any of the labeled compounds in the diluted sample is outside of normal range, the calibration verification standard (Section 7.13) shall be analyzed and calibration verified (Section 15.3).

18.4.3 If the calibration cannot be verified, a new calibration must be performed and the original sample extract reanalyzed.

18.4.4 If the calibration is verified and the diluted sample does not meet the limits for labeled compound recovery, the method does not apply to the sample being analyzed and the result may not be reported for regulatory compliance purposes. In this case, alternate extraction and cleanup procedures in this method must be employed to resolve the interference. If all cleanup procedures in this method have been employed and labeled compound recovery remains outside of the normal range, extraction and/or cleanup procedures that are beyond this scope of this method will be required to analyze these samples.

19.0 Pollution Prevention

19.1 The solvents used in this method pose little threat to the environment when managed properly. The solvent evaporation techniques used in this method are amenable to solvent recovery, and it is recommended that the laboratory recover solvents wherever feasible.

19.2 Standards should be prepared in volumes consistent with laboratory use to minimize disposal of standards.

20.0 Waste Management

20.1 It is the laboratory's responsibility to comply with all federal, state, and local regulations governing waste management, particularly the hazardous waste identification rules and land disposal restrictions, and to protect the air, water, and land by minimizing and controlling all releases from fume hoods and bench operations. Compliance is also required with any sewage discharge permits and regulations.

20.2 Samples containing HCl to pH <2 are hazardous and must be neutralized before being poured down a drain or must be handled as hazardous waste.

20.3 The CDDs/CDFs decompose above 800 °C. Low-level waste such as absorbent paper, tissues, animal remains, and plastic gloves may be burned in an appropriate incinerator. Gross quantities (milligrams) should be packaged securely and disposed of through commercial or governmental channels that are capable of handling extremely toxic wastes.

20.4 Liquid or soluble waste should be dissolved in methanol or ethanol and irradiated with ultraviolet light with a wavelength shorter than 290 nm for several days. Use F40 BL or equivalent lamps. Analyze liquid wastes, and dispose of the solutions when the CDDs/CDFs can no longer be detected.

20.5 For further information on waste management, consult "The Waste Management Manual for Laboratory Personnel" and "Less is Better—Laboratory Chemical Management for Waste Reduction," available from the American Chemical Society's Department of Government Relations and Science Policy, 1155 16th Street N.W., Washington, D.C. 20036.

21.0 Method Performance

Method performance was validated and performance specifications were developed using data from EPA's international interlaboratory validation study (References 30–31) and the EPA/paper industry Long-Term Variability Study of discharges from the pulp and paper industry (58 FR 66078).

22.0 References

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23.0 Tables and Figures

TABLE 1—CHLORINATED DIBENZO-P-DIOXINS AND FURANS DETERMINED BY ISOTOPE DILUTION AND INTERNAL STANDARD HIGH RESOLUTION GAS CHROMATOGRAPHY (HRGC)/HIGH RESOLUTION MASS SPECTROMETRY (HRMS)

CDDs/CDFs [1]	CAS registry	Labeled analog	CAS registry
2,3,7,8-TCDD	1746–01–6	$^{13}C_{12}$-2,3,7,8-TCDD	76523–40–5
		$^{37}Cl_4$-2,3,7,8-TCDD	85508–50–5
Total TCDD	41903–57–5		
2,3,7,8-TCDF	51207–31–9	$^{13}C_{12}$-2,3,7,8-TCDF	89059–46–1
Total-TCDF	55722–27–5		
1,2,3,7,8-PeCDD	40321–76–4	$^{13}C_{12}$-1,2,3,7,8-PeCDD	109719–79–1
Total-PeCDD	36088–22–9		
1,2,3,7,8-PeCDF	57117–41–6	$^{13}C_{12}$-1,2,3,7,8-PeCDF	109719–77–9
2,3,4,7,8-PeCDF	57117–31–4	$^{13}C_{12}$-2,3,4,7,8-PeCDF	116843–02–8
Total-PeCDF	30402–15–4		
1,2,3,4,7,8-HxCDD	39227–28–6	$^{13}C_{12}$-1,2,3,4,7,8-HxCDD	109719–80–4
1,2,3,6,7,8-HxCDD	57653–85–7	$^{13}C_{12}$-1,2,3,6,7,8-HxCDD	109719–81–5
1,2,3,7,8,9-HxCDD	19408–74–3	$^{13}C_{12}$-1,2,3,7,8,9-HxCDD	109719–82–6
Total-HxCDD	34465–46–8		
1,2,3,4,7,8-HxCDF	70648–26–9	$^{13}C_{12}$-1,2,3,4,7,8-HxCDF	114423–98–2
1,2,3,6,7,8-HxCDF	57117–44–9	$^{13}C_{12}$-1,2,3,6,7,8-HxCDF	116843–03–9
1,2,3,7,8,9-HxCDF	72918–21–9	$^{13}C_{12}$-1,2,3,7,8,9-HxCDF	116843–04–0
2,3,4,6,7,8-HxCDF	60851–34–5	$^{13}C_{12}$-2,3,4,6,7,8-HxCDF	116843–05–1
Total-HxCDF	55684–94–1		
1,2,3,4,6,7,8-HpCDD	35822–46–9	$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDD	109719–83–7
Total-HpCDD	37871–00–4		
1,2,3,4,6,7,8-HpCDF	67562–39–4	$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDF	109719–84–8
1,2,3,4,7,8,9-HpCDF	55673–89–7	$^{13}C_{12}$-1,2,3,4,7,8,9-HpCDF	109719–94–0
Total-HpCDF	38998–75–3		
OCDD	3268–87–9	$^{13}C_{12}$-OCDD	114423–97–1
OCDF	39001–02–0	Not used.	

[1] Chlorinated dibenzo-p-dioxins and chlorinated dibenzofurans.
TCDD = Tetrachlorodibenzo-p-dioxin.
TCDF = Tetrachlorodibenzofuran.
PeCDD = Pentachlorodibenzo-p-dioxin.
PeCDF = Pentachlorodibenzofuran.
HxCDD = Hexachlorodibenzo-p-dioxin.
HxCDF = Hexachlorodibenzofuran.
HpCDD = Heptachlorodibenzo-p-dioxin.
HpCDF = Heptachlorodibenzofuran.
OCDD = Octachlorodibenzo-p-dioxin.
OCDF = Octachlorodibenzofuran.

TABLE 2—RETENTION TIME REFERENCES, QUANTITATION REFERENCES, RELATIVE RETENTION TIMES, AND MINIMUM LEVELS FOR CDDS AND DCFS

CDD/CDF	Retention time and quantitation reference	Relative retention time	Minimum level [1]		
			Water (pg/L; ppq)	Solid (ng/kg; ppt)	Extract (pg/µL; ppb)
Compounds using ^{13}C12–1,2,3,4-TCDD as the Injection Internal Standard					
2,3,7,8-TCDF	$^{13}C_{12}$-2,3,7,8-TCDF	0.999–1.003	10	1	0.5
2,3,7,8-TCDD	$^{13}C_{12}$-2,3,7,8-TCDD	0.999–1.002	10	1	0.5
1,2,3,7,8-Pe	$^{13}C_{12}$-1,2,3,7,8-PeCDF	0.999–1.002	50	5	2.5
2,3,4,7,8-PeCDF	$^{13}C_{12}$-2,3,4,7,8-PeCDF	0.999–1.002	50	5	2.5
1,2,3,7,8-PeCDD	$^{13}C_{12}$-1,2,3,7,8-PeCDD	0.999–1.002	50	5	2.5
$^{13}C_{12}$-2,3,7,8-TCDF	$^{13}C_{12}$-1,2,3,4-TCDD	0.923–1.103	.....	.....	.....
$^{13}C_{12}$-2,3,7,8-TCDD	$^{13}C_{12}$-1,2,3,4-TCDD	0.976–1.043	.....	.....	.....
$^{13}C_{12}$-2,3,7,8-TCDD	$^{13}C_{12}$-1,2,3,4-TCDD	0.989–1.052	.....	.....	.....
$^{13}C_{12}$-1,2,3,7,8-PeCDF	$^{13}C_{12}$-1,2,3,4-TCDD	1.000–1.425	.....	.....	.....
$^{13}C_{12}$-2,3,4,7,8-PeCDF	$^{13}C_{12}$-1,2,3,4-TCDD	1.001–1.526	.....	.....	.....
$^{13}C_{12}$-1,2,3,7,8-PeCDF	$^{13}C_{12}$-1,2,3,4-TCDD	1.000–1.567	.....	.....	.....
Compounds using ^{13}C12–1,2,3,7,8,9-HxCDD as the Injection Internal Standard					
1,2,3,4,7,8-HxCDF	$^{13}C_{12}$-1,2,3,4,7,8-HxCDF	0.999–1.001	50	5	2.5
1,2,3,6,7,8-HxCDF	$^{13}C_{12}$-1,2,3,6,7,8-HxCDF	0.997–1.005	50	5	2.5
1,2,3,7,8,9-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HxCDF	0.999–1.001	50	5	2.5
2,3,4,6,7,8-HxCDF	$^{13}C_{12}$-2,3,4,6,7,8-HxCDF	0.999–1.001	50	5	2.5
1,2,3,4,7,8-HxCDD	$^{13}C_{12}$-1,2,3,4,7,8-HxCDD	0.999–1.001	50	5	2.5
1,2,3,6,7,8-HxCDD	$^{13}C_{12}$-1,2,3,6,7,8-HxCDD	0.998–1.004	50	5	2.5
1,2,3,7,8,9-HxCDD	([2])	1.000–1.019	50	5	2.5
1,2,3,4,6,7,8-HpCDF	$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDF	0.999–1.001	50	5	2.5

TABLE 2—RETENTION TIME REFERENCES, QUANTITATION REFERENCES, RELATIVE RETENTION TIMES, AND MINIMUM LEVELS FOR CDDS AND DCFS—Continued

CDD/CDF	Retention time and quantitation reference	Relative retention time	Minimum level [1]		
			Water (pg/L; ppq)	Solid (ng/kg; ppt)	Extract (pg/μL; ppb)
1,2,3,4,7,8,9-HpCDF	$^{13}C_{12}$-1,2,3,4,7,8,9-HpCDF	0.999–1.001	50	5	2.5
1,2,3,4,6,7,8-HpCDD	$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDD	0.999–1.001	50	5	2.5
OCDF	$^{13}C_{12}$-OCDD	0.999–1.001	100	10	5.0
OCDD	$^{13}C_{12}$-OCDD	0.999–1.001	100	10	5.0
1,2,3,4,6,7,8,-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	0.949–0.975			
$^{13}C_{12}$1,2,3,7,8,9-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	0.977–1.047			
$^{13}C_{12}$2,3,4,6,7,8,-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	0.959–1.021			
$^{13}C_{12}$1,2,3,4,7,8,-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	0.977–1.000			
$^{13}C_{12}$1,2,3,6,7,8,-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	0.981–1.003			
$^{13}C_{12}$1,2,3,4,6,7,8-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	1.043–1.085			
$^{13}C_{12}$1,2,3,4,7,8,9-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	1.057–1.151			
$^{13}C_{12}$1,2,3,4,6,7,8-HxCDF	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	1.086–1.110			
$^{13}C_{12}$OCDD	$^{13}C_{12}$-1,2,3,7,8,9-HpCDD	1.032–1.311			

[1] The Minimum Level (ML) for each analyte is defined as the level at which the entire analytical system must give a recognizable signal and acceptable calibration point. It is equivalent to the concentration of the lowest calibration standard, assuming that all method-specified sample weights, volumes, and cleanup procedures have been employed.

[2] The retention time reference for 1,2,3,7,8,9-HxCDD is $^{13}C_{12}$-1,2,3,6,7,8-HxCDD, and 1,2,3,7,8,9-HxCDD is quantified using the averaged responses for $^{13}C_{12}$-1,2,3,4,7,8-HxCDD and $^{13}C_{12}$-1,2,3,6,7,8-HxCDD.

TABLE 3—CONCENTRATION OF STOCK AND SPIKING SOLUTIONS CONTAINING CDDS/CDFS AND LABELED COMPOUNDS

CDD/CDF	Labeled compound stock solution [1] (ng/mL)	Labeled compound spiking solution [2] (ng/mL)	PAR stock solution [3] (ng/mL)	PAR spiking solution [4] (ng/mL)
2,3,7,8-TCDD			40	0.8
2,3,7,8-TCDF			40	0.8
1,2,3,7,8-PeCDD			200	4
1,2,3,7,8-PeCDF			200	4
2,3,4,7,8-PeCDF			200	4
1,2,3,4,7,8-HxCDD			200	4
1,2,3,6,7,8-HxCDD			200	4
1,2,3,7,8,9-HxCDD			200	4
1,2,3,4,7,8-HxCDF			200	4
1,2,3,6,7,8-HxCDF			200	4
1,2,3,7,8,9-HxCDF			200	4
2,3,4,6,7,8-HxCDF			200	4
1,2,3,4,6,7,8-HpCDD			200	4
1,2,3,4,6,7,8-HpCDF			200	4
1,2,3,4,7,8,9-HpCDF			200	4
OCDD			400	8
OCDF			400	8
$^{13}C_{12}$-2,3,7,8-TCDD	100	2		
$^{13}C_{12}$-2,3,7,8-TCDF	100	2		
$^{13}C_{12}$-1,2,3,7,8-PeCDD	100	2		
$^{13}C_{12}$-1,2,3,7,8-PeCDF	100	2		
$^{13}C_{12}$-2,3,4,7,8-PeCDF	100	2		
$^{13}C_{12}$-1,2,3,4,7,8-HxCDD	100	2		
$^{13}C_{12}$-1,2,3,6,7,8-HxCDD	100	2		
$^{13}C_{12}$-1,2,3,4,7,8-HxCDF	100	2		
$^{13}C_{12}$-1,2,3,6,7,8-HxCDF	100	2		
$^{13}C_{12}$-1,2,3,7,8,9-HxCDF	100	2		
$^{13}C_{12}$-2,3,4,6,7,8-HxCDF	100	2		
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDD	100	2		
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDF	100	2		
$^{13}C_{12}$-1,2,3,4,7,8,9-HpCDF	100	2		
$^{13}C_{12}$-OCDD	200	4		
Cleanup Standard [5]				
$^{37}Cl_4$-2,3,7,8-TCDD	0.8			
Internal Standards [6]				
$^{13}C_{12}$-1,2,3,4-TCDD	200			
$^{13}C_{12}$-1,2,3,7,8,9-HxCDD	200			

[1] Section 7.10—prepared in nonane and diluted to prepare spiking solution.

[2] Section 7.10.3—prepared in acetone from stock solution daily.

[3] Section 7.9—prepared in nonane and diluted to prepare spiking solution.
[4] Section 7.14—prepared in acetone from stock solution daily.
[5] Section 7.11—prepared in nonane and added to extract prior to cleanup.
[6] Section 7.12—prepared in nonane and added to the concentrated extract immediately prior to injection into the GC (Section 14.2).

TABLE 4—CONCENTRATION OF CDDS/CDFS IN CALIBRATION AND CALIBRATION VERIFICATION SOLUTIONS[1] (SECTION 15.3)

CDD/CDF	CS2 (ng/mL)	CS3 (ng/mL)	CS4 (ng/mL)	CS5 (ng/mL)
2,3,7,8-TCDD	0.5	2	10	40	200
2,3,7,8-TCDF	0.5	2	10	40	200
1,2,3,7,8-PeCDD	2.5	10	50	200	1000
1,2,3,7,8-PeCDF	2.5	10	50	200	1000
2,3,4,7,8-PeCDF	2.5	10	50	200	1000
1,2,3,4,7,8-HxCDD	2.5	10	50	200	1000
1,2,3,6,7,8-HxCDD	2.5	10	50	200	1000
1,2,3,7,8,9-HxCDD	2.5	10	50	200	1000
1,2,3,4,7,8-HxCDF	2.5	10	50	200	1000
1,2,3,6,7,8-HxCDF	2.5	10	50	200	1000
1,2,3,7,8,9-HxCDF	2.5	10	50	200	1000
2,3,4,6,7,8-HxCDF	2.5	10	50	200	1000
1,2,3,4,6,7,8-HpCDD	2.5	10	50	200	1000
1,2,3,4,6,7,8-HpCDF	2.5	10	50	200	1000
1,2,3,4,7,8,9-HpCDF	2.5	10	50	200	1000
OCDD	5.0	20	100	400	2000
OCDF	5.0	20	100	400	2000
$^{13}C_{12}$-2,3,7,8-TCDD	100	100	100	100	100
$^{13}C_{12}$-2,3,7,8-TCDF	100	100	100	100	100
$^{13}C_{12}$-1,2,3,7,8-PeCDD	100	100	100	100	100
$^{13}C_{12}$-PeCDF	100	100	100	100	100
$^{13}C_{12}$-2,3,4,7,8-PeCDF	100	100	100	100	100
$^{13}C_{12}$-1,2,3,4,7,8-HxCDD	100	100	100	100	100
$^{13}C_{12}$-1,2,3,6,7,8-HxCDD	100	100	100	100	100
$^{13}C_{12}$-1,2,3,4,7,8-HxCDF	100	100	100	100	100
$^{13}C_{12}$-1,2,3,6,7,8-HxCDF	100	100	100	100	100
$^{13}C_{12}$-1,2,3,7,8,9-HxCDF	100	100	100	100	100
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDD	100	100	100	100	100
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDF	100	100	100	100	100
$^{13}C_{12}$-1,2,3,4,7,8,9-Hp CDF	100	100	100	100	100
$^{13}C_{12}$-OCDD	200	200	200	200	200
Cleanup Standard:					
$^{37}C1_4$-2,3,7,8-TCDD	0.5	2	10	40	200
Internal Standards:					
$^{13}C_{12}$-1,2,3,4-TCDD	100	100	100	100	100
$^{13}C_{12}$-1,2,3,7,8,9-HxCDD	100	100	100	100	100

TABLE 5—GC RETENTION TIME WINDOW DEFINING SOLUTION AND ISOMER SPECIFICITY TEST STANDARD (SECTION 7.15)

DB–5 column GC retention-time window defining solution		
CDD/CDF	First eluted	Last eluted
TCDF	1,3,6,8-	1,2,8,9-
TCDD	1,3,6,8-	1,2,8,9-
PeCDF	1,3,4,6,8-	1,2,3,8,9-
PeCDD	1,2,4,7,9-	1,2,3,8,9-
HxCDF	1,2,3,4,6,8-	1,2,3,4,8,9-
HxCDD	1,2,4,6,7,9-	1,2,3,4,6,7-
HpCDF	1,2,3,4,6,7,8-	1,2,3,4,7,8,9-
HpCDD	1,2,3,4,6,7,9-	1,2,3,4,6,7,8-

DB–5 Column TCDD Specificity Test Standard

1,2,3,7=1,2,3,8-TCDD
2,3,7,8-TCDD
1,2,3,9-TCDD

DB–225 Column TCDF Isomer Specificity Test Standard

2,3,4,7-TCDF
2,3,7,8-TCDF
1,2,3,9-TCDF

TABLE 6—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS WHEN ALL CDDS/CDFS ARE TESTED [1]

CDD/CDF	Test conc. (ng/mL)	IPR [2 3]		OPR (ng/mL)	VER (ng/mL)
		s (ng/mL)	X (ng/mL)		
2,3,7,8-TCDD	10	2.8	8.3–12.9	6.7–15.8	7.8–12.9
2,3,7,8-TCDF	10	2.0	8.7–13.7	7.5–15.8	8.4–12.0
1,2,3,7,8-PeCDD	50	7.5	38–66	35–71	39–65
1,2,3,7,8-PeCDF	50	7.5	43–62	40–67	41–60
2,3,4,7,8-PeCDF	50	8.6	36–75	34–80	41–61
1,2,3,4,7,8-HxCDD	50	9.4	39–76	35–82	39–64
1,2,3,6,7,8-HxCDD	50	7.7	42–62	38–67	39–64
1,2,3,7,8,9-HxCDD	50	11.1	37–71	32–81	41–61
1,2,3,4,7,8-HxCDF	50	8.7	41–59	36–67	45–56
1,2,3,6,7,8-HxCDF	50	6.7	46–60	42–65	44–57
1,2,3,7,8,9-HxCDF	50	6.4	42–61	39–65	45–56
2,3,4,6,7,8-HxCDF	50	7.4	37–74	35–78	44–57
1,2,3,4,6,7,8-HpCDD	50	7.7	38–65	35–70	43–58
1,2,3,4,6,7,8-HpCDF	50	6.3	45–56	41–61	45–55
1,2,3,4,7,8,9-HpCDF	50	8.1	43–63	39–69	43–58
OCDD	100	19	89–127	78–144	79–126
OCDF	100	27	74–146	63–170	63–159
$^{13}C_{12}$-2,3,7,8-TCDD	100	37	28–134	20–175	82–121
$^{13}C_{12}$-2,3,7,8-TCDF	100	35	31–113	22–152	71–140
$^{13}C_{12}$-1,2,3,7,8-PeCDD	100	39	27–184	21–227	62–160
$^{13}C_{12}$-1,2,3,7,8-PeCDF	100	34	27–156	21–192	76–130
$^{13}C_{12}$-2,3,4,7,8-PeCDF	100	38	16–279	13–328	77–130
$^{13}C_{12}$-1,2,3,4,7,8-HxCDD	100	41	29–147	21–193	85–117
$^{13}C_{12}$-1,2,3,6,7,8-HxCDD	100	38	34–122	25–163	85–118
$^{13}C_{12}$-1,2,3,4,7,8-HxCDF	100	43	27–152	19–202	76–131
$^{13}C_{12}$-1,2,3,6,7,8-HxCDF	100	35	30–122	21–159	70–143
$^{13}C_{12}$-1,2,3,7,8,9-HxCDF	100	40	24–157	17–205	74–135
$^{13}C_{12}$-2,3,4,6,7,8,-HxCDF	100	37	29–136	22–176	73–137
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDD	100	35	34–129	26–166	72–138
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDF	100	41	32–110	21–158	78–129
$^{13}C_{12}$-1,2,3,4,7,8,9-HpCDF	100	40	28–141	20–186	77–129
$^{13}C_{12}$-OCDD	200	95	41–276	26–397	96–415
$^{37}Cl_4$-2,3,7,8-TCDD	10	3.6	3.9–15.4	3.1–19.1	7.9–12.7

[1] All specifications are given as concentration in the final extract, assuming a 20 μL volume.
[2] s = standard deviation of the concentration.
[3] X = average concentration.

TABLE 6A—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS WHEN ONLY TETRA COMPOUNDS ARE TESTED [1]

CDD/CDF	Test Conc. (ng/mL)	IPR [2 3]		OPR (ng/mL)	VER (ng/mL)
		s (ng/mL)	X (ng/mL)		
2,3,7,8-TCDD	10	2.7	8.7–12.4	7.314.6	8.2–12.3
2,3,7,8-TCDF	10	2.0	9.1–13.1	8.0–14.7	8.6–11.6
$^{13}C_{12}$-2,3,7,8-TCDD	100	35	32–115	25–141	85–117
$^{13}C_{12}$-2,3,7,8-TCDF	100	34	35–99	26–126	76–131
$^{37}C_{l4}$-2,3,7,8-TCDD	10	3.4	4.5–13.4	3.7–15.8	8.3–12.1

[1] All specifications are given as concentration in the final extract, assuming a 20 μL volume.
[2] s = standard deviation of the concentration.
[3] X = average concentration.

TABLE 7—LABELED COMPOUNDS RECOVERY IN SAMPLES WHEN ALL CDDS/CDFS ARE TESTED

Compound	Test conc. (ng/mL)	Labeled compound recovery	
		(ng/mL) [1]	(%)
$^{13}C_{12}$-2,3,7,8-TCDD	100	25–164	25–164
$^{13}C_{12}$-2,3,7,8-TCDF	100	24–169	24–169
$^{13}C_{12}$-1,2,3,7,8-PeCDD	100	25–181	25–181
$^{13}C_{12}$-1,2,3,7,8-PeCDF	100	24–185	24–185
$^{13}C_{12}$-2,3,4,7,8-PeCDF	100	21–178	21–178
$^{13}C_{12}$-1,2,3,4,7,8-HxCDD	100	32–141	32–141
$^{13}C_{12}$-1,2,3,6,7,8-HxCDD	100	28–130	28–130
$^{13}C_{12}$-1,2,3,4,7,8-HxCDF	100	26–152	26–152
$^{13}C_{12}$-1,2,3,6,7,8-HxCDF	100	26–123	26–123

TABLE 7—LABELED COMPOUNDS RECOVERY IN SAMPLES WHEN ALL CDDS/CDFS ARE TESTED—Continued

Compound	Test conc. (ng/mL)	Labeled compound recovery	
		(ng/mL) [1]	(%)
$^{13}C_{12}$-1,2,3,7,8,9-HxCDF	100	29–147	29–147
$^{13}C_{12}$-2,3,4,6,7,8-HxCDF	100	28–136	28–136
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDD	100	23–140	23–140
$^{13}C_{12}$-1,2,3,4,6,7,8-HpCDF	100	28–143	28–143
$^{13}C_{12}$-1,2,3,4,7,8,9-HpCDF	100	26–138	26–138
$^{13}C_{12}$-OCDD	200	34-313	17–157
$^{37}Cl_4$-2,3,7,8-TCDD	10	3.5–19.7	35–197

[1] Specification given as concentration in the final extract, assuming a 20-μL volume.

TABLE 7A—LABELED COMPOUND RECOVERY IN SAMPLES WHEN ONLY TETRA COMPOUNDS ARE TESTED

Compound	Test conc. (ng/mL)	Labeled compound recovery	
		(ng/mL) [1]	(%)
$^{13}C_{12}$-2,3,7,8-TCDD	100	31–137	31–137
$^{13}C_{12}$-2,3,7,8-TCDF	100	29–140	29–140
$^{37}Cl_4$-2,3,7,8-TCDD	10	4.2–16.4	42–164

[1] Specification given as concentration in the final extract, assuming a 20 μL volume.

TABLE 8—DESCRIPTORS, EXACT M/Z'S, M/Z TYPES, AND ELEMENTAL COMPOSITIONS OF THE CDDS AND CDFS

Descriptor	Exact M/Z [1]	M/Z type	Elemental composition	Substance [2]
1	292.9825	Lock	C_7F_{11}	PFK
	303.9016	M	$C_{12}H_4{}^{35}Cl_4O$	TCDF
	305.8987	M=2	$C_{12}H_4{}^{35}Cl_3{}^{37}ClO$	TCDF
	315.9419	M	$^{13}C_{12}H_4{}^{35}Cl_4O$	TCDF [3]
	317.9389	M=2	$^{13}C_{12}H_4{}^{35}Cl_3{}^{37}ClO$	TCDF [3]
	319.8965	M	$C_{12}H_4{}^{35}Cl_4O_2$	TCDD
	321.8936	M=2	$C_{12}H_4{}^{35}Cl_3{}^{37}ClO_2$	TCDD
	327.8847	M	$C_{12}H_4{}^{37}Cl_4O_2$	TCDD [4]
	330.9792	QC	C_7F_{13}	PFK
	331.9368	M	$^{13}C_{12}H_4{}^{35}Cl_4O_2$	TCDD [3]
	333.9339	M=2	$^{13}C_{12}H_4{}^{35}Cl_3{}^{37}ClO_2$	TCDD [3]
	375.8364	M=2	$C_{12}H_4{}^{35}Cl_5{}^{37}ClO$	HxCDPE
2	339.8597	M=2	$C_{12}H_3{}^{35}Cl_4{}^{37}ClO$	PeCDF
	341.8567	M=4	$C_{12}H_3{}^{35}Cl_3{}^{37}Cl_2O$	PeCDF
	351.9000	M=2	$^{13}C_{12}H_3{}^{35}Cl_4{}^{37}ClO$	PeCDF
	353.8970	M=4	$^{13}C_{12}H_3{}^{35}Cl_3{}^{37}Cl_2O$	PeCDF [3]
	354.9792	Lock	C_9F_{13}	PFK
	355.8546	M=2	$C_{12}H_3{}^{35}Cl_4{}^{37}ClO_2$	PeCDD
	357.8516	M=4	$C_{12}H_3{}^{35}Cl_3{}^{37}Cl_2O_2$	PeCDD
	367.8949	M=2	$^{13}C_{12}H_3{}^{35}Cl_4{}^{37}ClO_2$	PeCDD [3]
	369.8919	M=4	$^{13}C_{12}H_3{}^{35}Cl_3{}^{37}Cl_2O_2$	PeCDD [3]
	409.7974	M=2	$C_{12}H_3{}^{35}Cl_6{}^{37}ClO$	HpCDPE
3	373.8208	M=2	$C_{12}H_2{}^{35}Cl_5{}^{37}ClO$	HxCDF
	375.8178	M=4	$C_{12}H_2{}^{35}Cl_4{}^{37}Cl_2O$	HxCDF
	383.8639	M	$^{13}C_{12}H_2{}^{35}Cl_6O$	HxCDF [3]
	385.8610	M=2	$^{13}C_{12}H_2{}^{35}Cl_5{}^{37}ClO$	HxCDF [3]
	389.8157	M=2	$C_{12}H_2{}^{35}Cl_5{}^{37}ClO_2$	HxCDD
	391.8127	M=4	$C_{12}H_2{}^{35}Cl_4{}^{37}Cl_2O_2$	HxCDD
	392.9760	Lock	C_9F_{15}	PFK
	401.8559	M=2	$^{13}C_{12}H_2{}^{35}Cl_5{}^{37}ClO_2$	HxCDD [3]
	403.8529	M=4	$^{13}C_{12}H_2{}^{35}Cl_4{}^{37}Cl_2O_2$	HxCDD [3]
	430.9729	QC	C_9F_{17}	PFK
	445.7555	M=4	$C_{12}H_2{}^{35}Cl_6{}^{37}Cl_2O$	OCDPE
4	407.7818	M=2	$C_{12}H^{35}Cl_6{}^{37}ClO$	HpCDF
	409.7789	M=4	$C_{12}H^{35}Cl_5{}^{37}Cl_2O$	HpCDF
	417.8253	M	$^{13}C_{12}H^{35}Cl_7O$	HpCDF [3]
	419.8220	M=2	$^{13}C_{12}H^{35}Cl_6{}^{37}ClO$	HpCDF [3]
	423.7766	M=2	$C_{12}H^{35}Cl_6{}^{37}ClO_2$	HpCDD
	425.7737	M=4	$C_{12}H^{35}Cl_5{}^{37}Cl_2O_2$	HpCDD

TABLE 8—DESCRIPTORS, EXACT M/Z'S, M/Z TYPES, AND ELEMENTAL COMPOSITIONS OF THE CDDS AND CDFS—Continued

Descriptor	Exact M/Z [1]	M/Z type	Elemental composition	Substance [2]
	430.9729	Lock	C_9F_{17}	PFK
	435.8169	M=2	$^{13}C_{12}H^{35}Cl_6{}^{37}ClO_2$	HpCDD [3]
	437.8140	M=4	$^{13}C_{12}H^{35}Cl_5{}^{37}Cl_2O_2$	HpCDD [3]
	479.7165	M=4	$C_{12}H^{35}Cl_7{}^{37}Cl_2O$	NCDPE
5	441.7428	M=2	$C_{12}{}^{35}Cl_7{}^{37}ClO$	OCDF
	442.9728	Lock	$C_{10}F_{17}$	PFK
	443.7399	M=4	$C_{12}{}^{35}Cl_6{}^{37}Cl_2O$	OCDF
	457.7377	M=2	$C_{12}{}^{35}Cl_7{}^{37}ClO_2$	OCDD
	459.7348	M=4	$C_{12}{}^{35}Cl_6{}^{37}Cl_2O_2$	OCDD
	469.7779	M=2	$^{13}C_{12}{}^{35}Cl_7{}^{37}ClO_2$	OCDD[3]
	471.7750	M=4	$^{13}C_{12}{}^{35}Cl_6{}^{37}Cl_2O_2$	OCDD[3]
	513.6775	M=4	$C_{12}{}^{35}Cl_8{}^{37}Cl_2O$	DCDPE

[1] Nuclidic masses used:
H = 1.007825.
O = 15.994915.
C = 12.00000.
^{35}Cl = 34.968853.
^{13}C = 13.003355.
^{37}Cl = 36.965903.
F = 18.9984.
[2] TCDD = Tetrachlorodibenzo-p-dioxin.
PeCDD = Pentachlorodibenzo-p-dioxin.
HxCDD = Hexachlorodibenzo-p-dioxin.
HpCDD = Heptachlorodibenzo-p-dioxin.
OCDD = Octachlorodibenzo-p-dioxin.
HxCDPE = Hexachlorodiphenyl ether.
OCDPE = Octachlorodiphenyl ether.
DCDPE = Decachlorodiphenyl ether.
TCDF = Tetrachlorodibenzofuran.
PeCDF = Pentachlorodibenzofuran.
HxCDF = Hexachlorodibenzofuran.
HpCDF = Heptachlorodibenzofuran.
OCDF = Octachlorodibenzofuran.
HpCDPE = Heptachlorodiphenyl ether.
NCDPE = Nonachlorodiphenyl ether.
PFK = Perfluorokerosene.
[3] Labeled compound.
[4] There is only one m/z for $^{37}Cl_4$-2,3,7,8,-TCDD (cleanup standard).

TABLE 9—THEORETICAL ION ABUNDANCE RATIOS AND QC LIMITS

Number of chlorine atoms	M/Z's forming ratio	Theoretical ratio	QC limit [1]	
			Lower	Upper
4 [2]	M/(M=2)	0.77	0.65	0.89
5	(M=2)/(M=4)	1.55	1.32	1.78
6	(M=2)/(M=4)	1.24	1.05	1.43
6 [3]	M/(M=2)	0.51	0.43	0.59
7	(M=2)/(M=4)	1.05	0.88	1.20
7 [4]	M/(M=2)	0.44	0.37	0.51
8	(M=2)/(M=4)	0.89	0.76	1.02

[1] QC limits represent ±15% windows around the theoretical ion abundance ratios.
[2] Does not apply to $^{37}Cl_4$-2,3,7,8-TCDD (cleanup standard).
[3] Used for $^{13}C_{12}$-HxCDF only.
[4] Used for $^{13}C_{12}$-HpCDF only.

TABLE 10—SUGGESTED SAMPLE QUANTITIES TO BE EXTRACTED FOR VARIOUS MATRICES [1]

Sample Matrix [2]	Example	Percent solids	Phase	Quantity extracted
Single-phase:				
Aqueous	Drinking water	<1	([3])	1000 mL.
	Groundwater			
	Treated wastewater			
Solid	Dry soil	>20	Solid	10 g.
	Compost			
	Ash			
Organic	Waste solvent	<1	Organic	10 g.
	Waste oil			
	Organic polymer			
Tissue	Fish		Organic	10 g.
	Human adipose			

TABLE 10—SUGGESTED SAMPLE QUANTITIES TO BE EXTRACTED FOR VARIOUS MATRICES [1]—Continued

Sample Matrix [2]	Example	Percent solids	Phase	Quantity extracted
Multi-phase:				
Liquid/Solid:				
Aqueous/Solid	Wet soil Untreated effluent. Digested municipal sludge. Filter cake. Paper pulp.	1–30	Solid	10 g.
Organic/solid	Industrial sludge	1–100	Both	10 g.
	Oily waste			
Liquid/Liquid:				
Aqueous/organic	In-process effluent	<1	Organic	10 g.
	Untreated effluent			
	Drum waste			
Aqueous/organic/solid.	Untreated effluent	>1	Organic and solid	10 g.
	Drum waste			

[1] The quantity of sample to be extracted is adjusted to provide 10 g of solids (dry weight). One liter of aqueous samples containing 1% solids will contain 10 g of solids. For aqueous samples containing greater than 1% solids, a lesser volume is used so that 10 g of solids (dry weight) will be extracted.

[2] The sample matrix may be amorphous for some samples. In general, when the CDDs/CDFs are in contact with a multiphase system in which one of the phases is water, they will be preferentially dispersed in or adsorbed on the alternate phase because of their low solubility in water.

[3] Aqueous samples are filtered after spiking with the labeled compounds. The filtrate and the materials trapped on the filter are extracted separately, and the extracts are combined for cleanup and analysis.

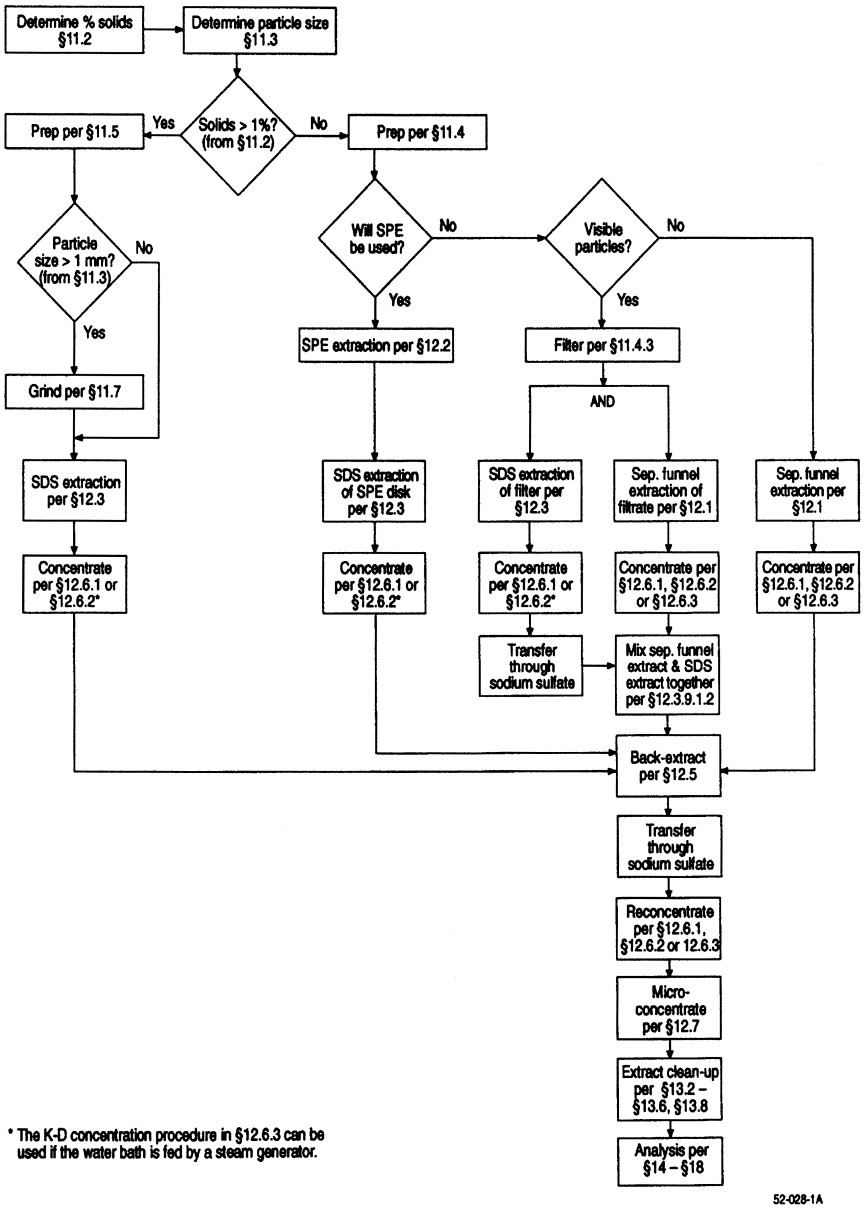

Figure 1. Flow Chart for Analysis of Aqueous and Solid Samples

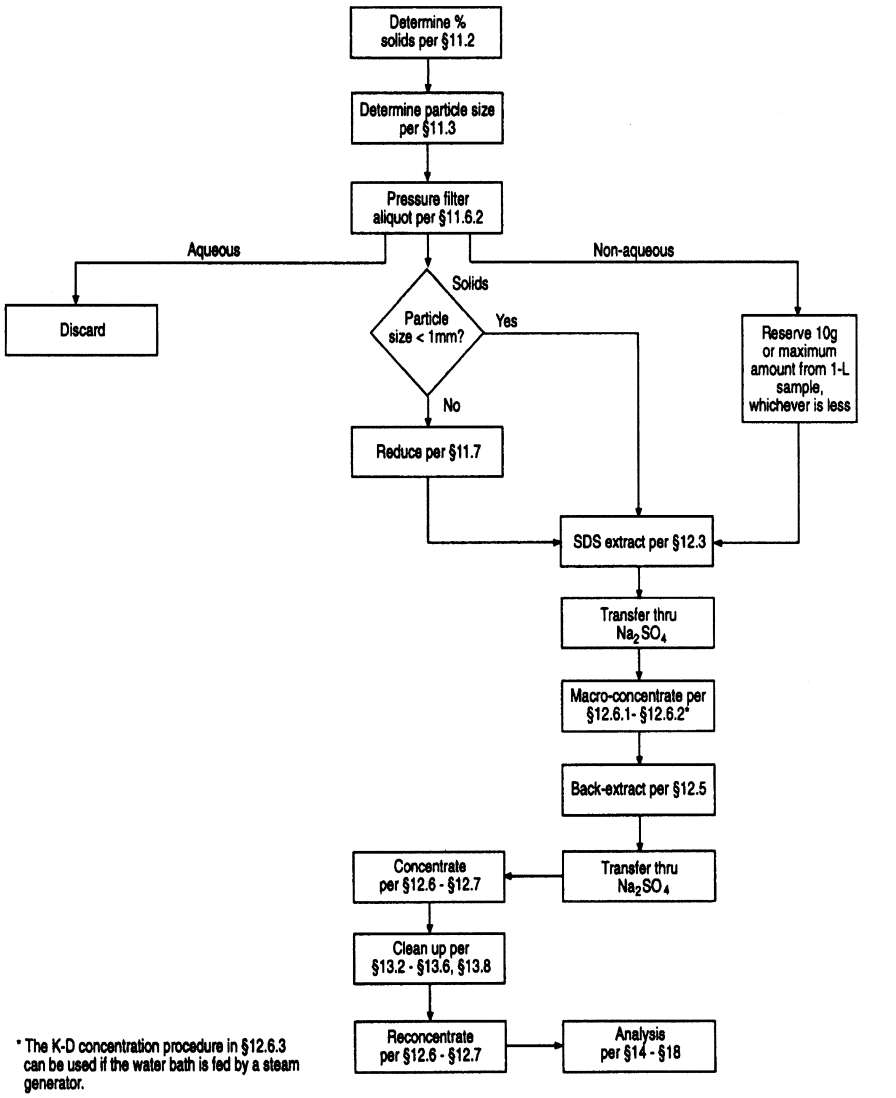

Figure 2. Flow Chart for Analysis of Multi-Phase Samples

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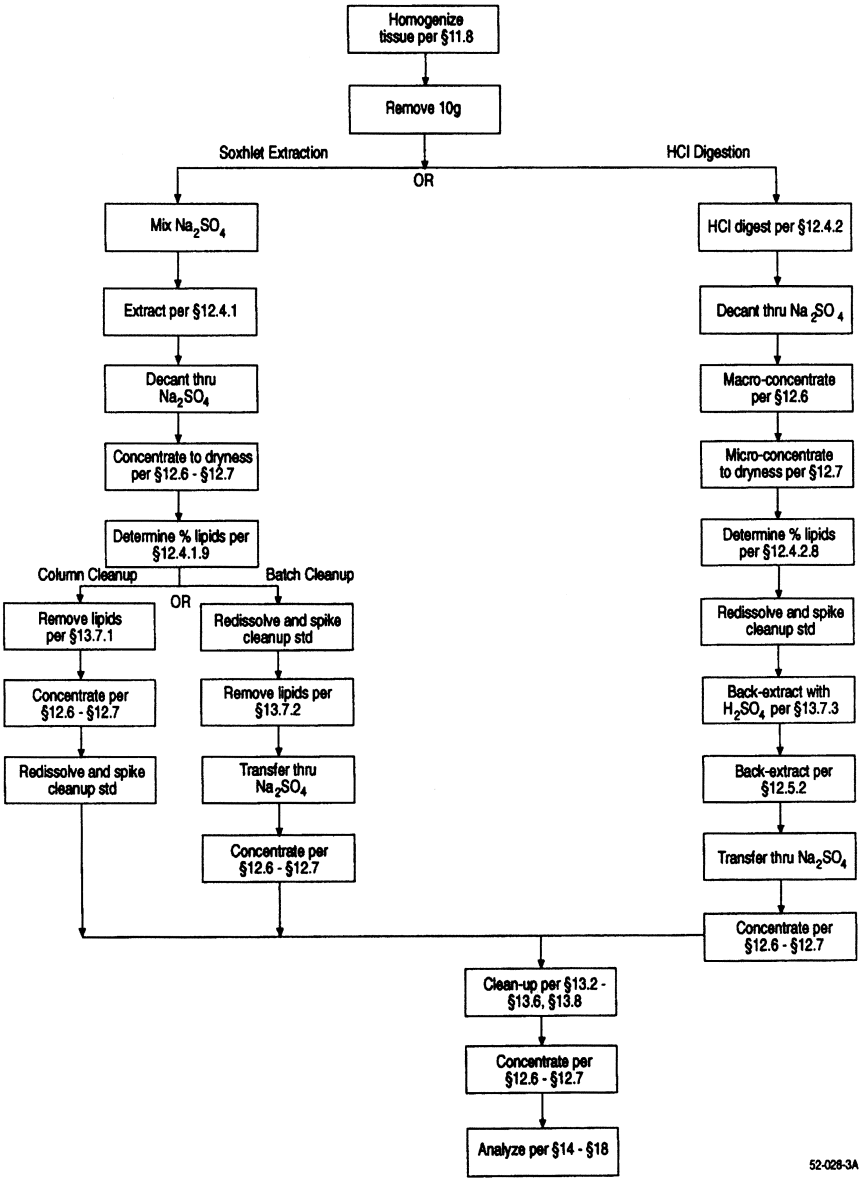

Figure 3. Flow Chart for Analysis of Tissue Samples

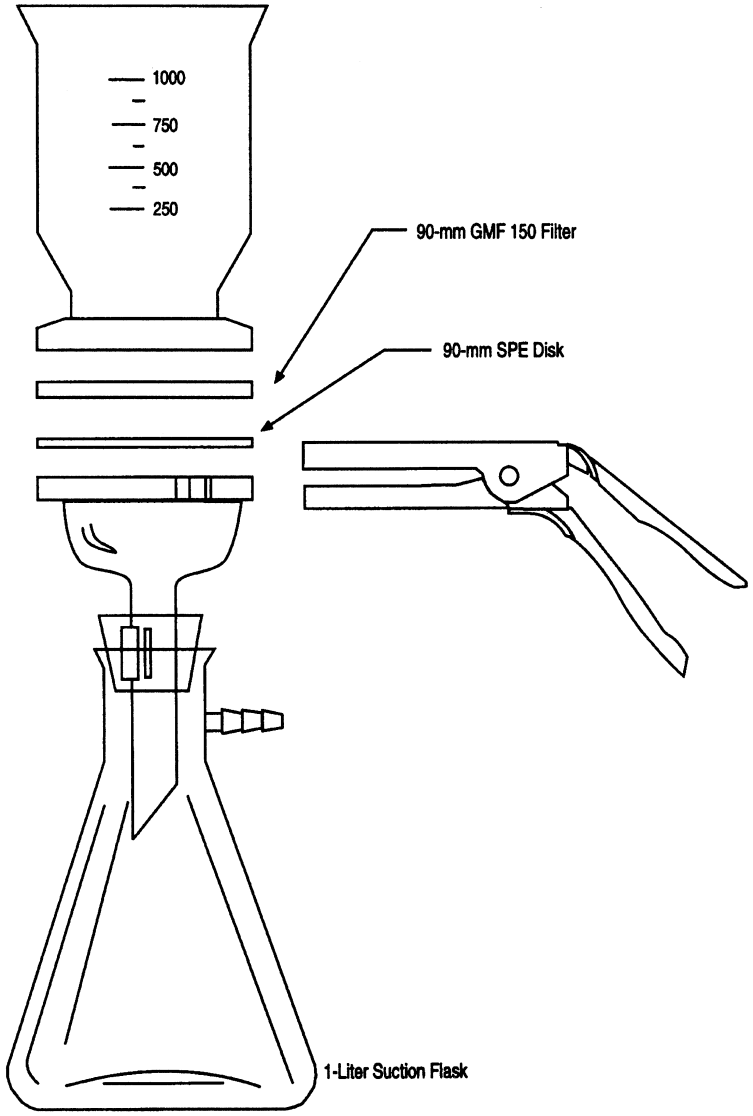

Figure 4. Solid-Phase Extraction Apparatus

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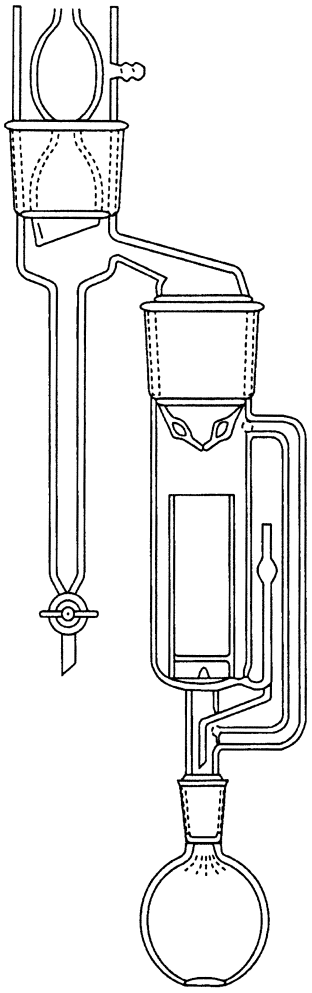

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Figure 5. Soxhlet/Dean-Stark Extractor

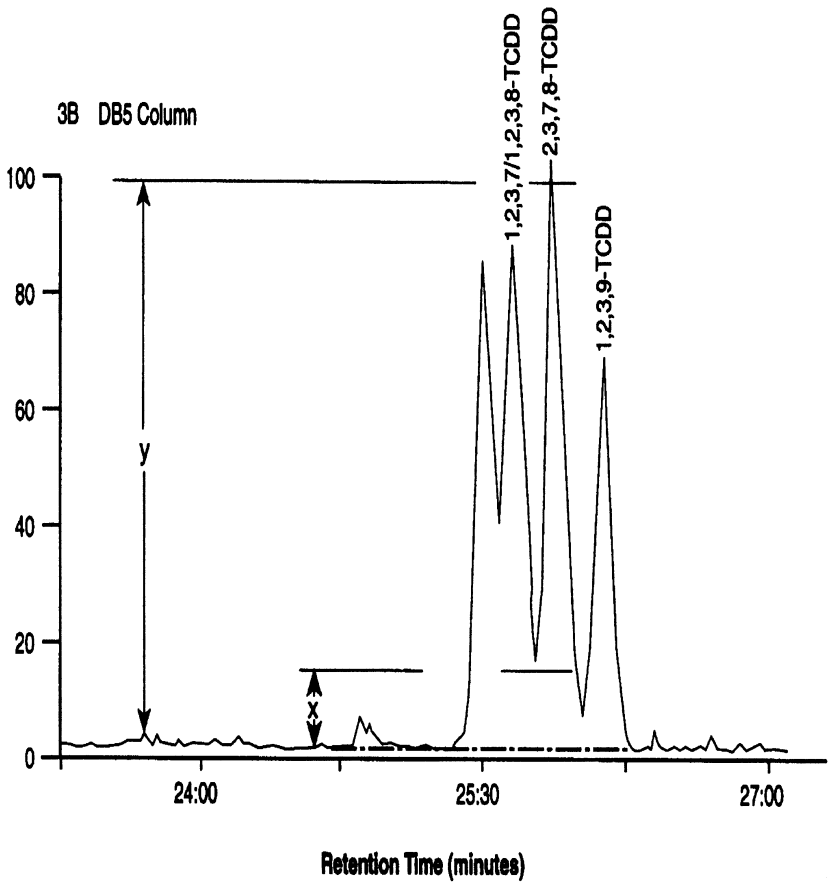

Figure 6. Isomer-Specific Separation of 2,3,7,8-TCDD on DB-5 Column

52-027-03

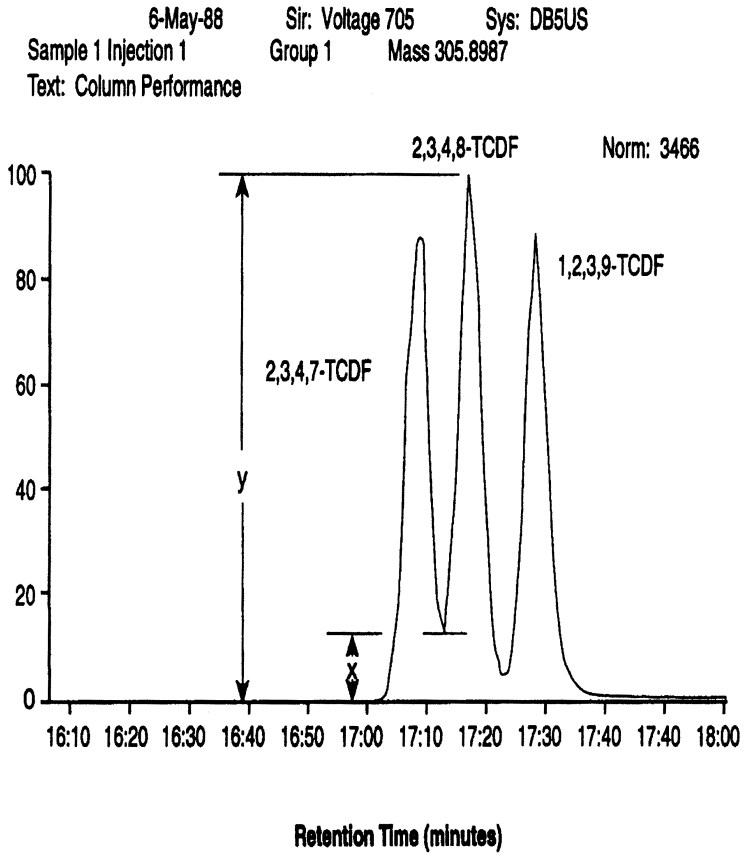

Figure 7. Isomer-Specific Separation of 2,3,7,8-TCDF on DB-5 Column

52-027-4A

24.0 Glossary of Definitions and Purposes

These definitions and purposes are specific to this method but have been conformed to common usage as much as possible.

24.1 Units of weight and Measure and Their Abbreviations.

24.1.1 Symbols:

°C—degrees Celsius
µL—microliter
µm—micrometer
<—less than
>—greater than
%—percent

24.1.2 Alphabetical abbreviations:

amp—ampere
cm—centimeter
g—gram
h—hour
D—inside diameter
in.—inch
L—liter
M—Molecular ion
m—meter
mg—milligram
min—minute
mL—milliliter
mm—millimeter
m/z—mass-to-charge ratio

N—normal; gram molecular weight of solute divided by hydrogen equivalent of solute, per liter of solution
OD—outside diameter
pg—picogram
ppb—part-per-billion
ppm—part-per-million
ppq—part-per-quadrillion
ppt—part-per-trillion
psig—pounds-per-square inch gauge
v/v—volume per unit volume
w/v—weight per unit volume

24.2 Definitions and Acronyms (in Alphabetical Order).

Analyte—A CDD or CDF tested for by this method. The analytes are listed in Table 1.

Calibration Standard (CAL)—A solution prepared from a secondary standard and/or stock solutions and used to calibrate the response of the instrument with respect to analyte concentration.

Calibration Verification Standard (VER)—The mid-point calibration standard (CS3) that is used in to verify calibration. See Table 4.

CDD—Chlorinated Dibenzo-p-ioxin—The isomers and congeners of tetra-through octachlorodibenzo-p-dioxin.

CDF—Chlorinated Dibenzofuran—The isomers and congeners of tetra-through octachlorodibenzofuran.

CS1, CS2, CS3, CS4, CS5—See Calibration standards and Table 4.

Field Blank—An aliquot of reagent water or other reference matrix that is placed in a sample container in the laboratory or the field, and treated as a sample in all respects, including exposure to sampling site conditions, storage, preservation, and all analytical procedures. The purpose of the field blank is to determine if the field or sample transporting procedures and environments have contaminated the sample.

GC—Gas chromatograph or gas chromatography.

GPC—Gel permeation chromatograph or gel permeation chromatography.

HPLC—High performance liquid chromatograph or high performance liquid chromatography.

HRGC—High resolution GC.

HRMS—High resolution MS.

IPR—Initial precision and recovery; four aliquots of the diluted PAR standard analyzed to establish the ability to generate acceptable precision and accuracy. An IPR is performed prior to the first time this method is used and any time the method or instrumentation is modified.

K–D—Kuderna-Danish concentrator; a device used to concentrate the analytes in a solvent.

Laboratory Blank—See method blank.

Laboratory Control sample (LCS)—See ongoing precision and recovery standard (OPR).

Laboratory Reagent Blank—See method blank.

May—This action, activity, or procedural step is neither required nor prohibited.

May Not—This action, activity, or procedural step is prohibited.

Method Blank—An aliquot of reagent water that is treated exactly as a sample including exposure to all glassware, equipment, solvents, reagents, internal standards, and surrogates that are used with samples. The method blank is used to determine if analytes or interferences are present in the laboratory environment, the reagents, or the apparatus.

Minimum Level (ML)—The level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that all method-specified sample weights, volumes, and cleanup procedures have been employed.

MS—Mass spectrometer or mass spectrometry.

Must—This action, activity, or procedural step is required.

OPR—Ongoing precision and recovery standard (OPR); a laboratory blank spiked with known quantities of analytes. The OPR is analyzed exactly like a sample. Its purpose is to assure that the results produced by the laboratory remain within the limits specified in this method for precision and recovery.

PAR—Precision and recovery standard; secondary standard that is diluted and spiked to form the IPR and OPR.

PFK—Perfluorokerosene; the mixture of compounds used to calibrate the exact m/z scale in the HRMS.

Preparation Blank—See method blank.

Primary Dilution Standard—A solution containing the specified analytes that is purchased or prepared from stock solutions and diluted as needed to prepare calibration solutions and other solutions.

Quality Control Check Sample (QCS)—A sample containing all or a subset of the analytes at known concentrations. The QCS is obtained from a source external to the laboratory or is prepared from a source of standards different from the source of calibration standards. It is used to check laboratory performance with test materials prepared external to the normal preparation process.

Reagent Water—Water demonstrated to be free from the analytes of interest and potentially interfering substances at the method detection limit for the analyte.

Relative Standard Deviation (RSD)—The standard deviation times 100 divided by the mean. Also termed "coefficient of variation."

RF—Response factor. See Section 10.6.1.

RR—Relative response. See Section 10.5.2.

RSD—See relative standard deviation.

SDS—Soxhlet/Dean-Stark extractor; an extraction device applied to the extraction of solid and semi-solid materials (Reference 7).

Should—This action, activity, or procedural step is suggested but not required.

SICP—Selected ion current profile; the line described by the signal at an exact m/z.

SPE—Solid-phase extraction; an extraction technique in which an analyte is extracted from an aqueous sample by passage over or through a material capable of reversibly adsorbing the analyte. Also termed liquid-solid extraction.

Stock Solution—A solution containing an analyte that is prepared using a reference material traceable to EPA, the National Institute of Science and Technology (NIST), or a source that will attest to the purity and authenticity of the reference material.

TCDD—Tetrachlorodibenzo-p-dioxin.

TCDF—Tetrachlorodibenzofuran.

VER—See calibration verification standard.

METHOD 1624 REVISION B—VOLATILE ORGANIC COMPOUNDS BY ISOTOPE DILUTION GC/MS

1. Scope and Application

1.1 This method is designed to determine the volatile toxic organic pollutants associated with the 1976 Consent Decree and additional compounds amenable to purge and trap gas chromatography-mass spectrometry (GC/MS).

1.2 The chemical compounds listed in table 1 may be determined in municipal and industrial discharges by this method. The methmd is designed to meet the survey requirements of Effluent Guidelines Division (EGD) and the National Pollutants Discharge Elimination System (NPDES) under 40 CFR 136.1 and 136.5. Any modifications of this method, beyond those expressly permitted, shall be considered as major modifications subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.3 The detection limit of this method is usually dependent on the level of interferences rather than instrumental limitations. The limits in table 2 represent the minimum quantity that can be detected with no interferences present.

1.4 The GC/MS portions of this method are for use only by analysts experienced with GC/MS or under the close supervision of such qualified persons. Laboratories unfamiliar with the analyses of environmental samples by GC/MS should run the performance tests in reference 1 before beginning.

2. Summary of Method

2.1 Stable isotopically labeled analogs of the compounds of interest are added to a 5 mL water sample. The sample is purged at 20–25 °C with an inert gas in a specially designed chamber. The volatile organic compounds are transferred from the aqueous phase into the gaseous phase where they are passed into a sorbent column and trapped. After purging is completed, the trap is backflushed and heated rapidly to desorb the compounds into a gas chromatograph (GC). The compounds are separated by the GC and detected by a mass spectrometer (MS) (references 2 and 3). The labeled compounds serve to correct the variability of the analytical technique.

2.2 Identification of a compound (qualitative analysis) is performed by comparing the GC retention time and the background corrected characteristic spectral masses with those of authentic standards.

2.3 Quantitative analysis is performed by GC/MS using extracted ion current profile (EICP) areas. Isotope dilution is used when labeled compounds are available; otherwise, an internal standard method is used.

2.4 Quality is assured through reproducible calibration and testing of the purge and trap and GC/MS systems.

3. Contamination and Interferences

3.1 Impurities in the purge gas, organic compounds out-gassing from the plumbing upstream of the trap, and solvent vapors in the laboratory account for the majority of contamination problems. The analytical system is demonstrated to be free from interferences under conditions of the analysis by analyzing blanks initially and with each sample lot (samples analyzed on the same 8 hr shift), as described in Section 8.5.

3.2 Samples can be contaminated by diffusion of volatile organic compounds (particularly methylene chloride) through the bottle seal during shipment and storage. A field blank prepared from reagent water and carried through the sampling and handling protocol serves as a check on such contamination.

3.3 Contamination by carry-over can occur when high level and low level samples are analyzed sequentially. To reduce carryover, the purging device and sample syringe are rinsed between samples with reagent water. When an unusually concentrated sample is encountered, it is followed by analysis of a reagent water blank to check for carryover. For samples containing large amounts of water soluble materials, suspended solids, high boiling compounds, or high levels or purgeable compounds, the purge device is washed with soap solution, rinsed with tap and distilled water, and dried in an oven at 100–125 °C. The trap and other parts of the system are also subject to contamination; therefore, frequent bakeout and purging of the entire system may be required.

3.4 Interferences resulting from samples will vary considerably from source to source, depending on the diversity of the industrial complex or municipality being sampled.

4. Safety

4.1 The toxicity or carcinogenicity of each compound or reagent used in this method has not been precisely determined; however, each chemical compound should be treated as a potential health hazard. Exposure to these compounds should be reduced to the lowest possible level. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of data handling sheets should also be made available to all personnel involved in these analyses. Additional information on laboratory safety can be found in references 4–6.

4.2 The following compounds covered by this method have been tentatively classified as known or suspected human or mammalian carcinogens: benzene, carbon tetrachloride, chloroform, and vinyl chloride. Primary standards of these toxic compounds should be prepared in a hood, and a NIOSH/MESA approved toxic gas respirator should be worn when high concentrations are handled.

5. Apparatus and Materials

5.1 Sample bottles for discrete sampling.

5.1.1 Bottle—25 to 40 mL with screw cap (Pierce 13075, or equivalent). Detergent wash, rinse with tap and distilled water, and dry at >105 °C for one hr minimum before use.

5.1.2 Septum—Teflon-faced silicone (Pierce 12722, or equivalent), cleaned as above and baked at 100–200 °C, for one hour minimum.

5.2 Purge and trap device—consists of purging device, trap, and desorber. Complete devices are commercially available.

5.2.1 Purging device—designed to accept 5 mL samples with water column at least 3 cm deep. The volume of the gaseous head space between the water and trap shall be less than 15 mL. The purge gas shall be introduced less than 5 mm from the base of the water column and shall pass through the water as bubbles with a diameter less than 3 mm. The purging device shown in Figure 1 meets these criteria.

5.2.2 Trap—25 to 30 cm × 2.5 mm i.d. minimum, containing the following:

5.2.2.1 Methyl silicone packing—one ±0.2 cm, 3 percent OV–1 on 60/80 mesh Chromosorb W, or equivalent.

5.2.2.2 Porous polymer—15 ±1.0 cm, Tenax GC (2,6-diphenylene oxide polymer), 60/80 mesh, chromatographic grade, or equivalent.

5.2.2.3 Silica gel—8 ±1.0 cm, Davison Chemical, 35/60 mesh, grade 15, or equivalent. The trap shown in Figure 2 meets these specifications.

5.2.3 Desorber—shall heat the trap to 175 ±5 °C in 45 seconds or less. The polymer section of the trap shall not exceed 180 °C, and the remaining sections shall not exceed 220 °C. The desorber shown in Figure 2 meets these specifications.

5.2.4 The purge and trap device may be a separate unit or coupled to a GC as shown in Figures 3 and 4.

5.3 Gas chromatograph—shall be linearly temperature programmable with initial and final holds, shall contain a glass jet separator as the MS interface, and shall produce results which meet the calibration (Section 7), quality assurance (Section 8), and performance tests (Section 11) of this method.

5.3.1 Column—2.8 ±0.4 m × 2 ±0.5 mm i. d. glass, packekd with one percent SP–1000 on Carbopak B, 60/80 mesh, or equivalent.

5.4 Mass spectrometer—70 eV electron impact ionization; shall repetitively scan from 20 to 250 amu every 2–3 seconds, and produce a unit resolution (valleys between m/z 174–176 less than 10 percent of the height of the m/z 175 peak), background corrected mass spectrum from 50 ng 4-bromo-fluorobenzene (BFB) injected into the GC. The BFB spectrum shall meet the mass-intensity criteria in Table 3. All portions of the GC column, transfer lines, and separator which connect the GC column to the ion source shall remain at or above the column temperature during analysis to preclude condensation of less volatile compounds.

5.5 Data system—shall collect and record MS data, store mass intensity data in spectral libraries, process GC/MS data and generate reports, and shall calculate and record response factors.

5.5.1 Data acquisition—mass spectra shall be collected continuously throughout the analysis and stored on a mass storage device.

5.5.2 Mass spectral libraries—user created libraries containing mass spectra obtained from analysis of authentic standards shall be employed to reverse search GC/MS runs for the compounds of interest (Section 7.2).

5.5.3 Data processing—the data system shall be used to search, locate, identify, and quantify the compounds of interest in each GC/MS analysis. Software routines shall be employed to compute retention times and EICP areas. Displays of spectra, mass chromatograms, and library comparisons are required to verify results.

5.5.4 Response factors and multipoint calibrations—the data system shall be used to record and maintain lists of response factors (response ratios for isotope dilution) and generate multi-point calibration curves (Section 7). Computations of relative standard deviation (coefficient of variation) are useful for testing calibration linearity. Statistics on initial and on-going performance shall be maintained (Sections 8 and 11).

5.6 Syringes—5 mL glass hypodermic, with Luer-lok tips.

5.7 Micro syringes—10, 25, and 100 uL.

5.8 Syringe valves—2-way, with Luer ends (Telfon or Kel-F).

5.9 Syringe—5 mL, gas-tight, with shut-off valve.

5.10 Bottles—15 mL., screw-cap with Telfon liner.

5.11 Balance—analytical, capable of weighing 0.1 mg.

6. Reagents and Standards

6.1 Reagent water—water in which the compounds of interest and interfering compounds are not detected by this method (Section 11.7). It may be generated by any of the following methods:

6.1.1 Activated carbon—pass tap water through a carbon bed (Calgon Filtrasorb-300, or equivalent).

6.1.2 Water purifier—pass tap water through a purifier (Millipore Super Q, or equivalent).

6.1.3 Boil and purge—heat tap water to 90–100 °C and bubble contaminant free inert gas through it for approx one hour. While still hot, transfer the water to screw-cap bottles and seal with a Teflon-lined cap.

6.2 Sodium thiosulfate—ACS granular.

6.3 Methanol—pesticide quality or equivalent.

6.4 Standard solutions—purchased as solution or mixtures with certification to their purity, concentration, and authenticity, or prepared from materials of known purity and composition. If compound purity is 96 percent or greater, the weight may be used without correction to calculate the concentration of the standard.

6.5 Preparation of stock solutions—prepare in methanol using liquid or gaseous standards per the steps below. Observe the safety precautions given in Section 4.

6.5.1 Place approx 9.8 mL of methanol in a 10 mL ground glass stoppered volumetric flask. Allow the flask to stand unstoppered for approximately 10 minutes or until all methanol wetted surfaces have dried. In each case, weigh the flask, immediately add the compound, then immediately reweigh to prevent evaporation losses from affecting the measurement.

6.5.1.1 Liquids—using a 100 µL syringe, permit 2 drops of liquid to fall into the methanol without contacting the leck of the flask. Alternatively, inject a known volume of the compound into the methanol in the flask using a micro-syringe.

6.5.1.2 Gases (chloromethane, bromomethane, chloroethane, vinyl chloride)—fill a valved 5 mL gas-tight syringe with the compound. Lower the needle to approximately 5 mm above the methanol meniscus. Slowly introduce the compound above the surface of the meniscus. The gas will dissolve rapidly in the methanol.

6.5.2 Fill the flask to volume, stopper, then mix by inverting several times. Calculate the concentration in mg/mL (µg/µL) from the weight gain (or density if a known volume was injected).

6.5.3 Transfer the stock solution to a Teflon sealed screw-cap–bottle. Store, with minimal headspace, in the dark at −10 to −20 °C.

6.5.4 Prepare fresh standards weekly for the gases and 2-chloroethylvinyl ether. All other standards are replaced after one month, or sooner if comparison with check standards indicate a change in concentration. Quality control check standards that can be used to determine the accuracy of calibration standards are available from the US Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio.

6.6 Labeled compound spiking solution—from stock standard solutions prepared as above, or from mixtures, prepare the spiking solution to contain a concentration such that a 5–10 µL spike into each 5 mL sample, blank, or aqueous standard analyzed will result in a concentration of 20 µg/L of each labeled compound. For the gases and for the water soluble compounds (acrolein, acrylonitrile, acetone, diethyl ether, and MEK), a concentration of 100 µg/L may be used. Include the internal standards (Section 7.5) in this solution so that a concentration of 20 µg/L in each sample, blank, or aqueous standard will be produced.

6.7 Secondary standards—using stock solutions, prepare a secondary standard in methanol to contain each pollutant at a concentration of 500 µg/mL For the gases and water soluble compounds (Section 6.6), a concentration of 2.5 mg/mL may be used.

6.7.1 Aqueous calibration standards—using a 25 µL syringe, add 20 µL of the secondary standard (Section 6.7) to 50, 100, 200, 500, and 1000 mL of reagent water to produce concentrations of 200, 100, 50, 20, and 10 µg/L, respectively. If the higher concentration standard for the gases and water soluble compounds was chosen (Section 6.6), these compounds will be at concentrations of 1000, 500, 250, 100, and 50 µg/L in the aqueous calibration standards.

6.7.2 Aqueous performance standard—an aqueous standard containing all pollutants, internal standards, labeled compounds, and BFB is prepared daily, and analyzed each shift to demonstrate performance (Section 11). This standard shall contain either 20 or 100 µg/L of the labeled and pollutant gases and water soluble compounds, 10 µg/L BFB, and 20 µg/L of all other pollutants, labeled compounds, and internal standards. It may be the nominal 20 µg/L aqueous calibration standard (Section 6.7.1).

6.7.3 A methanolic standard containing all pollutants and internal standards is prepared to demonstrate recovery of these compounds when syringe injection and purge and trap analyses are compared. This standard shall contain either 100 µg/mL or 500 µg/mL of the gases and water soluble compounds, and 100 µg/mL of the remaining pollutants

and internal standards (consistent with the amounts in the aqueous performance standard in 6.7.2).

6.7.4 Other standards which may be needed are those for test of BFB performance (Section 7.1) and for collection of mass spectra for storage in spectral libraries (Section 7.2).

7. Calibration

7.1 Assemble the gas chromatographic apparatus and establish operating conditions given in table 2. By injecting standards into the GC, demonstrate that the analytical system meets the detection limits in table 2 and the mass-intensity criteria in table 3 for 50 ng BFB.

7.2 Mass spectral libraries—detection and identification of the compound of interest are dependent upon the spectra stored in user created libraries.

7.2.1 Obtain a mass spectrum of each pollutant and labeled compound and each internal standard by analyzing an authentic standard either singly or as part of a mixture in which there is no interference between closely eluted components. That only a single compound is present is determined by examination of the spectrum. Fragments not attributable to the compound under study indicate the presence of an interfering compound. Adjust the analytical conditions and scan rate (for this test only) to produce an undistorted spectrum at the GC peak maximum. An undistorted spectrum will usually be obtained if five complete spectra are collected across the upper half of the GC peak. Software algorithms designed to "enhance" the spectrum may eliminate distortion, but may also eliminate authentic m/z's or introduce other distortion.

7.2.3 The authentic reference spectrum is obtained under BFB tuning conditions (Section 7.1 and table 3) to normalize it to spectra from other instruments.

7.2.4 The spectrum is edited by saving the 5 most intense mass spectral peaks and all other mass spectral peaks greater than 10 percent of the base peak. This spectrum is stored for reverse search and for compound confirmation.

7.3 Assemble the purge and trap device. Pack the trap as shown in Figure 2 and condition overnight at 170–180 °C by backflushing with an inert gas at a flow rate of 20–30 mL/min. Condition traps daily for a minimum of 10 minutes prior to use.

7.3.1 Analyze the aqueous performance standard (Section 6.7.2) according to the purge and trap procedure in Section 10. Compute the area at the primary m/z (table 4) for each compound. Compare these areas to those obtained by injecting one µL of the methanolic standard (Section 6.7.3) to determine compound recovery. The recovery shall be greater than 20 percent for the water soluble compounds, and 60–110 percent for all other compounds. This recovery is demonstrated initially for each purge and trap GC/MS system. The test is repeated only if the purge and trap or GC/MS systems are modified in any way that might result in a change in recovery.

7.3.2 Demonstrate that 100 ng toluene (or toluene-d8) produces an area at m/z 91 (or 99) approx one-tenth that required to exceed the linear range of the system. The exact value must be determined by experience for each instrument. It is used to match the calibration range of the instrument to the analytical range and detection limits required.

7.4 Calibration by isotope dilution—the isotope dilution approach is used for the purgeable organic compounds when appropriate labeled compounds are available and when interferences do not preclude the analysis. If labeled compounds are not available, or interferences are present, internal standard methods (Section 7.5 or 7.6) are used. A calibration curve encompassing the concentration range of interest is prepared for each compound determined. The relative response (RR) vs concentration (µg/L) is plotted or computed using a linear regression. An example of a calibration curve for toluene using toluene-d8 is given in figure 5. Also shown are the ±10 percent error limits (dotted lines). Relative response is determined according to the procedures described below. A minimum of five data points are required for calibration (Section 7.4.4).

7.4.1 The relative response (RR) of pollutant to labeled compound is determined from isotope ratio values calculated from acquired data. Three isotope ratios are used in this process:

R_X=the isotope ratio measured in the pure pollutant (figure 6A).

R_y=the isotope ratio of pure labeled compound (figure 6B).

R_m=the isotope ratio measured in the analytical mixture of the pollutant and labeled compounds (figure 6C).

The correct way to calculate RR is: $RR=(R_y-R_m)\ (R_X+1)/(R_m-R_X)(R_y+1)$ If R_m is not between $2R_y$ and $0.5R_X$, the method does not apply and the sample is analyzed by internal or external standard methods (Section 7.5 or 7.6).

7.4.2 In most cases, the retention times of the pollutant and labeled compound are the same and isotope ratios (R's) can be calculated from the EICP areas, where: R=(area at m_1/z)/(area at m_2/z) If either of the areas is zero, it is assigned a value of one in the calculations; that is, if: area of m_1/z=50721, and area of m_2/z=0, then R=50721/1=50720. The m/z's are always selected such that $R_X>R_y$. When there is a difference in retention times (RT) between the pollutant and labeled compounds, special precautions are required to determine the isotope ratios.

R_X, R_y, and R_m are defined as follows:

R_X=[area m_1/z (at RT_1)]/1

R_y=1/[area m_2/z (at RT_2)]

R_m=[area m_1/z (at RT_1)]/[area m_2/z (at RT_2)]

7.4.3 An example of the above calculations can be taken from the data plotted in figure 6 for toluene and toluene-d8. For these data, R_X=168920/1=168900, R_y=1/60960=0.00001640, and R_m=96868/82508=1.174. The RR for the above data is then calculated using the equation given in Section 7.4.1. For the example, RR=1.174.

NOTE: Not all labeled compounds elute before their pollutant analogs.

7.4.4 To calibrate the analytical system by isotope dilution, analyze a 5 mL aliquot of each of the aqueous calibration standards (Section 6.7.1) spiked with an appropriate constant amount of the labeled compound spiking solution (Section 6.6), using the purge and trap procedure in section 10. Compute the RR at each concentration.

7.4.5 Linearity—if the ratio of relative response to concentration for any compound is constant (less than 20 percent coefficient of variation) over the 5 point calibration range, an averaged relative response/concentration ratio may be used for that compound; otherwise, the complete calibration curve for that compound shall be used over the 5 point calibration range.

7.5 Calibration by internal standard—used when criteria for isotope dilution (Section 7.4) cannot be met. The method is applied to pollutants having no labeled analog and to the labeled compounds. The internal standards used for volatiles analyses are bromochloromethane, 2-bromo-1-chloropropane, and 1,4-dichlorobutane. Concentrations of the labeled compounds and pollutants without labeled analogs are computed relative to the nearest eluted internal standard, as shown in table 2.

7.5.1 Response factors—calibration requires the determination of response factors (RF) which are defined by the following equation:

$RF=(A_s x C_{is})/(A_{is} x C_s)$, where A_s is the EICP area at the characteristic m/z for the compound in the daily standard. A_{is} is the EICP area at the characteristic m/z for the internal standard.

C_{is} is the concentration (ug/L) of the internal standard

C_s is the concentration of the pollutant in the daily standard.

7.5.2 The response factor is determined at 10, 20, 50, 100, and 200 ug/L for the pollutants (optionally at five times these concentrations for gases and water soluble pollutants—see Section 6.7), in a way analogous to that for calibration by isotope dilution (Section 7.4.4). The RF is plotted against concentration for each compound in the standard (C_s) to produce a calibration curve.

7.5.3 Linearity—if the response factor (RF) for any compound is constant (less than 35 percent coefficient of variation) over the 5 point calibration range, an averaged response factor may be used for that compound; otherwise, the complete calibration curve for that compound shall be used over the 5 point range.

7.6 Combined calibration—by adding the isotopically labeled compounds and internal standards (Section 6.6) to the aqueous calibration standards (Section 6.7.1), a single set of analyses can be used to produce calibration curves for the isotope dilution and internal standard methods. These curves are verified each shift (Section 11.5) by purging the aqueous performance standard (Section 6.7.2). Recalibration is required only if calibration and on-going performance (Section 11.5) criteria cannot be met.

8. Quality Assurance/Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality assurance program. The minimum requirements of this program consist of an initial demonstration of laboratory capability, analysis of samples spiked with labeled compounds to evaluate and document data quality, and analysis of standards and blanks as tests of continued performance. Laboratory performance is compared to established performance criteria to determine if the results of analyses meet the performance characteristics of the method.

8.1.1 The analyst shall make an initial demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 The analyst is permitted to modify this method to improve separations or lower the costs of measurements, provided all performance specifications are met. Each time a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2 to demonstrate method performance.

8.1.3 Analyses of blanks are required to demonstrate freedom from contamination and that the compounds of interest and interfering compounds have not been carried over from a previous analysis (Section 3). The procedures and criteria for analysis of a blank are described in Sections 8.5 and 11.7.

8.1.4 The laboratory shall spike all samples with labeled compounds to monitor method performance. This test is described in Section 8.3. When results of these spikes indicate atypical method performance for samples, the samples are diluted to bring method performance within acceptable limits (Section 14.2).

8.1.5 The laboratory shall, on an on-going basis, demonstrate through the analysis of the aqueous performance standard (Section 6.7.2) that the analysis system is in control. This procedure is described in Sections 11.1 and 11.5.

8.1.6 The laboratory shall maintain records to define the quality of data that is generated. Development of accuracy statements is described in Sections 8.4 and 11.5.2.

8.2 Initial precision and accuracy—to establish the ability to generate acceptable precision and accuracy, the analyst shall perform the following operations:

8.2.1 Analyze two sets of four 5–mL aliquots (8 aliquots total) of the aqueous performance standard (Section 6.7.2) according to the method beginning in Section 10.

8.2.2 Using results of the first set of four analyses in Section 8.2.1, compute the average recovery ($\bar{X}$) in µg/L and the standard deviation of the recovery (s) in µg/L for each compound, by isotope dilution for pollutants with a labeled analog, and by internal standard for labeled compounds and pollutants with no labeled analog.

8.2.3 For each compound, compare s and $\bar{X}$ with the corresponding limits for initial precision and accuracy found in table 5. If s and $\bar{X}$ for all compounds meet the acceptance criteria, system performance is acceptable and analysis of blanks and samples may begin. If individual $\bar{X}$ falls outside the range for accuracy, system performance is unacceptable for that compound.

NOTE: The large number of compounds in table 5 present a substantial probability that one or more will fail one of the acceptance criteria when all compoulds are analyzed. To determine if the analytical system is out of control, or if the failure can be attributed to probability, proceed as follows:

8.2.4 Using the results of the second set of four analyses, compute s and $\bar{X}$ for only those compounds which failed the test of the first set of four analyses (Section 8.2.3). If these compounds now pass, system performance is acceptable for all compounds and analysis of blanks and samples may begin. If, however, any of the same compounds fail again, the analysis system is not performing properly for the compound(s) in question. In this event, correct the problem and repeat the entire test (Section 8.2.1).

8.3 The laboratory shall spike all samples with labeled compounds to assess method performance on the sample matrix.

8.3.1 Spike and analyze each sample according to the method beginning in Section 10.

8.3.2 Compute the percent recovery (P) of the labeled compounds using the internal standard method (Section 7.5).

8.3.3 Compare the percent recovery for each compound with the corresponding labeled compound recovery limit in table 5. If the recovery of any compound falls outside its warning limit, method performance is unacceptable for that compound in that sample. Therefore, the sample matrix is complex and the sample is to be diluted and reanalyzed, per Section 14.2.

8.4 As part of the QA program for the laboratory, method accuracy for wastewater samples shall be assessed and records shall be maintained. After the analysis of five wastewater samples for which the labeled compounds pass the tests in Section 8.3.3, compute the average percent recovery (P) and the standard deviation of the percent recovery (s_p) for the labeled compounds only. Express the accuracy assessment as a percent recovery interval from $P-2s_p$ to $P+2s_p$. For example, if P=90% and s_p=10%, the accuracy interval is expressed as 70–110%. Update the accuracy assessment for each compound on a regular basis (e.g. after each 5–10 new accuracy measurements).

8.5 Blanks—reagent water blanks are analyzed to demonstrate freedom from carryover (Section 3) and contamination.

8.5.1 The level at which the purge and trap system will carry greater than 5 µg/L of a pollutant of interest (table 1) into a succeeding blank shall be determined by analyzing successively larger concentrations of these compounds. When a sample contains this concentration or more, a blank shall be analyzed immediately following this sample to demonstrate no carry-over at the 5 µg/L level.

8.5.2 With each sample lot (samples analyzed on the same 8 hr shift), a blank shall be analyzed immediately after analysis of the aqueous performance standard (Section 11.1) to demonstrate freedom from contamination. If any of the compounds of interest (table 1) or any potentially interfering compound is found in a blank at greater than 10 µg/L (assuming a response factor of 1 relative to the nearest eluted internal standard for compounds not listed in table 1), analysis of samples is halted until the source of contamination is eliminated and a blank shows no evidence of contamination at this level.

8.6 The specifications contained in this method can be met if the apparatus used is calibrated properly, then maintained in a calibrated state.

The standards used for calibration (Section 7), calibration verification (Section 11.5) and for initial (Section 8.2) and on-going (Section 11.5) precision and accuracy should be identical, so that the most precise results will be obtained. The GC/MS instrument in particular will provide the most reproducible results if dedicated to the settings and conditions required for the analyses of volatiles by this method.

8.7 Depending on specific program requirements, field replicates may be collected to determine the precision of the sampling technique, and spiked samples may be required to determine the accuracy of the analysis when internal or external standard methods are used.

9. Sample Collection, Preservation, and Handling

9.1 Grab samples are collected in glass containers having a total volume greater than 20 mL. Fill sample bottles so that no air bubbles pass through the sample as the bottle is filled. Seal each bottle so that no air bubbles are entrapped. Maintain the hermetic seal on the sample bottle until time of analysis.

9.2 Samples are maintained at 0–4 °C from the time of collection until analysis. If the sample contains residual chlorine, add sodium thiosulfate preservative (10 mg/40 mL) to the empty sample bottles just prior to shipment to the sample site. EPA Methods 330.4 and 330.5 may be used for measurement of residual chlorine (Reference 8). If preservative has been added, shake bottle vigorously for one minute immediately after filling.

9.3 Experimental evidence indicates that some aromatic compounds, notably benzene, toluene, and ethyl benzene are susceptible to rapid biological degradation under certain environmental conditions. Refrigeration alone may not be adequate to preserve these compounds in wastewaters for more than seven days. For this reason, a separate sample should be collected, acidified, and analyzed when these aromatics are to be determined. Collect about 500 mL of sample in a clean container.

Adjust the pH of the sample to about 2 by adding HCl (1+1) while stirring. Check pH with narrow range (1.4 to 2.8) pH paper. Fill a sample container as described in Section 9.1. If residual chlorine is present, add sodium thiosulfate to a separate sample container and fill as in Section 9.1.

9.4 All samples shall be analyzed within 14 days of collection.

10. Purge, Trap, and GC/MS Analysis

10.1 Remove standards and samples from cold storage and bring to 20–25 °.

10.2 Adjust the purge gas flow rate to 40 ±4 mL/min. Attach the trap inlet to the purging device and set the valve to the purge mode (figure 3). Open the syringe valve located on the purging device sample introduction needle (figure 1).

10.3 Remove the plunger from a 5–mL syringe and attach a closed syringe valve. Open the sample bottle and carefully pour the sample into the syringe barrel until it overflows. Replace the plunger and compress the sample. Open the syringe valve and vent any residual air while adjusting the sample volume to 5.0 mL. Because this process of taking an aliquot destroys the validity of the sample for future analysis, fill a second syringe at this time to protect against possible loss of data. Add an appropriate amount of the labeled compound spiking solution (Section 6.6) through the valve bore, then close the valve.

10.4 Attach the syringe valve assembly to the syringe valve on the purging device. Open both syringe valves and inject the sample into the purging chamber.

10.5 Close both valves and purge the sample for 11.0 ±0.1 minutes at 20–25 °C.

10.6 After the 11 minute purge time, attach the trap to the chromatograph and set the purge and trap apparatus to the desorb mode (figure 4). Desorb the trapped compounds into the GC column by heating the trap to 170–180 °C while backflushing with carrier gas at 20–60 mL/min for four minutes. Start MS data acquisition upon start of the desorb cycle, and start the GC column temperature program 3 minutes later. Table 1 summarizes the recommended operating conditions for the gas chromatograph. Included in this table are retention times and detection limits that were achieved under these conditions. Other columns may be used provided the requirements in Section 8 can be met. If the priority pollutant gases produce GC peaks so broad that the precision and recovery specifications (Section 8.2) cannot be met, the column may be cooled to ambient or sub-ambient temperatures to sharpen these peaks.

10.7 While analysis of the desorbed compounds proceeds, empty the purging chamber using the sample introduction syringe. Wash the chamber with two 5-mL portions of reagent water. After the purging device has been emptied, allow the purge gas to vent through the chamber until the frit is dry, so that it is ready for the next sample.

10.8 After desorbing the sample for four minutes, recondition the trap by returning to the purge mode. Wait 15 seconds, then close the syringe valve on the purging device to begin gas flow through the trap. Maintain the trap temperature at 170–180 °C. After approximately seven minutes, turn off the trap heater and open the syringe valve to stop the gas flow through the trap. When cool, the trap is ready for the next sample.

11. System Performance

11.1 At the beginning of each 8 hr shift during which analyses are performed, system calibration and performance shall be verified for all pollutants and labeled compounds. For these tests, analysis of the aqueous performance standard (Section 6.7.2) shall be used to verify all performance criteria. Adjustment and/or recalibration (per Section 7) shall be performed until all performance criteria are met. Only after all performance criteria are met may blanks and samples be analyzed.

11.2 BFB spectrum validity—the criteria in table 3 shall be met.

11.3 Retention times—the absolute retention times of all compounds shall approximate those given in Table 2.

11.4 GC resolution—the valley height between toluene and toluene-d8 (at m/z 91 and 99 plotted on the same graph) shall be less than 10 percent of the taller of the two peaks.

11.5 Calibration verification and on-going precision and accuracy—compute the concentration of each polutant (Table 1) by isotope dilution (Section 7.4) for those compmunds which have labeled analogs. Compute the concentration of each pollutant (Table 1) which has no labeled analog by the internal standard method (Section 7.5). Compute the concentration of the labeled compounds by the internal standard method. These concentrations are computed based on the calibration data determined in Section 7.

11.5.1 For each pollutant and labeled compound, compare the concentration with the corresponding limit for on-going accuracy in Table 5. If all compmunds meet the acceptance criteria, system performance is acceptable and analysis of blanks and samples may continue. If any individual value falls outside the range given, system performance is unacceptable for that compound.

NOTE: The large number of compounds in Table 5 present a substantial probability that one or more will fail the acceptance criteria when all compounds are analyzed. To determine if the analytical system is out of control, or if the failure may be attributed to probability, proceed as follows:

11.5.1.1 Analyze a second aliquot of the aqueous performance standard (Section 6.7.2).

11.5.1.2 Compute the concentration for only those compounds which failed the first test (Section 11.5.1). If these compounds now pass, system performance is acceptable for all compounds and analyses of blanks and samples may proceed. If, however, any of the compounds fail again, the measurement system is not performing properly for these compounds. In this event, locate and correct the problem or recalibrate the system (Section 7), and repeat the entire test (Section 11.1) for all compounds.

11.5.2 Add results which pass the specification in 11.5.1.2 to initial (Section 8.2) and previous on-going data. Update QC charts to form a graphic representation of laboratory performance (Figure 7). Develop a statement of accuracy for each pollutant and labeled compound by calculating the average percentage recovery (R) and the standard deviation of percent recovery (s_r). Express the accuracy as a recovery interval from $R-2s_r$ to $R+2s_r$. For example, if R=95% and s_r=5%, the accuracy is 85–105 percent.

12. Qualitative Determination—Accomplished by Comparison of Data from Analysis of a Sample or Blank with Data from Analysis of the Shift Standard (Section 11.1). Identification is Confirmed When Spectra and Retention Times Agree Per the Criteria Below

12.1 Labeled compounds and pollutants having no labeled analog:

12.1.1 The signals for all characteristic masses stored in the spectral library (Section 7.2.4) shall be present and shall maximize within the same two consecutive scans.

12.1.2 Either (1) the background corrected EICP areas, or (2) the corrected relative intensities of the mass spectral peaks at the GC peak maximum shall agree within a factor of two (0.5 to 2 times) for all masses stored in the library.

12.1.3 The retention time relative to the nearest eluted internal standard shall be within ±7 scans or ±20 seconds, whichever is greater.

12.2 Pollutants having a labeled analog:

12.2.1 The signals for all characteristic masses stored in the spectral library (Section 7.2.4) shall be present and shall maximize within the same two consecutive scans.

12.2.2 Either (1) the background corrected EICP areas, or (2) the corrected relative intensities of the mass spectral peaks at the GC peak maximum shall agree within a factor of two for all masses stored in the spectral library.

12.2.3 The retention time difference between the pollutant and its labeled analog shall agree within ±2 scans or ±6 seconds (whichever is greater) of this difference in the shift standard (Section 11.1).

12.3 Masses present in the experimental mass spectrum that are not present in the reference mass spectrum shall be accounted for by contaminant or background ions. If the experimental mass spectrum is contaminated, an experienced spectrometrist (Section 1.4) is to determine the presence or absence of the compound.

13. Quantitative Determination

13.1 Isotope dilution—by adding a known amount of a labeled compound to every sample prior to purging, correction for recovery of the pollutant can be made because the pollutant and its labeled analog exhibit the same effects upon purging, desorption, and gas chromatography. Relative response (RR) values for sample mixtures are used in conjunction with calibration curves described in Section 7.4 to determine concentrations directly, so long as labeled compound spiking levels are constant. For the toluene example given in Figure 6 (Section 7.4.3), RR would be equal to 1.174. For this RR value, the toluene calibration curve given in Figure 5 indicates a concentration of 31.8 μg/L.

13.2 Internal standard—calculate the concentration using the response factor determined from calibration data (Section 7.5) and the following equation:

Concentration $=(A_s \times C_{is})/(A_{is} \times RF)$ where the terms are as defined in Section 7.5.1.

13.3 If the EICP area at the quantitation mass for any compound exceeds the calibration range of the system, the sample is diluted by successive factors of 10 and these dilutions are analyzed until the area is within the calibration range.

13.4 Report results for all pollutants and labeled compounds (Table 1) found in all standards, blanks, and samples, in µg/L to three significant figures. Results for samples which have been diluted are reported at the least dilute level at which the area at the quantitation mass is within the calibration range (Section 13.3) and the labeled compound recovery is within the normal range for the Method (Section 14.2).

14. Analysis of Complex Samples

14.1 Untreated effluents and other samples frequently contain high levels (>1000 µg/L) of the compounds of interest and of interfering compounds. Some samples will foam excessively when purged; others will overload the trap/or GC column.

14.2 Dilute 0.5 mL of sample with 4.5 mL of reagent water and analyze this diluted sample when labeled compound recovery is outside the range given in Table 5. If the recovery remains outside of the range for this diluted sample, the aqueous performance standard shall be analyzed (Section 11) and calibration verified (Section 11.5). If the recovery for the labeled compmund in the aqueous performance standard is outside the range given in Table 5, the analytical system is out of control. In this case, the instrumelt shall be repaired, the performance specifications in Section 11 shall be met, and the analysis of the undiluted sample shall be repeated. If the recovery for the aqueous performance standard is within the range given in Table 5, the method does not work on the sample being analyzed and the result may not be reported for regulatory compliance purposes.

14.3 Reverse search computer programs can misinterpret the spectrum of chromatographically unresolved pollutant and labeled compound pairs with overlapping spectra when a high level of the pollutant is present. Examine each chromatogram for peaks greater than the height of the internal standard peaks. These peaks can obscure the compounds of interest.

15. Method Performance

15.1 The specifications for this method were taken from the inter-laboratory validation of EPA Method 624 (reference 9). Method 1624 has been shown to yield slightly better performance on treated effluents than Method 624. Additional method performance data can be found in Reference 10.

References

1. "Performance Tests for the Evaluation of Computerized Gas Chromatography/Mass Spectrometry Equipment and Laboratories," USEPA, EMSL/Cincinnati, OH 45268, EPA–600/4–80–025 (April 1980).

2. Bellar, T.A. and Lichtenberg, J.J., "Journal American Water Works Association," *66*, 739 (1974).

3. Bellar, T.A. and Lichtenberg, J.J., "Semi-automated Headspace Analysis of Drinking Waters and Industrial Waters for Purgeable Volatile Organic Compounds," in *Measurement of Organic Pollutants Water and Wastewater*, C.E. VanHall, ed., American Society for Testing Materials, Philadelphia, PA, Special Technical Publication 686, (1978).

4. "Working with Carcinogens," DHEW, PHS, NIOSH, Publication 77–206 (1977).

5. "OSHA Safety and Health Standards, General Industry," 29 CFR part 1910, OSHA 2206, (1976).

6. "Safety in Academic Chemistry Laboratories," American Chemical Society Publication, Committee on Chemical Safety (1979).

7. "Handbook of Analytical Quality Control in Water and Wastewater Laboratories," USEPA, EMSL/Cincinnati, OH 45268, EPA–4–79–019 (March 1979).

8. "Methods 330.4 and 330.5 for Total Residual Chlorine," USEPA, EMSL/Cincinnati, OH 45268, EPA–4–79–020 (March 1979).

9. "EPA Method Study 29 EPA Method 624—Purgeables," EPA 600/4–84–054, National Technical Information Service, PB84–209915, Springfield, Virginia 22161, June 1984.

10. "Colby, B.N., Beimer, R.G., Rushneck, D.R., and Telliard, W.A., "Isotope Dilution Gas Chromatography-Mass Spectrometry for the Determination of Priority Pollutants in Industrial Effluents," USEPA, Effluent Guidelines Division, Washington, DC 20460 (1980).

TABLE 1—VOLATILE ORGANIC COMPOUNDS ANALYZED BY ISOTOPE DILUTION GC/MS

Compound	Storet	CAS registry	EPA–EGD	NPDES
Acetone	81552	67–64–1	516 V	.....
Acrolein	34210	107–02–8	002 V	001 V
Acrylonitrile	34215	107–13–1	003 V	002 V
Benzene	34030	71–43–2	004 V	003 V
Bromodichloromethane	32101	75–27–4	048 V	012 V

TABLE 1—VOLATILE ORGANIC COMPOUNDS ANALYZED BY ISOTOPE DILUTION GC/MS—Continued

Compound	Storet	CAS registry	EPA–EGD	NPDES
Bromoform	32104	75–25–2	047 V	005 V
Bromomethane	34413	74–83–9	046 V	020 V
Carbon tetrachloride	32102	56–23–5	006 V	006 V
Chlorobenzene	34301	108–90–7	007 V	007 V
Chloroethane	34311	75–00–3	016 V	009 V
2-chloroethylvinyl ether	34576	110–75–8	019 V	010 V
Chloroform	32106	67–66–1	023 V	011 V
Chloromethane	34418	74–87–3	045 V	021 V
Dibromochloromethane	32105	124–48–1	051 V	008 V
1,1-dichloroethane	34496	75–34–3	013 V	014 V
1,2-dichloroethane	34536	107–06–2	010 V	015 V
1,1-dichloroethene	34501	75–35–4	029 V	016 V
Trans-1,2-dichloroethane	34546	156–60–5	030 V	026 V
1,2-dichloropropane	34541	78–87–5	032 V	017 V
Cis-1,3-dichloropropene	34704	10061–01–5	.....	.....
Trans-1,3-dichloropropene	34699	10061–02–6	033 V	.....
Diethyl ether	81576	60–29–7	515 V	.....
P-dioxane	81582	123–91–1	527 V	.....
Ethylbenzene	34371	100–41–4	038 V	019 V
Methylene chloride	34423	75–09–2	044 V	022 V
Methyl ethyl ketone	81595	78–93–3	514 V	.....
1,1,2,2-tetrachloroethane	34516	79–34–5	015 V	023 V
Tetrachlorethene	34475	127–18–4	085 V	024 V
Toluene	34010	108–88–3	086 V	025 V
1,1,1-trichloroethane	34506	71–55–6	011 V	027 V
1,1,2-trichloroethane	34511	79–00–5	014 V	028 V
Trichloroethene	39180	79–01–6	087 V	029 V
Vinyl chloride	39175	75–01–4	088 V	031 V

TABLE 2—GAS CHROMATOGRAPHY OF PURGEABLE ORGANIC COMPOUNDS BY ISOTOPE DILUTION GC/MS

EGD No. (1)	Compound	Ref EGD No.	Mean retention time (sec)	Minimum level (2) (μg/L)
181	Bromochloromethane (I.S.)	181	730	10
245	Chloromethane-d3	181	147	50
345	Chloromethane	245	148	50
246	Bromomethane-d3	181	243	50
346	Bromomethane	246	246	50
288	Vinyl chloride-d3	181	301	50
388	Vinyl chloride	288	304	10
216	Chloroethane-d5	181	378	50
316	Chloroethane	216	386	50
244	Methylene chloride-d2	181	512	10
344	Methylene chloride	244	517	10
616	Acetone-d6	181	554	50
716	Acetone	616	565	50
002	Acrolein	181	566	50
203	Acrylonitrile-d3	181	606	50
303	Acrylonitrile	203	612	50
229	1,1-dichloroethene-d2	181	696	10
329	1,1-dichloroethene	229	696	10
213	1,1-dichloroethane-d3	181	778	10
313	1,1-dichloroethane	213	786	10
615	Diethyl ether-d10	181	804	50
715	Diethyl ether	615	820	50
230	Trans-1,2-dichloroethene-d2	181	821	10
330	Trans-1,2-dichloroethene	230	821	10
614	Methyl ethyl ketone-d3	181	840	50
714	Methyl ethyl ketone	614	848	50
223	Chloroform-13C1	181	861	10
323	Chloroform	223	861	10
210	1,2-dichloroethane-d4	181	901	10
310	1,2-dichloroethane	210	910	10

TABLE 2—GAS CHROMATOGRAPHY OF PURGEABLE ORGANIC COMPOUNDS BY ISOTOPE DILUTION GC/MS—Continued

EGD No. (1)	Compound	Ref EGD No.	Mean retention time (sec)	Minimum level (2) (μg/L)
211	1,1,1-trichloroethane-13C2	181	989	10
311	1,1,1-trichloroethane	211	999	10
527	p-dioxane	181	1001	10
206	Carbon tetrachloride-13C1	182	1018	10
306	Carbon tetrachloride	206	1018	10
248	Bromodichloromethane-13C1	182	1045	10
348	Bromodichloromethane	248	1045	10
232	1,2-dichloropropane-d6	182	1123	10
332	1.2-dichloropropane	232	1134	10
233	Trans-1,3-dichloropropene-d4	182	1138	10
333	Trans-1,3-dichloropropene	233	1138	10
287	Trichloroethene-13C1	182	1172	10
387	Trichloroethene	287	1187	10
204	Benzene-d6	182	1200	10
304	Benzene	204	1212	10
251	Chlorodibromemethane-13C1	182	1222	10
351	Chlorodibromomethane	251	1222	10
214	1,1,2-trichloroethane-13C2	182	1224	10
314	1,1,2-trichloroethane	214	1224	10
019	2-chloroethylvinyl ether	182	1278	10
182	2-bromo-1-chloropropane (I.S.)	182	1306	10
247	Bromoform-13C1	182	1386	10
347	Bromoform	247	1386	10
215	1,1,2,2-tetrachloroethane-d2	183	1525	10
315	1,1,2,2-tetrachloroethane	215	1525	10
285	Tetrachloroethene-13C2	183	1528	10
385	Tetrachloroethene	285	1528	10
183	1,4-dichlorobutale (int std)	183	1555	10
286	Toluene-d8	183	1603	10
386	Toluene	286	1619	10

TABLE 2—GAS CHROMATOGRAPHY OF PURGEABLE ORGANIC COMPOUNDS BY ISOTOPE DILUTION GC/MS—Continued

EGD No. (1)	Compound	Ref EGD No.	Mean retention time (sec)	Minimum level (2) (µg/L)
207	Chlorobenzene-d5	183	1679	10
307	Chlorobenzene	207	1679	10
238	Ethylbenzene-d10	183	1802	10
338	Ethylbenzene	238	1820	10
185	Bromofluorobenzene	183	1985	10

(1) Reference numbers beginning with 0, 1 or 5 indicate a pollutant quantified by the internal standard method; reference numbers beginning with 2 or 6 indicate a labeled compound quantified by the internal standard method; reference numbers beginning with 3 or 7 indicate a pollutant quantified by isotope dilution.

(2) This is a minimum level at which the analytical system shall give recognizable mass spectra (background corrected) and acceptable calibration points. Column: 2.4m (8 ft) × 2 mm i.d. glass, packed with one percent SP–1000 coated on 60/80 Carbopak B. Carrier gas: helium at 40 mL/min. Temperature program: 3 min at 45 °C, 8 °C per min to 240 °C, hold at 240 °C for 15 minutes.

NOTE: The specifications in this table were developed from data collected from three wastewater laboratories.

TABLE 3—BFB MASS-INTENSITY SPECIFICATIONS

Mass	Intensity required
50	15 to 40 percent of mass 95.
75	30 to 60 percent of mass 95.
95	base peak, 100 percent.
96	5 to 9 percent of mass 95.
173	<2 percent of mass 174.
174	>50 percent of mass 95.
175	5 to 9 percent of mass 174
176	95 to 101 percent of mass 174
177	5 to 9 percent of mass 176.

TABLE 4—VOLATILE ORGANIC COMPOUND CHARACTERISTIC MASSES

Labeled compound	Analog	Primary m/z's
Acetone	d6	58/64
Acrolein	d2	56/58
Acrylonitrile	d3	53/56
Benzene	d6	78/84
Bromodichloromethane	13C	83/86
Bromoform	13C	173/176
Bromomethale	d3	96/99
Carbon tetrachloride	13C	47/48
Chlorobenzene	d5	112/117
Chloroethane	d5	64/71
2-chloroethylvinyl ether	d7	106/113
Chloroform	13C	85/86
Chloromethane	d3	50/53
Dibromochloromethane	13C	129/130
1,1-dichloroethane	d3	63/66
1,2-dichloroethane	d4	62/67
1,1-dichloroethene	d2	61/65
Trans-1,2-dichloroethene	d2	61/65
1,2-dichloropropane	d6	63/67
Cis-1,3-dichloropropene	d4	75/79
Trans-1,3-dichloropropene	d4	75/79
Diethyl ether	d10	74/84
p-dioxane	d8	88/96
Ethylbenzene	d10	106/116
Methylene chloride	d2	84/88
Methyl ethyl ketone	d3	72/75
1,1,2,2-tetrachloroethane	d2	83/84
Tetrachloroethene	13C2	166/172
Toluene	d8	92/99
1,1,1-trichloroethane	d3	97/102
1,1,2-trichloroethane	13C2	83/84
Trichloroethene	13C	95/133
Vinyl chloride	d3	62/65

TABLE 5—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS

Compound	Acceptance criteria at 20 µg/L			
	Initial precision and accuracy section 8.2.3		Labeled compound recovery sec. 8.3 and 14.2	On-going accuracy sec. 11.5
	s (µg/L)	$\bar{X}$ (µg/L)	P (percent)	R (µg/L)
Acetone		Note 1		
Acrolein		Note 2		
Acrylonitrile		Note 2		
Benzene	9.0	13.0–28.2	ns–196	4–33
Bromodichloromethane	8.2	6.5–31.5	ns–199	4–34
Bromoform	7.0	7.4–35.1	ns–214	6–36
Bromomethane	25.0	d–54.3	ns–414	d–61
Carbon tetrachloride	6.9	15.9–24.8	42–165	12–30
Chlorobenzene	8.2	14.2–29.6	ns–205	4–35
Chloroethane	14.8	2.1–46.7	ns–308	d–51
2–chloroethylvinyl ether	36.0	d–69.8	ns–554	d–79
Chloroform	7.9	11.6–26.3	18–172	8–30
Chloromethane	26.0	d–55.5	ns–410	d–64
Dibromochloromethane	7.9	11.2–29.1	16–185	8–32
1,1-dichloroethane	6.7	11.4–31.4	23–191	9–33
1,2-dichloroethane	7.7	11.6–30.1	12–192	8–33
1,1-dichloroethene	11.7	d–49.8	ns–315	d–52
Trans-1,2–dichloroethene	7.4	10.5–31.5	15–195	8–34

TABLE 5—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS—Continued

Compound	Acceptance criteria at 20 μg/L			
	Initial precision and accuracy section 8.2.3		Labeled compound recovery sec. 8.3 and 14.2	On-going accuracy sec. 11.5
	s (μg/L)	$\bar{X}$ (μg/L)	P (percent)	R (μg/L)
1,2-dichloropropane	19.2	d–46.8	ns–343	d–51
Cis–1,3–dichloropropene	22.1	d–51.0	ns–381	d–56
Trans–1,3–dichloropropene	14.5	d–40.2	ns–284	d–44
Diethyl ether		Note 1		
P–dioxane		Note 1		
Ethyl benzene	9.6	15.6–28.5	ns–203	5–35
Methylene chloride	9.7	d–49.8	ns–316	d–50
Methyl ethyl ketone		Note 1		
1,1,2,2-tetrachloroethane	9.6	10.7–30.0	5–199	7–34
Tetrachloroethene	6.6	15.1–28.5	31–181	11–32
Toluene	6.3	14.5–28.7	4–193	6–33
1,1,1-trichloroethane	5.9	10.5–33.4	12–200	8–35
1,1,2-trichloroethane	7.1	11.8–29.7	21–184	9–32
Trichloroethene	8.9	16.6–29.5	35–196	12–34
Vinyl chloride	27.9	d–58.5	ns–452	d–65

d = detected; result must be greater than zero.
ns = no specification; limit would be below detection limit.

NOTE 1: Specifications not available for these compounds at time of release of this method.
NOTE 2: Specifications not developed for these compounds; use method 603.

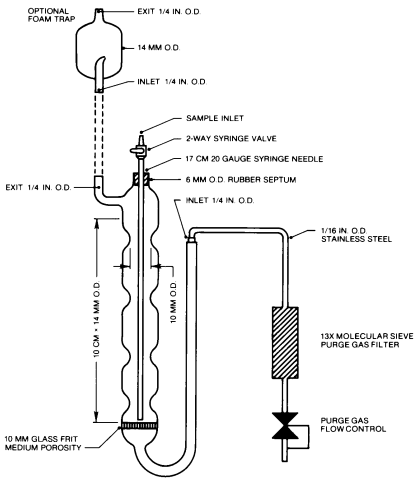

FIGURE 1 Purging Device.

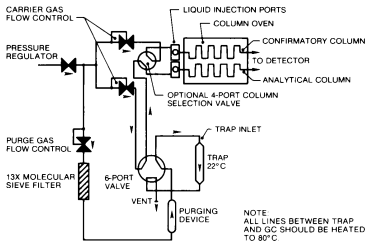

FIGURE 3 Schematic of Purge and Trap Device—Purge Mode.

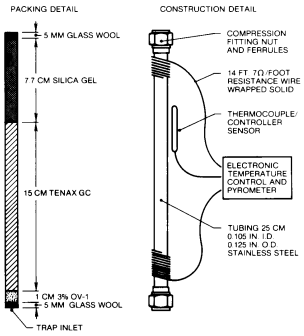

FIGURE 2 Trap Packings and Construction to Include Desorb Capability.

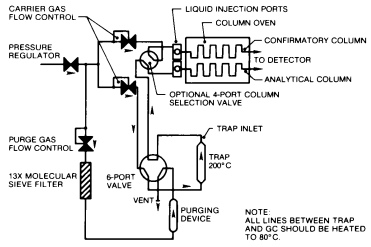

FIGURE 4 Schematic of Purge and Trap Device—Desorb Mode.

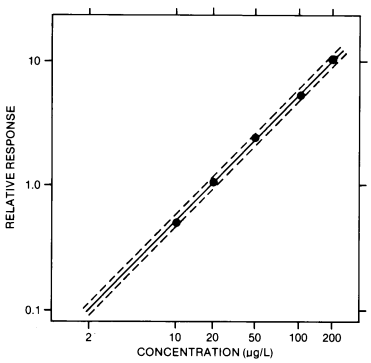

FIGURE 5 Relative Response Calibration Curve for Toluene. The Dotted Lines Enclose a ±10 Percent Error Window.

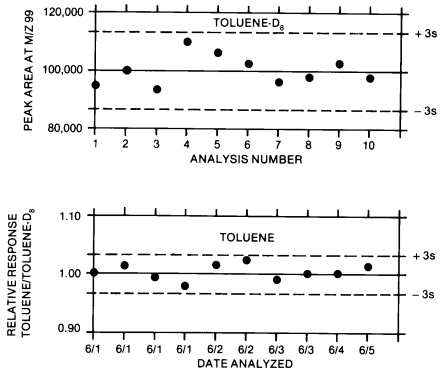

FIGURE 7 Quality Control Charts Showing Area (top graph) and Relative Response of Toluene to Toluene-d_8 (lower graph) Plotted as a Function of Time or Analysis Number.

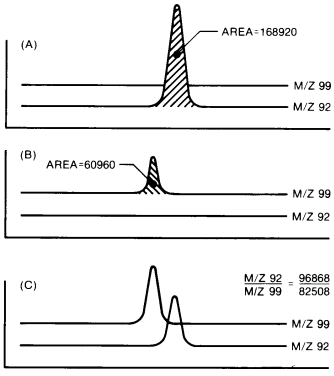

FIGURE 6 Extracted Ion Current Profiles for (A) Toluene, (B) Toluene-d_8, and a Mixture of Toluene and Toluene-d_8.

METHOD 1625 REVISION B—SEMIVOLATILE ORGANIC COMPOUNDS BY ISOTOPE DILUTION GC/MS

1. Scope and Application

1.1 This method is designed to determine the semivolatile toxic organic pollutants associated with the 1976 Consent Decree and additional compounds amenable to extraction and analysis by capillary column gas chromatography-mass spectrometry (GC/MS).

1.2 The chemical compounds listed in Tables 1 and 2 may be determined in municipal and industrial discharges by this method. The method is designed to meet the survey

requirements of Effluent Guidelines Division (EGD) and the National Pollutants Discharge Elimination System (NPDES) under 40 CFR 136.1. Any modifications of this method, beyond those expressly permitted, shall be considered as major modifications subject to application and approval of alternate test procedures under 40 CFR 136.4 and 136.5.

1.3 The detection limit of this method is usually dependent on the level of interferences rather than instrumental limitations. The limits listed in Tables 3 and 4 represent the minimum quantity that can be detected with no interferences present.

1.4 The GC/MS portions of this method are for use only by analysts experienced with GC/MS or under the close supervision of such qualified persons. Laboratories unfamiliar with analyses of environmental samples by GC/MS should run the performance tests in reference 1 before beginning.

2. Summary of Method

2.1 Stable isotopically labeled analogs of the compounds of interest are added to a one liter wastewater sample. The sample is extracted at pH 12–13, then at pH <2 with methylene chloride using continuous extraction techniques. The extract is dried over sodium sulfate and concentrated to a volume of one mL. An internal standard is added to the extract, and the extract is injected into the gas chromatograph (GC). The compounds are separated by GC and detected by a mass spectrometer (MS). The labeled compounds serve to correct the variability of the analytical technique.

2.2 Identification of a compound (qualitative analysis) is performed by comparing the GC retention time and background corrected characteristic spectral masses with those of authentic standards.

2.3 Quantitative analysis is performed by GC/MS using extracted ion current profile (EICP) areas. Isotope dilution is used when labeled compounds are available; otherwise, an internal standard method is used.

2.4 Quality is assured through reproducible calibration and testing of the extraction and GC/MS systems.

3. Contamination and Interferences

3.1 Solvents, reagents, glassware, and other sample processing hardware may yield artifacts and/or elevated baselines causing misinterpretation of chromatograms and spectra. All materials shall be demonstrated to be free from interferences under the conditions of analysis by running method blanks initially and with each sample lot (samples started through the extraction process on a given 8 hr shift, to a maximum of 20). Specific selection of reagents and purification of solvents by distillation in all-glass systems may be required. Glassware and, where possible, reagents are cleaned by solvent rinse and baking at 450 °C for one hour minimum.

3.2 Interferences coextracted from samples will vary considerably from source to source, depending on the diversity of the industrial complex or municipality being samples.

4. Safety

4.1 The toxicity or carcinogenicity of each compound or reagent used in this method has not been precisely determined; however, each chemical compound should be treated as a potential health hazard. Exposure to these compounds should be reduced to the lowest possible level. The laboratory is responsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of data handling sheets should also be made available to all personnel involved in these analyses. Additional information on laboratory safety can be found in references 2–4.

4.2 The following compounds covered by this method have been tentatively classified as known or suspected human or mammalian carcinogens: benzidine benzo(a)anthracene, 3,3′-dichlorobenzidine, benzo(a)pyrene, dibenzo(a,h)anthracene, N-nitrosodimethylamine, and β-naphtylamine. Primary standards of these compounds shall be prepared in a hood, and a NIOSH/MESA approved toxic gas respirator should be worn when high concentrations are handled.

5. Apparatus and Materials

5.1 Sampling equipment for discrete or composite sampling.

5.1.1 Sample bottle, amber glass, 1.1 liters minimum. If amber bottles are not available, samples shall be protected from light. Bottles are detergent water washed, then solvent rinsed or baked at 450 °C for one hour minimum before use.

5.1.2 Bottle caps—threaded to fit sample bottles. Caps are lined with Teflon. Aluminum foil may be substituted if the sample is not corrosive. Liners are detergent water washed, then reagent water (Section 6.5) and solvent rinsed, and baked at approximately 200 °C for one hour minimum before use.

5.1.3 Compositing equipment—automatic or manual compositing system incorporating glass containers for collection of a minimum 1.1 liters. Sample containers are kept at 0 to 4 °C during sampling. Glass or Teflon tubing only shall be used. If the sampler uses a peristaltic pump, a minimum length of compressible silicone rubber tubing may be used in the pump only. Before use, the tubing is thoroughly rinsed with methanol, followed by repeated rinsings with reagent water (Section 6.5) to minimize sample contamination. An integrating flow meter is used to collect proportional composite samples.

5.2 Continuous liquid-liquid extractor—Teflon or glass conncecting joints and stopcocks without lubrication (Hershberg-Wolf Extractor) one liter capacity, Ace Glass 6841–10, or equivalent.

5.3 Drying column—15 to 20 mm i.d. Pyrex chromatographic column equipped with coarse glass frit or glass wool plug.

5.4 Kuderna-Danish (K–D) apparatus

5.4.1 Concentrator tube—10mL, graduated (Kontes K–570050–1025, or equivalent) with calibration verified. Ground glass stopper (size 19/22 joint) is used to prevent evaporation of extracts.

5.4.2 Evaporation flask—500 mL (Kontes K–570001–0500, or equivalent), attached to concentrator tube with springs (Kontes K–662750–0012).

5.4.3 Snyder column—three ball macro (Kontes K–503000–0232, or equivalent).

5.4.4 Snyder column—two ball micro (Kontes K–469002–0219, or equivalent).

5.4.5 Boiling chips—approx 10/40 mesh, extracted with methylene chloride and baked at 450 °C for one hr minimum.

5.5 Water bath—heated, with concentric ring cover, capable of temperature control ±2 °C, installed in a fume hood.

5.6 Sample vials—amber glass, 2–5 mL with Teflon-lined screw cap.

5.7 Analytical balance—capable of weighing 0.1 mg.

5.8 Gas chromatograph—shall have splitless or on-column injection port for capillary column, temperature program with 30 °C hold, and shall meet all of the performance specifications in Section 12.

5.8.1 Column—30±5 m×0.25±0.02 mm i.d. 5% phenyl, 94% methyl, 1% vinyl silicone bonded phase fused silica capillary column (J & W DB–5, or equivalent).

5.9 Mass spectrometer—70 eV electron impact ionization, shall repetitively scan from 35 to 450 amu in 0.95 to 1.00 second, and shall produce a unit resolution (valleys between m/z 441–442 less than 10 percent of the height of the 441 peak), backgound corrected mass spectrum from 50 ng decafluorotriphenylphosphine (DFTPP) introduced through the GC inlet. The spectrum shall meet the mass-intensity criteria in Table 5 (reference 5). The mass spectrometer shall be interfaced to the GC such that the end of the capillary column terminates within one centimeter of the ion source but does not intercept the electron or ion beams. All portions of the column which connect the GC to the ion source shall remain at or above the column temperature during analysis to preclude condensation of less volatile compounds.

5.10 Data system—shall collect and record MS data, store mass-intensity data in spectral libraries, process GC/MS data, generate reports, and shall compute and record response factors.

5.10.1 Data acquisition—mass spectra shall be collected continuously throughout the analysis and stored on a mass storage device.

5.10.2 Mass spectral libraries—user created libraries containing mass spectra obtained from analysis of authentic standards shall be employed to reverse search GC/MS runs for the compounds of interest (Section 7.2).

5.10.3 Data processing—the data system shall be used to search, locate, identify, and quantify the compounds of interest in each GC/MS analysis. Software routines shall be employed to compute retention times and peak areas. Displays of spectra, mass chromatograms, and library comparisons are required to verify results.

5.10.4 Response factors and multipoint calibrations—the data system shall be used to record and maintain lists of response factors (response ratios for isotope dilution) and multipoint calibration curves (Section 7). Computations of relative standard deviation (coefficient of variation) are useful for testing calibration linearity. Statistics on initial (Section 8.2) and on-going (Section 12.7) performance shall be computed and maintained.

6. Reagents and Standards

6.1 Sodium hydroxide—reagent grade, 6N in reagent water.

6.2 Sulfuric acid—reagent grade, 6N in reagent water.

6.3 Sodium sulfate—reagent grade, granular anhydrous, rinsed with methylene chloride (20 mL/g) and conditioned at 450 °C for one hour minimum.

6.4 Methylene chloride—distilled in glass (Burdick and Jackson, or equivalent).

6.5 Reagent water—water in which the compounds of interest and interfering compounds are not detected by this method.

6.6 Standard solutions—purchased as solutions or mixtures with certification to their purity, concentration, and authenticity, or prepared from materials of known purity and composition. If compound purity is 96 percent or greater, the weight may be used without correction to compute the concentration of the standard. When not being used, standards are stored in the dark at −20 to −10 °C in screw-capped vials with Teflon-lined lids. A mark is placed on the vial at the level of the solution so that solvent evaporation loss can be detected. The vials are brought to room temperature prior to use. Any precipitate is redissolved and solvent is added if solvent loss has occurred.

6.7 Preparation of stock solutions—prepare in methylene chloride, benzene, p-dioxane, or a mixture of these solvents per the steps below. Observe the safety precautions in Section 4. The large number of labeled and unlabeled acid, base/neutral, and Appendix C compounds used for combined calibration (Section 7) and calibration verification (12.5) require high

concentratimns (approx 40 mg/mL) when individual stock solutions are prepared, so that dilutions of mixtures will permit calibration with all compounds in a single set of solutions. The working range for most compounds is 10–200 µg/mL. Compounds with a reduced MS response may be prepared at higher concentrations.

6.7.1 Dissolve an appropriate amount of assayed reference material in a suitable solvent. For example, weigh 400 mg naphthalene in a 10 mL ground glass stoppered volumetric flask and fill to the mark with benzene. After the naphthalene is completely dissolved, transfer the solution to a 15 mL vial with Teflon-lined cap.

6.7.2 Stock standard solutions should be checked for signs of degradation prior to the preparation of calibration or performance test standards. Quality control check samples that can be used to determine the accuracy of calibration standards are available from the US Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268.

6.7.3 Stock standard solutions shall be replaced after six months, or sooner if comparison with quality control check samples indicates a change in concentration.

6.8 Labeled compound spiking solution—from stock standard solutions prepared as above, or from mixtures, prepare the spiking solution at a concentration of 200 µg/mL, or at a concentration appropriate to the MS response of each compound.

6.9 Secondary standard—using stock solutions (Section 6.7), prepare a secondary standard containing all of the compounds in Tables 1 and 2 at a concentration of 400 µg/mL, or higher concentration appropriate to the MS response of the compound.

6.10 Internal standard solution—prepare 2,2′-difluorobiphenyl (DFB) at a concentration of 10 mg/mL in benzene.

6.11 DFTPP solution—prepare at 50 µg/mL in acetone.

6.12 Solutions for obtaining authentic mass spectra (Section 7.2)—prepare mixtures of compounds at concentrations which will assure authentic spectra are obtained for storage in libraries.

6.13 Calibration solutions—combine 0.5 mL of the solution in Section 6.8 with 25, 50, 125, 250, and 500 uL of the solution in section 6.9 and bring to 1.00 mL total volume each. This will produce calibration solutions of nominal 10, 20, 50, 100, and 200 µg/mL of the pollutants and a constant nominal 100 µg/mL of the labeled compounds. Spike each solution with 10 µL of the internal standard solution (Section 6.10). These solutions permit the relative response (labeled to unlabeled) to be measured as a function of concentration (Section 7.4).

6.14 Precision and recovery standard—used for determination of initial (Section 8.2) and on-going (Section 12.7) precision and recovery. This solution shall contain the pollutants and labeled compounds at a nominal concentration of 100 µg/mL.

6.15 Stability of solutions—all standard solutions (Sections 6.8–6.14) shall be analyzed within 48 hours of preparation and on a monthly basis thereafter for signs of degradation. Standards will remain acceptable if the peak area at the quantitation mass relative to the DFB internal standard remains within ±15 percent of the area obtained in the initial analysis of the standard.

7. *Calibration*

7.1 Assemble the GC/MS and establish the operating conditions in Table 3. Analyze standards per the procedure in Section 11 to demonstrate that the analytical system meets the detection limits in Tables 3 and 4, and the mass-intensity criteria in Table 5 for 50 ng DFTPP.

7.2 Mass spectral libraries—detection and identification of compounds of interest are dependent upon spectra stored in user created libraries.

7.2.1 Obtain a mass spectrum of each pollutant, labeled compound, and the internal standard by analyzing an authentic standard either singly or as part of a mixture in which there is no interference between closely eluted components. That only a single compound is present is determined by examination of the spectrum. Fragments not attributable to the compound under study indicate the presence of an interfering compound.

7.2.2 Adjust the analytical conditions and scan rate (for this test only) to produce an undistorted spectrum at the GC peak maximum. An undistorted spectrum will usually be obtained if five complete spectra are collected across the upper half of the GC peak. Software algorithms designed to "enhance" the spectrum may eliminate distortion, but may also eliminate authentic masses or introduce other distortion.

7.2.3 The authentic reference spectrum is obtained under DFTPP tuning conditions (Section 7.1 and Table 5) to normalize it to spectra from other instruments.

7.2.4 The spectrum is edited by saving the 5 most intense mass spectral peaks and all other mass spectral peaks greater than 10 percent of the base peak. This edited spectrum is stored for reverse search and for compound confirmation.

7.3 Analytical range—demonstrate that 20 ng anthracene or phenanthrene produces an area at m/z 178 approx one-tenth that required to exceed the linear range of the system. The exact value must be determined by experience for each instrument. It is used to match the calibration range of the instrument to the analytical range and detection limits required, and to diagnose instrument sensitivity problems (Section 15.4). The 20 ug/mL calibration standard (Section 6.13) can be used to demonstrate this performance.

7.3.1 Polar compound detection—demonstrate that unlabeled pentachlorophenol and benzidine are detectable at the 50 µg/mL level (per all criteria in Section 13). The 50 µg/mL calibration standard (Section 6.13) can be used to demonstrate this performance.

7.4 Calibration with isotope dilution—isotope dilution is used when (1) labeled compounds are available, (2) interferences do not preclude its use, and (3) the quantitation mass extracted ion current profile (EICP) area for the compound is in the calibration range. If any of these conditions preclude isotope dilution, internal standard methods (Section 7.5 or 7.6) are used.

7.4.1 A calibration curve encompassing the concentration range is prepared for each compound to be determined. The relative response (pollutant to labeled) vs concentration in standard solutions is plotted or computed using a linear regression. The example in Figure 1 shows a calibration curve for phenol using phenol-d5 as the isotopic diluent. Also shown are the ± 10 percent error limits (dotted lines). Relative Reponse (RR) is determined according to the procedures described below. A minimum of five data points are employed for calibration.

7.4.2 The relative response of a pollutant to its labeled analog is determined from isotope ratio values computed from acquired data. Three isotope ratios are used in this process:

R_X = the isotope ratio measured for the pure pollutant.

R_y = the isotope ratio measured for the labeled compound.

R_m = the isotope ratio of an analytical mixture of pollutant and labeled compounds.

The m/z's are selected such that $R_X > R_y$. If R_m is not between $2R_y$ and $0.5R_X$, the method does not apply and the sample is analyzed by internal or external standard methods.

7.4.3 Capillary columns usually separate the pollutant-labeled pair, with the labeled compound eluted first (Figure 2). For this case, R_X = [area m_1/z]/1, at the retention time of the pollutant (RT_2). R_y = 1/[area m_2/z, at the retention time of the labeled compound RT_1). R_m = [area at m_1/z (at RT_2)]/[area at RT_1)], as measured in the mixture of the pollutant and labeled compounds (Figure 2), and $RR = R_m$.

7.4.4 Special precautions are taken when the pollutant-labeled pair is not separated, or when another labeled compound with interfering spectral masses overlaps the pollutant (a case which can occur with isomeric compounds). In this case, it is necessary to determine the respective contributions of the pollutant and labeled compounds to the respective EICP areas. If the peaks are separated well enough to permit the data system or operator to remove the contributions of the compounds to each other, the equations in Section 7.4.3 apply. This usually occurs when the height of the valley between the two GC peaks at the same m/z is less than 10 percent of the height of the shorter of the two peaks. If significant GC and spectral overlap occur, RR is computed using the following equation:

$RR = (R_y - R_m)(R_X + 1)/(R_m - R_X)(R_y + 1)$, where R_X is measured as shown in Figure 3A, R_y is measured as shown in Figure 3B, and R_m is measured as shown in Figure 3C. For example, R_X = 46100/4780 = 9.644, R_y = 2650/43600 = 0.0608, R_m = 49200/48300 = 1.019. amd RR = 1.114.

7.4.5 To calibrate the analytical system by isotope dilution, analyze a 1.0 µL aliquot of each of the calibration standards (Section 6.13) using the procedure in Section 11. Compute the RR at each concentration.

7.4.6 Linearity—if the ratio of relative response to concentration for any compound is constant (less than 20 percent coefficient of variation) over the 5 point calibration range, and averaged relative response/concentration ratio may be used for that compound; otherwise, the complete calibration curve for that compound shall be used over the 5 point calibration range.

7.5 Calibration by internal standard—used when criteria for istope dilution (Section 7.4) cannot be met. The internal standard to be used for both acid and base/neutral analyses is 2,2′–difluorobiphenyl. The internal standard method is also applied to determination of compounds having no labeled analog, and to measurement of labeled compounds for intra-laboratory statistics (Sections 8.4 and 12.7.4).

7.5.1 Response factors—calibration requires the determination of response factors (RF) which are defined by the following equation:

$RF = (A_s \times C_{is})/(A_{is} \times C_s)$, where

A_s is the area of the characteristic mass for the compmund in the daily standard

A_{is} is the area of the characteristic mass for the internal standard

C_{is} is the concentration of the internal standard (µg/mL)

C_s is the concentration of the compound in the daily standard (µg/mL)

7.5.1.1 The response factor is determined for at least five concentrations appropriate to the response of each compound (Section 6.13); nominally, 10, 20, 50, 100, and 200 µg/mL. The amount of internal standard added to each extract is the same (100 µg/mL) so that C_{is} remains constant. The RF is plotted vs concentration for each compound in the standard (C_s) to produce a calibration curve.

7.5.1.2 Linearity—if the response factor (RF) for any compound is constant (less than 35 percent coefficient of variation) over the 5 point calibration range, an averaged response factor may be used for that compound; otherwise, the complete calibration

curve for that compound shall be used over the 5 point range.

7.6 Combined calibration—by using calibration solutions (Section 6.13) containing the pollutants, labeled compounds, and the internal standard, a single set of analyses can be used to produce calibration curves for the isotope dilution and internal standard methods. These curves are verified each shift (Section 12.5) by analyzing the 100 μg/mL calibration standard (Section 6.13). Recalibration is required only if calibration verification (Section 12.5) criteria cannot be met.

8. Quality Assurance/Quality Control

8.1 Each laboratory that uses this method is required to operate a formal quality assurance program. The minimum requirements of this program consist of an initial demonstration of laboratory capability, analysis of samples spiked with labeled compounds to evaluate and document data quality, and analysis of standards and blanks as tests of continued performance. Laboratory performance is compared to established performance criteria to determine if the results of analyses meet the performance characteristics of the method.

8.1.1 The analyst shall make an initial demonstration of the ability to generate acceptable accuracy and precision with this method. This ability is established as described in Section 8.2.

8.1.2 The analyst is permitted to modify this method to improve separations or lower the costs of measurements, provided all performance specifications are met. Each time a modification is made to the method, the analyst is required to repeat the procedure in Section 8.2 to demonstrate method performance.

8.1.3 Analyses of blanks are required to demonstrate freedom from contamination. The procedures and criteria for analysis of a blank are described in Section 8.5.

8.1.4 The laboratory shall spike all samples with labeled compounds to monitor method performance. This test is described in Section 8.3. When results of these spikes indicate atypical method performance for samples, the samples are diluted to bring method performance within acceptable limits (Section 15).

8.1.5 The laboratory shall, on an on-going basis, demonstrate through calibration verification and the analysis of the precision and recovery standard (Section 6.14) that the analysis system is in control. These procedures are described in Sections 12.1, 12.5, and 12.7.

8.1.6 The laboratory shall maintain records to define the quality of data that is generated. Development of accuracy statements is described in Section 8.4.

8.2 Initial precision and accuracy—to establish the ability to generate acceptable precision and accuracy, the analyst shall perform the following operations:

8.2.1 Extract, concentrate, and analyze two sets of four one-liter aliquots (8 aliquots total) of the precision and recovery standard (Section 6.14) according to the procedure in Section 10.

8.2.2 Using results of the first set of four analyses, compute the average recovery ($\bar{X}$) in μg/mL and the standard deviation of the recovery (s) in θg/μL for each compound, by isotope dilution for pollutants with a labeled analog, and by internal standard for labeled compounds and pollutants with no labeled analog.

8.2.3 For each compound, compare s and $\bar{X}$ with the corresponding limits for initial precision and accuracy in Table 8. If s and $\bar{X}$ for all compounds meet the acceptance criteria, system performance is acceptable and analysis of blanks and samples may begin. If, however, any individual s exceeds the precision limit or any individual $\bar{X}$ falls outside the range for accuracy, system performance is unacceptable for that compound.

NOTE: The large number of compounds in Table 8 present a substantial probability that one or more will fail the acceptance criteria when all compounds are analyzed. To determine if the analytical system is out of control, or if the failure can be attributed to probability, proceed as follows:

8.2.4 Using the results of the second set of four analyses, compute s and $\bar{X}$ for only those compounds which failed the test of the first set of four analyses (Section 8.2.3). If these compounds now pass, system performance is acceptable for all compounds and analysis of blanks and samples may begin. If, however, any of the same compoulds fail again, the analysis system is not performing properly for these compounds. In this event, correct the problem and repeat the entire test (Section 8.2.1).

8.3 The laboratory shall spike all samples with labeled compounds to assess method performance on the sample matrix.

8.3.1 Analyze each sample according to the method in Section 10.

8.3.2 Compute the percent recovery (P) of the labeled compounds using the internal standard methmd (Section 7.5).

8.3.3 Compare the labeled compound recovery for each compound with the corresponding limits in Table 8. If the recovery of any compounds falls outside its warning limit, method performance is unacceptable for that compound in that sample, Therefore, the sample is complex and is to be diluted and reanalyzed per Section 15.4.

8.4 As part of the QA program for the laboratory, method accuracy for wastewater samples shall be assessed and records shall be maintained. After the analysis of five wastewater samples for which the labeled compounds pass the tests in Section 8.3, compute the average percent recovery (P)

and the standard deviation of the percent recovery (s_p) for the labeled compounds only. Express the accuracy assessment as a percent recovery interval from P—2 $_{sp}$ to P+2$_{sp}$. For example, if P=90% and s_p=10%, the accuracy interval is expressed as 70–100%. Update the accuracy assessment for each compound on a regular basis (e.g. after each 5–10 new accuracy measurements).

8.5 Blanks—reagent water blanks are analyzed to demonstrate freedom from contamination.

8.5.1 Extract and concentrate a blank with each sample lot (samples started through the extraction process on the same 8 hr shift, to a maximum of 20 samples). Analyze the blank immediately after analysis of the precision and recovery standard (Section 6.14) to demonstrate freedom from contamination.

8.5.2 If any of the compounds of interest (Tables 1 and 2) or any potentially interfering compound is found in a blank at greater than 10 µg/L (assuming a response factor of 1 relative to the internal standard for compounds not listed in Tables 1 and 2), analysis of samples is halted until the source of contamination is eliminated and a blank shows no evidence of contamination at this level.

8.6 The specifications contained in this method can be met if the apparatus used is calibrated properly, then maintained in a calibrated state. The standards used for calibration (Section 7), calibration verification (Section 12.5), and for initial (Section 8.2) and on-going (Section 12.7) precision and recovery should be identical, so that the most precise results will be obtained. The GC/MS instrument in particular will provide the most reproducible results if dedicated to the settings and conditions required for the analysis of semi-volatiles by this method.

8.7 Depending on specific program requirements, field replicates may be collected to determine the precision of the sampling technique, and spiked samples may be required to determine the accuracy of the analysis when internal or external standard methods are used.

9. Sample Collection, Preservation, and Handling

9.1 Collect samples in glass containers following conventional sampling practices (Reference 7). Composite samples are collected in refrigerated glass containers (Section 5.1.3) in accordance with the requirements of the sampling program.

9.2 Maintain samples at 0–4 °C from the time collectimn until extraction. If residual chlorine is present, add 80 mg sodium thiosulfate per liter of water. EPA Methods 330.4 and 330.5 may be used to measure residual chlorine (Reference 8).

9.3 Begin sample extraction within seven days of collection, and analyze all extracts within 40 days of extraction.

10. Sample Extraction and Concentration (See Figure 4)

10.1 Labeled compound spiking—measure 1.00 ± 0.01 liter of sample into a glass container. For untreated effluents, and samples which are expected to be difficult to extract and/or concentrate, measure an additional 10.0 ± 0.1 mL and dilute to a final volume of 1.00 ± 0.01 liter with reagent water in a glass container.

10.1.1 For each sample or sample lot (to a maximum of 20) to be extracted at the same time, place three 1.00 ± 0.10 liter aliquots of reagent water in glass containers.

10.1.2 Spike 0.5 mL of the labeled compound spiking solution (Section 6.8) into all samples and one reagant water aliquot.

10.1.3 Spike 1.0 mL of the precision and recovery standard (Section 6.14) into the two remaining reagent water aliquots.

10.1.4 Stir and equilibrate all solutions for 1–2 hr.

10.2 Base/neutral extraction—place 100–150 mL methylene chloride in each continuous extractor and 200–300 in each distilling flask.

10.2.1 Pour the sample(s), blank, and standard aliquots into the extractors. Rinse the glass containers with 50–100 mL methylene chloride and add to the respective extractor.

10.2.2 Adjust the pH of the waters in the extractors to 12–13 with 6N NaOH while monitoring with a pH meter. Begin the extraction by heating the flask until the methylene chloride is boiling. When properly adjusted, 1–2 drops of methylene chloride per second will fall from the condensor tip into the water. After 1–2 hours of extraction, test the pH and readjust to 12–13 if required. Extract for 18–24 hours.

10.2.3 Remove the distilling flask, estimate and record the volume of extract (to the nearest 100 mL), and pour the contents through a drying column containing 7 to 10 cm anhydrous sodium sulfate. Rinse the distilling flask with 30–50 mL of methylene chloride and pour through the drying column. Collect the solution in a 500 mL K–D evaporator flask equipped with a 10 mL concentrator tube. Seal, label as the base/neutral fraction, and concentrate per Sections 10.4 to 10.5.

10.3 Acid extraction—adjust the pH of the waters in the extractors to 2 or less using 6N sulfuric acid. Charge clean distilling flasks with 300–400 mL of methylene chloride. Test and adjust the pH of the waters after the first 1–2 hr of extraction. Extract for 18–24 hours.

10.3.1 Repeat Section 10.2.3, except label as the acid fraction.

10.4 Concentration—concentrate the extracts in separate 500 mL K–D flasks equipped with 10 mL concentrator tubes.

10.4.1 Add 1 to 2 clean boiling chips to the flask and attach a three-ball macro Snyder column. Prewet the column by adding approximately one mL of methylene chloride through the top. Place the K–D apparatus in a hot water bath so that the entire lower rounded surface of the flask is bathed with steam. Adjust the vertical position of the apparatus and the water temperature as required to complete the concentration in 15 to 20 minutes. At the proper rate of distillation, the balls of the column will actively chatter but the chambers will not flood. When the liquid has reached an apparent volume of 1 mL, remove the K–D apparatus from the bath and allow the solvent to drain and cool for at least 10 minutes. Remove the Snyder column and rinse the flask and its lower joint into the concentrator tube with 1–2 mL of methylene chloride. A 5-mL syringe is recommended for this operation.

10.4.2 For performance standards (Sections 8.2 and 12.7) and for blanks (Section 8.5), combine the acid and base/neutral extracts for each at this point. Do not combine the acid and base/neutral extracts for samples.

10.5 Add a clean boiling chip and attach a two ball micro Snyder column to the concentrator tube. Prewet the column by adding approx 0.5 mL methylene chloride through the top. Place the apparatus in the hot water bath. Adjust the vertical position and the water temperature as required to complete the concentration in 5–10 minutes. At the proper rate of distillation, the balls of the column will actively chatter but the chambers will not flood. When the liquid reaches an apparent volume of approx 0.5 mL, remove the apparatus from the water bath and allow to drain and cool for at least 10 minutes. Remove the micro Snyder column and rinse its lower joint into the concentrator tube with approx 0.2 mL of methylene chloride. Adjust the final volume to 1.0 mL.

10.6 Transfer the concentrated extract to a clean screw-cap vial. Seal the vial with a Teflon-lined lid, and mark the level on the vial. Label with the sample number and fraction, and store in the dark at −20 to −10 °C until ready for analysis.

11. GC/MS Analysis

11.1 Establish the operating conditions given in Table 3 or 4 for analysis of the base/neutral or acid extracts, respectively. For analysis of combined extracts (Section 10.4.2), use the operating conditions in Table 3.

11.2 Bring the concentrated extract (Section 10.6) or standard (Sections 6.13 through 6.14) to room temperature and verify that any precipitate has redissolved. Verify the level on the extract (Sections 6.6 and 10.6) and bring to the mark with solvent if required.

11.3 Add the internal standard solution (Section 6.10) to the extract (use 1.0 uL of solution per 0.1 mL of extract) immediately prior to injection to minimize the possibility of loss by evaporation, adsorption, or reaction. Mix thoroughly.

11.4 Inject a volume of the standard solution or extract such that 100 ng of the internal standard will be injected, using on-column or splitless injection. For 1 mL extracts, this volume will be 1.0 uL. Start the GC column initial isothermal hold upon injection. Start MS data collection after the solvent peak elutes. Stop data collection after the benzo (ghi) perylene or pentachlorophenol peak elutes for the base/neutral or acid fraction, respectively. Return the column to the initial temperature for analysis of the next sample.

12. System and Laboratory Performance

12.1 At the beginning of each 8 hr shift during which analyses are performed, GC/MS system performance and calibration are verified for all pollutants and labeled compounds. For these tests, analysis of the 100 µg/mL calibration standard (Section 6.13) shall be used to verify all performance criteria. Adjustment and/or recalibration (per Section 7) shall be performed until all performance criteria are met. Only after all performance criteria are met may samples, blanks, and precision and recovery standards be analyzed.

12.2 DFTPP spectrum validity—inject 1 µL of the DFTPP solution (Section 6.11) either separately or within a few seconds of injection of the standard (Section 12.1) analyzed at the beginning of each shift. The criteria in Table 5 shall be met.

12.3 Retention times—the absolute retention time of 2,2′-difluorobiphenyl shall be within the range of 1078 to 1248 seconds and the relative retention times of all pollutants and labeled compounds shall fall within the limits given in Tables 3 and 4.

12.4 GC resolution—the valley height between anthracene and phenanthrene at m/z 178 (or the analogs at m/z 188) shall not exceed 10 percent of the taller of the two peaks.

12.5 Calibration verification—compute the concentration of each pollutant (Tables 1 and 2) by isotope dilution (Section 7.4) for those compounds which have labeled analogs. Compute the concentration of each pollutant which has no labeled analog by the internal standard method (Section 7.5). Compute the concentration of the labeled compounds by the internal standard method. These concentrations are computed based on the calibration data determined in Section 7.

12.5.1 For each pollutant and labeled compound being tested, compare the concentration with the calibration verification limit

in Table 8. If all compounds meet the acceptance criteria, calibration has been verified and analysis of blanks, samples, and precision and recovery standards may proceed. If, however, any compound fails, the measurement system is not performing properly for that compound. In this event, prepare a fresh calibration standard or correct the problem causing the failure and repeat the test (Section 12.1), or recalibrate (Section 7).

12.6 Multiple peaks—each compound injected shall give a single, distinct GC peak.

12.7 On-going precision and accuracy.

12.7.1 Analyze the extract of one of the pair of precision and recovery standards (Section 10.1.3) prior to analysis of samples from the same lot.

12.7.2 Compute the concentration of each pollutant (Tables 1 and 2) by isotope dilution (Section 7.4) for those compounds which have labeled analogs. Compute the concentration of each pollutant which has no labeled analog by the internal standard method (Section 7.5). Compute the concentration of the labeled compounds by the internal standard method.

12.7.3 For each pollutant and labeled compound, compare the concentration with the limits for on-going accuracy in Table 8. If all compounds meet the acceptance criteria, system performance is acceptable and analysis of blanks and samples may proceed. If, however, any individual concentration falls outside of the range given, system performance is unacceptable for that compound.

NOTE: The large number of compounds in Table 8 present a substantial probability that one or more will fail when all compounds are analyzed. To determine if the extraction/concentration system is out of control or if the failure is caused by probability, proceed as follows:

12.7.3.1 Analyze the second aliquot of the pair of precision and recovery standard (Section 10.1.3).

12.7.3.2 Compute the concentration of only those pollutants or labeled compounds that failed the previous test (Section 12.7.3). If these compounds now pass, the extraction/concentration processes are in control and analysis of blanks and samples may proceed. If, however, any of the same compounds fail again, the extraction/concentration processes are not being performed properly for these compounds. In this event, correct the problem, re-extract the sample lot (Section 10) and repeat the on-going precision and recovery test (Section 12.7).

12.7.4 Add results which pass the specifications in Section 12.7.2 to initial and previous on-going data. Update QC charts to perform a graphic representation of continued laboratory performance (Figure 5). Develop a statement of laboratory accuracy for each pollutant and labeled compound by calculating the average percent recovery (R) and the standard deviation of percent recovery (s_r). Express the accuracy as a recovery interval from $R-2s_r$ to $R+2s_r$. For example, if R=95% and s_r=5%, the accuracy is 85–105%.

13. Qualitative Determination

13.1 Qualititative determination is accomplished by comparison of data from analysis of a sample or blank with data from analysis of the shift standard (Section 12.1) and with data stored in the spectral libraries (Section 7.2.4). Identification is confirmed when spectra and retention times agree per the criteria below.

13.2 Labeled compounds and pollutants having no labeled analog:

13.2.1 The signals for all characteristic masses stored in the spectral library (Section 7.2.4) shall be present and shall maximize within the same two consecutive scans.

13.2.2 Either (1) the background corrected EICP areas, or (2) the corrected relative intensities of the mass spectral peaks at the GC peak maximum shall agree within a factor of two (0.5 to 2 times) for all masses stored in the library.

13.2.3 The retention time relative to the nearest eluted internal standard shall be within ±15 scans or ±15 seconds, whichever is greater of this difference in the shift standard (Section 12.1).

13.3 Pollutants having a labled analog:

13.3.1 The signals for all characteristic masses stored in the spectral library (Section 7.2.4) shall be present and shall maximize within the same two consecutive scans.

13.3.2. Either (1) the background corrected EICP areas, or (2) the corrected relative intensities of the mass spectral peaks at the GC peak maximum shall agree within a factor of two for all masses stored in the spectral library.

13.3.3. The retention time difference between the pollutant and its labeled analog shall agree within ± 6 scans or ± 6 seconds (whichever is greater) of this difference in the shift standard (Section 12.1).

13.4 Masses present in the experimental mass spectrum that are not present in the reference mass spectrum shall be accounted for by contaminant or background ions. If the experimental mass spectrum is contaminated, an experienced spectrometrist (Section 1.4) is to determine the presence or absence of the cmmpound.

14. Quantitative Determination

14.1 Isotope dilution—by adding a known amount of a labeled compound to every sample prior to extraction, correction for recovery of the pollutant can be made because the pollutant and its labeled analog exhibit the same effects upon extraction, concentration, and gas chromatography. Relative response (RR) values for mixtures are used in conjunction with calibration curves described in

Section 7.4 to determine concentrations directly, so long as labeled compound spiking levels are constant. For the phenml example given in Figure 1 (Section 7.4.1), RR would be equal to 1.114. For this RR value, the phenol calibration curve given in Figure 1 indicates a concentration of 27 μg/mL in the sample extract (C_{ex}).

14.2 Internal standard—compute the concentration in the extract using the response factor determined from calibration data (Section 7.5) and the following equation: $C_{ex}(\mu g/mL)=(A_s \times C_{is}/(A_{is} \times RF)$ where C_{ex} is the concentration of the compound in the extract, and the other terms are as defined in Section 7.5.1.

14.3 The concentration of the pollutant in water is computed using the volumes of the original water sample (Section 10.1) and the final extract volume (Section 10.5), as follows: Concentration in water $(\mu g/L)=(C_{ex} \times V_{ex})/V_s$ where V_{ex} is the extract volume in mL, and V_s is the sample volume in liters.

14.4 If the EICP area at the quantitiation mass for any compound exceeds the calibration range of the system, the extract of the dilute aliquot (Section 10.1) is analyzed by isotope dilution; otherwise, the extract is diluted by a factor of 10, 9 μL of internal standard solution (Section 6.10) are added to a 1.0 mL aliquot, and this diluted extract is analyzed by the internal standard method (Section 14.2). Quantify each compound at the highest concentration level within the calibration range.

14.5 Report results for all pollutants and labeled compounds (Tables 1 and 2) found in all standards, blanks, and samples in μg/L, to three significant figures. Results for samples which have been diluted are reported at the least dilute level at which the area at the quantitation mass is within the calibration range (Section 14.4) and the labeled compound recovery is within the normal range for the method (Section 15.4).

15. Analysis of Complex Samples

15.1 Untreated effluents and other samples frequently contain high levels (>1000 μg/L) of the compounds of interest, interfering compounds, and/or polymeric materials. Some samples will not concentrate to one mL (Section 10.5); others will overload the GC column and/or mass spectrometer.

15.2 Analyze the dilute aliquot (Section 10.1) when the sample will not concentrate to 1.0 mL. If a dilute aliquot was not extracted, and the sample holding time (Section 9.3) has not been exceeded, dilute an aliquot of the sample with reagent water and re-extract (Section 10.1); otherwise, dilute the extract (Section 14.4) and analyze by the internal standard method (Section 14.2).

15.3 Recovery of internal standard— the EICP area of the internal standard should be within a factor of two of the area in the shift standard (Section 12.1). If the absolute areas of the labeled compounds are within a factor of two of the respective areas in the shift standard, and the internal standard area is less than one-half of its respective area, then internal standard loss in the extract has occurred. In this case, use one of the labeled compounds (perferably a polynuclear aromatic hydrocarbon) to compute the concentration of a pollutant with no labeled analog.

15.4 Recovery of labeled compounds— in most samples, labeled compound recoveries will be similar to those from reagent water (Section 12.7). If the labeled compound recovery is outside the limits given in Table 8, the dilute extract (Section 10.1) is analyzed as in Section 14.4. If the recoveries of all labeled compounds and the internal staldard are low (per the criteria above), then a loss in instrument sensitivity is the most likely cause. In this case, the 100 μg/mL calibration standard (Section 12.1) shall be analyzed and calibration verified (Section 12.5). If a loss in sensitivity has occurred, the instrument shall be repaired, the performance specifications in Section 12 shall be met, and the extract reanalyzed. If a loss in instrument sensitivity has not occurred, the method does not work on the sample being analyzed and the result may not be reported for regulatory compliance purposes.

16. Method Performance

16.1 Interlaboratory performance for this method is detailed in references 9 and 10.

16.2 A chromatogram of the 100 μg/mL acid/base/neutral calibration standard (Section 6.13) is shown in Figure 6.

References

1. "Performance Tests for the Evaluation of Computerized Gas Chromatography/Mass Spectrometry Equipment and Laboratories" USEPA, EMSL/Cincinnati, OH 45268, EPA–600/4–80–025 (April 1980).

2. "Working with Carcinogens," DHEW, PHS, CDC, NIOSH, Publication 77–206, (August 1977).

3. "OSHA Safety and Health Standards, General Industry" OSHA 2206, 29 CFR part 1910 (January 1976).

4. "Safety in Academic Chemistry Laboratories, " ACS Committee on Chemical Safety (1979).

5. "Reference Compound to Calibrate Ion Abundance Measurement in Gas Chromatography-Mass Spectrometry Systems," J.W. Eichelberger, L.E. Harris, and W.L. Budde, Anal. Chem., *47*, 955 (1975).

6. "Handbook of Analytical Quality Control in Water and Wastewater Laboratories," USEPA, EMSL/Cincinnati, OH 45268, EPA–600/4–79–019 (March 1979).

7. "Standard Practice for Sampling Water," ASTM Annual Book of Standards, ASTM, Philadelphia, PA, 76 (1980).

8. "Methods 330.4 and 330.5 for Total Residual Chlorine," USEPA, EMSL/ Cincinnati, OH 45268, EPA 600/4–70–020 (March 1979).

9. Colby, B.N., Beimer, R.G., Rushneck, D.R., and Telliard, W.A., "Isotope Dilution Gas Chromatography-Mass Spectrometry for the determination of Priority Pollutants in Industrial Effluents." USEPA, Effluent Guidelines Division, Washington, DC 20460 (1980).

10. "Inter-laboratory Validation of US Environmental Protection Agency Method 1625," USEPA, Effluent Guidelines Division, Washington, DC 20460 (June 15, 1984).

TABLE 1—BASE/NEUTRAL EXTRACTABLE COMPOUNDS

Compound	STORET	CAS registry	EPA-EGD	NPDES
Acenaphthene	34205	83–32–9	001 B	001 B
Acenaphthylene	34200	208–96–8	077 B	002 B
Anthracene	34220	120–12–7	078 B	003 B
Benzidine	39120	92–87–5	005 B	004 B
Benzo(a)anthracene	34526	56–55–3	072 B	005 B
Benzo(b)fluoranthene	34230	205–99–2	074 B	007 B
Benzo(k)fluoranthene	34242	207–08–9	075 B	009 B
Benzo(a)pyrene	34247	50–32–8	073 B	006 B
Benzo(ghi)perylene	34521	191–24–2	079 B	008 B
Biphenyl (Appendix C)	81513	92–52–4	512 B	.....
Bis(2-chloroethyl) ether	34273	111–44–4	018 B	011 B
Bis(2-chloroethyoxy)methane	34278	111–91–1	043 B	010 B
Bis(2-chloroisopropyl) ether	34283	108–60–1	042 B	012 B
Bis(2-ethylhexyl) phthalate	39100	117–81–7	066 B	013 B
4-bromophenyl phenyl ether	34636	101–55–3	041 B	014 B
Butyl benzyl phthalate	34292	85–68–7	067 B	015 B
n-C10 (Appendix C)	77427	124–18–5	517 B	.....
n-C12 (Appendix C)	77588	112–40–2	506 B	.....
n-C14 (Appendix C)	77691	629–59–4	518 B	.....
n-C16 (Appendix C)	77757	544–76–3	519 B	.....
n-C18 (Appendix C)	77804	593–45–3	520 B	.....
n-C20 (Appendix C)	77830	112–95–8	521 B	.....
n-C22 (Appendix C)	77859	629–97–0	522 B	.....
n-C24 (Appendix C)	77886	646–31–1	523 B	.....
n-C26 (Appendix C)	77901	630–01–3	524 B	.....
n-C28 (Appendix C)	78116	630–02–4	525 B	.....
n-C30 (Appendix C)	78117	638–68–6	526 B	.....
Carbazole (4c)	77571	86–74–8	528 B	.....
2-chloronaphthalene	34581	91–58–7	020 B	016 B
4-chlorophenyl phenyl ether	34641	7005–72–3	040 B	017 B
Chrysene	34320	218–01–9	076 B	018 B
P-cymene (Appendix C)	77356	99–87–6	513 B	.....
Dibenzo(a,h)anthracene	34556	53–70–3	082 B	019 B
Dibenzofuran (Appendix C and 4c)	81302	132–64–9	505 B	.....
Dibenzothiophene (Synfuel)	77639	132–65–0	504 B	.....
Di-n-butyl phthalate	39110	84–74–2	068 B	026 B
1,2-dichlorobenzene	34536	95–50–1	025 B	020 B
1,3-dichlorobenzene	34566	541–73–1	026 B	021 B
1,4-dichlorobenzene	34571	106–46–7	027 B	022 B
3,3′-dichlorobenzidine	34631	91–94–1	028 B	023 B
Diethyl phthalate	34336	84–66–2	070 B	024 B
2,4-dimethylphenol	34606	105–67–9	034 A	003 A
Dimethyl phthalate	34341	131–11–3	071 B	025 B
2,4-dinitrotoluene	34611	121–14–2	035 B	027 B
2,6-dinitrotoluene	34626	606–20–2	036 B	028 B
Di-n-octyl phthalate	34596	117–84–0	069 B	029 B
Diphenylamine (Appendix C)	77579	122–39–4	507 B	.....
Diphenyl ether (Appendix C)	77587	101–84–8	508 B	.....
1,2-diphenylhydrazine	34346	122–66–7	037 B	030 B
Fluoranthene	34376	206–44–0	039 B	031 B
Fluorene	34381	86–73–7	080 B	032 B
Hexachlorobenzene	39700	118–74–1	009 B	033 B
Hexachlorobutadiene	34391	87–68–3	052 B	034 B
Hexachloroethane	34396	67–72–1	012 B	036 B
Hexachlorocyclopentadiene	34386	77–47–4	053 B	035 B
Indeno(1,2,3-cd)pyrene	34403	193–39–5	083 B	037 B
Isophorone	34408	78–59–1	054 B	038 B
Naphthalene	34696	91–20–3	055 B	039 B
B-naphthylamine (Appendix C)	82553	91–59–8	502 B	.....
Nitrobenzene	34447	98–95–3	056 B	040 B
N-nitrosodimethylamine	34438	62–75–9	061 B	041 B
N-nitrosodi-n-propylamine	34428	621–64–7	063 B	042 B
N-nitrosodiphenylamine	34433	86–30–3	062 B	043 B

TABLE 1—BASE/NEUTRAL EXTRACTABLE COMPOUNDS—Continued

Compound	STORET	CAS registry	EPA-EGD	NPDES
Phenanthrene	34461	85–01–8	081 B	044 B
Phenol	34694	108–95–2	065 A	010 A
a-Picoline (Synfuel)	77088	109–06–89	503 B	.....
Pyrene	34469	129–00–0	084 B	045 B
styrene (Appendix C)	77128	100–42–5	510 B	.....
a-terpineol (Appendix C)	77493	98–55–5	509 B	.....
1,2,3-trichlorobenzene (4c)	77613	87–61–6	529 B	.....
1,2,4-trichlorobenzene	34551	120–82–1	008 B	046 B

TABLE 2—ACID EXTRACTABLE COMPOUNDS

Compound	STORET	CAS registry	EPA-EGD	NPDES
4-chloro-3-methylphenol	34452	59–50–7	022 A	008 A
2-chlorophenol	34586	95–57–8	024 A	001 A
2,4-dichlorophenol	34601	120–83–2	031 A	002 A
2,4-dinitrophenol	34616	51–28–5	059 A	005 A
2-methyl-4,6-dinitrophenol	34657	534–52–1	060 A	004 A
2-nitrophenol	34591	88–75–5	057 A	006 A
4-nitrophenol	34646	100–02–7	058 A	007 A
Pentachlorophenol	39032	87–86–5	064 A	009 A
2,3,6-trichlorophenol (4c)	77688	93–37–55	530 A	.....
2,4,5-trichlorophenol (4c)	.....	95–95–4	531 A	.....
2,4,6-trichlorophenol	34621	88–06–2	021 A	011 A

TABLE 3—GAS CHROMATOGRAPHY OF BASE/NEUTRAL EXTRACTABLE COMPOUNDS

EGD No.[1]	Compound	Retention time			Detection limit[2] (µg/L)
		Mean (sec)	EGD Ref	Relative	
164	2,2′-difluorobiphenyl (int std)	1163	164	1.000–1.000	10
061	N-nitrosodimethylamine	385	164	ns	50
603	alpha picoline-d7	417	164	0.326–0.393	50
703	alpha picoline	426	603	1.006–1.028	50
610	styrene-d5	546	164	0.450–0.488	10
710	styrene	549	610	1.002–1.009	10
613	p-cymene-d14	742	164	0.624–0.652	10
713	p-cymene	755	613	1.008–1.023	10
265	phenol-d5	696	164	0.584–0.613	10
365	phenol	700	265	0.995–1.010	10
218	bis(2-chloroethyl) ether-d8	696	164	0.584–0.607	10
318	bis(2-chloroethyl) ether	704	218	1.007–1.016	10
617	n-decane-d22	698	164	0.585–0.615	10
717	n-decane	720	617	1.022–1.038	10
226	1,3-dichlorobenzene-d4	722	164	0.605–0.636	10
326	1,3-dichlorobenzene	724	226	0.998–1.008	10
227	1,4-dichlorobenzene-d4	737	164	0.601–0.666	10
327	1,4-dichlorobenzene	740	227	0.997–1.009	10
225	1,2-dichlorobenzene-d4	758	164	0.632–0.667	10
325	1,2-dichlorobenzene	760	225	0.995–1.008	10
242	bis(2-chloroisopropyl) ether-d12	788	164	0.664–0.691	10
342	bis(2-chloroisopropyl) ether	799	242	1.010–1.016	10
212	hexachloroethane-13C	819	164	0.690–0.717	10
312	hexachloroethane	823	212	0.999–1.001	10
063	N-nitrosodi-n-propylamine	830	164	ns	20
256	nitrobenzene-d5	845	164	0.706–0.727	10
356	nitrobenzene	849	256	1.002–1.007	10
254	isophorone-d8	881	164	0.747–0.767	10
354	isophorone	889	254	0.999–1.017	10
234	2,4-dimethyl phenol-d3	921	164	0.781–0.803	10
334	2,4-dimethylphenol	924	234	0.999–1.003	10
043	bis(2-chloroethoxy) methane	939	164	ns	10
208	1,2,4-trichlorobenzene-d3	955	164	0.813–0.830	10
308	1,2,4-trichlorobenzene	958	208	1.000–1.005	10
255	naphthalene-d8	963	164	0.819–0.836	10
355	naphthalene	967	255	1.001–1.006	10
609	alpha-terpineol-d3	973	164	0.829–0.844	10

TABLE 3—GAS CHROMATOGRAPHY OF BASE/NEUTRAL EXTRACTABLE COMPOUNDS—Continued

EGD No.[1]	Compound	Retention time			Detection limit[2] (μg/L)
		Mean (sec)	EGD Ref	Relative	
709	alpha-terpineol	975	609	0.998–1.008	10
606	n-dodecane-d26	953	164	0.730–0.908	10
706	n-dodecane	981	606	0.986–1.051	10
529	1,2,3-trichlorobenzene	1003	164	ns	10
252	hexachlorobutadiene-13C4	1005	164	0.856–0.871	10
352	hexachlorobutadiene	1006	252	0.999–1.002	10
253	hexachlorocyclopentadiene-13C4	1147	164	0.976–0.986	10
353	hexachlorocyclopentadiene	1142	253	0.999–1.001	10
220	2-chloronaphthalene-d7	1185	164	1.014–1.024	10
320	2-chloronaphthalene	1200	220	0.997–1.007	10
518	n-tetradecane	1203	164	ns	10
612	Biphenyl-d10	1205	164	1.016–1.027	10
712	Biphenyl	1195	612	1.001–1.006	10
608	Diphenyl ether-d10	1211	164	1.036–1.047	10
708	Diphenyl ether	1216	608	0.997–1.009	10
277	Acenaphthylene-d8	1265	164	1.080–1.095	10
377	Acenaphthylene	1247	277	1.000–1.004	10
271	Dimethyl phthalate-d4	1269	164	1.083–1.102	10
371	Dimethyl phthalate	1273	271	0.998–1.005	10
236	2,6-dinitrotoluene-d3	1283	164	1.090–1.112	10
336	2,6-dinitrotoluene	1300	236	1.001–1.005	10
201	Acenaphthene-d10	1298	164	1.107–1.125	10
301	Acenaphthene	1304	201	0.999–1.009	10
605	Dibenzofuran-d8	1331	164	1.134–1.155	10
705	Dibenzofuran	1335	605	0.998–1.007	10
602	Beta-naphthylamine-d7	1368	164	1.163–1.189	50
702	Beta-naphthylamine	1371	602	0.996–1.007	50
280	Fluorene-d10	1395	164	1.185–1.214	10
380	Fluorene	1401	281	0.999–1.008	10
240	4-chlorophenyl phenyl ether-d5	1406	164	1.194–1.223	10
340	4-chlorophenyl phenyl ether	1409	240	0.990–1.015	10
270	Diethyl phthalate-d4	1409	164	1.197–1.229	10
370	Diethyl phthalate	1414	270	0.996–1.006	10
619	n-hexadecane-d34	1447	164	1.010–1.478	10
719	n-hexadecane	1469	619	1.013–1.020	10
235	2,4-dinitrotoluene-d3	1359	164	1.152–1.181	10
335	2,4-dinitrotoluene	1344	235	1.000–1.002	10
237	1,2-diphenylhydrazine-d8	1433	164	1.216–1.248	20
337	1,2-diphenylhydrazine [3]	1439	237	0.999–1.009	20
607	Diphenylamine–d10	1437	164	1.213–1.249	20
707	Diphenylamine	1439	607	1.000–1.007	20
262	N-nitrosodiphenylamine-d6	1447	164	1.225–1.252	20
362	N-nitrosodiphenylamine [4]	1464	262	1.000–1.002	20
041	4-bromophenyl phenyl ether	1498	164	1.271–1.307	10
209	Hexachlorobenzene-13C6	1521	164	1.288–1.327	10
309	Hexachlorobenzene	1522	209	0.999–1.001	10
281	Phenanthrene-d10	1578	164	1.334–1.380	10
520	n-octadecane	1580	164	ns	10
381	Phenanthrene	1583	281	1.000–1.005	10
278	Anthracene-d10	1588	164	1.342–1.388	10
378	Anthracene	1592	278	0.998–1.006	10
604	Dibenzothiophene-d8	1559	164	1.314–1.361	10
704	Dibenzothiophene	1564	604	1.000–1.006	10
528	Carbazole	1650	164	ns	20
621	n-eicosane-d42	1655	164	1.184–1.662	10
721	n-eicosane	1677	621	1.010–1.021	10
268	Di-n-butyl phthalate-d4	1719	164	1.446–1.510	10
368	Di-n-butyl phthalate	1723	268	1.000–1.003	10
239	Fluoranthene-d10	1813	164	1.522–1.596	10
339	Fluoranthene	1817	239	1.000–1.004	10
284	Pyrene-d10	1844	164	1.523–1.644	10
384	Pyrene	1852	284	1.001–1.003	10
205	Benzidine-d8	1854	164	1.549–1.632	50
305	Benzidine	1853	205	1.000–1.002	50
522	n-docosane	1889	164	ns	10
623	n-tetracosane-d50	1997	164	1.671–1.764	10
723	n-tetracosane	2025	612	1.012–1.015	10
067	Butylbenzyl phthalate	2060	164	ns	10
276	Chrysene-d12	2081	164	1.743–1.837	10
376	Chrysene	2083	276	1.000–1.004	10

TABLE 3—GAS CHROMATOGRAPHY OF BASE/NEUTRAL EXTRACTABLE COMPOUNDS—Continued

EGD No.[1]	Compound	Retention time			Detection limit[2] (μg/L)
		Mean (sec)	EGD Ref	Relative	
272	Benzo(a)anthracene-d12	2082	164	1.735–1.846	10
372	Benzo(a)anthracene	2090	272	0.999–1.007	10
228	3,3′-dichlorobenzidine-d6	2088	164	1.744–1.848	50
328	3,3′-dichlorobenzidine	2086	228	1.000–1.001	50
266	Bis(2-ethylhexyl) phthalate-d4	2123	164	1.771–1.880	10
366	Bis(2-ethylhexyl) phthalate	2124	266	1.000–1.002	10
524	n-hexacosane	2147	164	ns	10
269	di-n-octyl phthalate-d4	2239	164	1.867–1.982	10
369	di-n-octyl phthalate	2240	269	1.000–1.002	10
525	n-octacosane	2272	164	ns	10
274	Benzo(b)fluoranthene-d12	2281	164	1.902–2.025	10
354	Benzo(b)fluoranthene	2293	274	1.000–1.005	10
275	Benzo(k)fluoranthene-d12	2287	164	1.906–2.033	10
375	Benzo(k)fluoranthene	2293	275	1.000–1.005	10
273	Benzo(a)pyrene-d12	2351	164	1.954–2.088	10
373	Benzo(a)pyrene	2350	273	1.000–1.004	10
626	N-triacontane-d62	2384	164	1.972–2.127	10
726	N-triacontane	2429	626	1.011–1.028	10
083	Indeno(1,2,3-cd)pyrene	2650	164	ns	20
082	Dibenzo(a,h)anthracene	2660	164	ns	20
279	Benzo(ghi)perylene-d12	2741	164	2.187–2.524	20
379	Benzo(ghi)perylene	2750	279	1.001–1.006	20

[1] Reference numbers beginning with 0, 1 or 5 indicate a pollutant quantified by the internal standard method; reference numbers beginning with 2 or 6 indicate a labeled compound quantified by the internal standard method; reference numbers beginning with 3 or 7 indicate a pollutant quantified by isotope dilution.

[2] This is a minimum level at which the entire GC/MS system must give recognizable mass spectra (background corrected) and acceptable calibration points.

[3] Detected as azobenzene.

[4] Detected as diphenylamine.

ns = specification not available at time of release of method.

Column: 30 ±2 m × 0.25 ±0.02 mm i.d. 94% methyl, 4% phenyl, 1% vinyl bonded phase fused silica capillary.

Temperature program: 5 min at 30 °C; 30 – 280 °C at 8 °C per min; isothermal at 280 °C until benzo(ghi)perylene elutes.

Gas velocity: 30 ±5 cm/sec.

TABLE 4—GAS CHROMATOGRAPHY OF ACID EXTRACTABLE COMPOUNDS

EGD No. [1]	Compound	Retention time			Detection limit [2] (μg/L)
		Mean (sec)	EGD Ref	Relative	
164	2,2′-difluorobiphenyl (int std)	1163	164	1.000–1.000	10
224	2-chlorophenol-d4	701	164	0.587–0.618	10
324	2-chlorophenol	705	224	0.997–1.010	10
257	2-nitrophenol-d4	898	164	0.761–0.783	20
357	2-nitrophenol	900	257	0.994–1.009	20
231	2,4-dichlorophenol-d3	944	164	0.802–0.822	10
331	2,4-dichlorophenol	947	231	0.997–1.006	10
222	4-chloro-3-methylphenol-d2	1086	164	0.930–0.943	10
322	4-chloro-3-methylphenol	1091	222	0.998–1.003	10
221	2,4,6-trichlorophenol-d2	1162	164	0.994–1.005	10
321	2,4,6-trichlorophenol	1165	221	0.998–1.004	10
531	2,4,5-trichlorophenol	1170	164	ns	10
530	2,3,6-trichlorophenol	1195	164	ns	10
259	2,4-dinitrophenol-d3	1323	164	1.127–1.149	50
359	2,4-dinitrophenol	1325	259	1.000–1.005	50
258	4-nitrophenol-d4	1349	164	1.147–1.175	50
358	4-nitrophenol	1354	258	0.997–1.006	50
260	2-methyl-4,6-dinitrophenol-d2	1433	164	1.216–1.249	20
360	2-methyl-4,6-dinitrophenol	1435	260	1.000–1.002	20
264	Pentachlorophenol-13C6	1559	164	1.320–1.363	50
364	Pentachlorophenol	1561	264	0.998–1.002	50

[1] Reference numbers beginning with 0, 1 or 5 indicate a pollutant quantified by the internal standard method; reference numbers beginning with 2 or 6 indicate a labeled compound quantified by the internal standard method; reference numbers beginning with 3 or 7 indicate a pollutant quantified by isotope dilution.

[2] This is a minimum level at which the entire GC/MS system must give recognizable mass spectra (background corrected) and acceptable calibration points.

ns=specification not available at time of release of method.

Column: 30 ±2m×0.25 ±0.02mm i.d. 94% methyl, 4% phenyl, 1% vinyl bonded phase fused silica capillary.

Temperature program: 5 min at 30 °C; 8 °C/min. to 250°C or until pentachlorophenol elutes.

Gas velocity: 30± 5 cm/sec.

TABLE 5—DFTPP MASS INTENSITY SPECIFICATIONS

Mass	Intensity required
51	30–60 percent of mass 198.
68	Less than 2 percent of mass 69.
70	Less than 2 percent of mass 69.
127	40–60 percent of mass 198.
197	Less than 1 percent of mass 198.
199	5–9 percent of mass 198.
275	10–30 percent of mass 198.
365	greater than 1 percent of mass 198
441	present and less than mass 443
442	40–100 percent of mass 198.
443	17–23 percent of mass 442.

TABLE 6—BASE/NEUTRAL EXTRACTABLE COMPOUND CHARACTERISTIC MASSES

Compound	Labeled analog	Primary m/z
Acenaphthene	d10	154/164
Acenaphthylene	d8	152/160
Anthracene	d10	178/188
Benzidine	d8	184/192
Benzo(a)anthracene	d12	228/240
Benzo(b)fluoranthene	d12	252/264
Benzo(k)fluoranthene	d12	252/264
Benzo(a)pyrene	d12	252/264
Benzo(ghi)perylene	d12	276/288
Biphenyl	d10	154/164
Bis(2-chloroethyl) ether	d8	93/101
Bis(2-chloroethoxy)methane	.....	93
Bis(2-chloroisopropyl) ether	d12	121/131
Bis(2-ethylhexyl) phthalate	d4	149/153
4-bromophenyl phenyl ether	.....	248
Butyl benzyl phthalate	.....	149
n-C10	d22	55/66
n-C12	d26	55/66
n-C14	.....	55
n-C16	d34	55/66
n-C18	.....	55
n-C20	d42	55/66
n-C22	.....	55
n-C24	d50	55/66
n-C26	.....	55
n-C28	.....	55
n-C30	d62	55/66
Carbazole	d8	167/175
2-chloronaphthalene	d7	162/169
4-chlorophenyl phenyl ether	d5	204/209
Chrysene	d12	228/240
p-cymene	d14	114/130
Dibenzo(a,h)anthracene	.....	278
Dibenzofuran	d8	168/176
Dibenzothiophene	d8	184/192
Di-n-butyl phthalate	d4	149/153
1,2-dichlorobenzene	d4	146/152
1,3-dichlorobenzene	d4	146/152

TABLE 6—BASE/NEUTRAL EXTRACTABLE COMPOUND CHARACTERISTIC MASSES—Continued

Compound	Labeled analog	Primary m/z
1,4-dichlorobenzene	d4	146/152
3,3′-dichlorobenzidine	d6	252/258
Diethyl phthalate	d4	149/153
2,4-dimethylphenol	d3	122/125
Dimethyl phthalate	d4	163/167
2,4-dinitrotoluene	d3	164/168
2,6-dinitrotoluene	d3	165/167
Di-n-octyl phthalate	d4	149/153
Diphenylamine	d10	169/179
Diphenyl ether	d10	170/180
1,2-diphenylhydrazine [1]	d10	77/82
Fluoranthene	d10	202/212
Fluorene	d10	166/176
Hexachlorobenzene	13C6	284/292
Hexachlorobutadiene	13C4	225/231
Hexachloroethane	13C	201/204
Hexachlorocyclopentadiene	13C4	237/241
Ideno(1,2,3-cd)pyrene	.....	276
Isophorone	d8	82/88
Naphthalene	d8	128/136
B-naphthylamine	d7	143/150
Nitrobenzene	d5	123/128
N-nitrosodimethylamine	.....	74
N-nitrosodi-n-propylamine	.....	70
N-nitrosodiphenylamile [2]	d6	169/175
Phenanthrene	d10	178/188
Phenol	d5	94/71
a-picoline	d7	93/100
Pyrene	d10	202/212
Styrene	d5	104/109
a-terpineol	d3	59/62
1,2,3-trichlorobenzene	d3	180/183
1,2,4-trichlorobenzene	d3	180/183

[1] Detected as azobenzene.
[2] Detected as diphenylamine.

TABLE 77—ACID EXTRACTABLE COMPOUND CHARACTERISTIC MASSES

Compound	Labeled analog	Primary m/z
4-chloro-3-methylphenol	d2	107/109
2-chlorophenol	d4	128/132
2,4-dichlorophenol	d3	162/167
2,4-dinitrophenol	d3	184/187
2-methyl-4,6-dinitrophenol	d2	198/200
2-nitrophenol	d4	139/143
4-nitrophenol	d4	139/143
Pentachlorophenol	13C6	266/272
2,3,6-trichlorophenol	d2	196/200
2,4,5-trichlorophenol	d2	196/200
2,4,6-trichlorophenol	d2	196/200

TABLE 8—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS

EGD No.[1]	Compound	Acceptance criteria				
		Initial precision and accuracy section 8.2.3 (µg/L)		Labeled compound recovery sec. 8.3 and 14.2 P (percent)	Calibration verification sec. 12.5 (µg/mL)	On-going accuracy sec. 11.6 R (µg/L)
		s	X			
301	Acenaphthene	21	79–134	.....	80–125	72–144
201	Acenaphthene-d10	38	38–147	20–270	71–141	30–180
377	Acenaphtylene	38	69–186	.....	60–166	61–207
277	Acenaphthylene-d8	31	38–146	23–239	66–152	33–168

TABLE 8—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS—Continued

EGD No.[1]	Compound	Acceptance criteria				
		Initial precision and accuracy section 8.2.3 (μg/L)		Labeled compound recovery sec. 8.3 and 14.2 P (percent)	Calibration verification sec. 12.5 (μg/mL)	On-going accuracy sec. 11.6 R (μg/L)
		s	X			
378	Anthracene	41	58–174		60–168	50–199
278	Anthracene-d10	49	31–194	14–419	58–171	23–242
305	Benzidine	119	16–518		34–296	11–672
205	Benzidine-d8	269	ns–ns	ns–ns	ns–ns	ns–ns
372	Benzo(a)anthracene	20	65–168		70–142	62–176
272	Benzo(a)anthracene-d12	41	25–298	12–605	28–357	22–329
374	Benzo(b)fluoranthene	183	32–545		61–164	20–ns
274	Benzo(b)fluoranthene-d12	168	11–577	ns–ns	14–ns	ns–ns
375	Benzo(k)fluoranthene	26	59–143		13–ns	53–155
275	Benzo(k)fluoranthene-d12	114	15–514	ns–ns	13–ns	ns–685
373	Benzo(a)pyrene	26	62–195		78–129	59–206
273	Benzo(a)pyrene-d12	24	35–181	21–290	12–ns	32–194
379	Benzo(ghi)perylene	21	72–160		69–145	58–168
279	Benzo(ghi)perylene-d12	45	29–268	14–529	13–ns	25–303
712	Biphenyl (Appendix C)	41	75–148		58–171	62–176
612	Biphenyl-d12	43	28–165	ns–ns	52–192	17–267
318	Bis(2-chloroethyl) ether	34	55–196		61–164	50–213
218	Bis(2-chloroethyl) ether-d8	33	29–196	15–372	52–194	25–222
043	Bis(2-chloroethoxy)methane*	27	43–153		44–228	39–166
342	Bis(2-chloroisopropyl) ether	17	81–138		67–148	77–145
242	Bis(2-chloroisopropyl)ether-d12	27	35–149	20–260	44–229	30–169
366	Bis(2-ethylhexyl) phthalate	31	69–220		76–131	64–232
266	Bis(2-ethylhexyl) phthalate-d4	29	32–205	18–364	43–232	28–224
041	4-bromophenyl phenyl ether*	44	44–140		52–193	35–172
067	Butyl benzyl phthalate*	31	19–233		22–450	35–170
717	n-C10 (Appendix C)	51	24–195		42–235	19–237
617	n-C10-d22	70	ns–298	ns–ns	44–227	ns–504
706	n-C12 (Appendix C)	74	35–369		60–166	29–424
606	n-C12-d26	53	ns–331	ns–ns	41–242	ns–408
518	n-C14 (Appendix C)*	109	ns–985		37–268	ns–ns
719	n-C16 (Appendix C)	33	80–162		72–138	71–181
619	n-C16-d34	46	37–162	18–308	54–186	28–202
520	n-C18 (Appendix C)*	39	42–131		40–249	35–167
721	n-C20 (Appendix C)	59	53–263		54–184	46–301
621	n-C20-d42	34	34–172	19–306	62–162	29–198
522	n-C22 (Appendix C)*	31	45–152		40–249	39–195
723	n-C24 (Appendix C)	11	80–139		65–154	78–142
623	n-C24-d50	28	27–211	15–376	50–199	25–229
524	n-C26 (Appendix C)*	35	35–193		26–392	31–212
525	n-C28 (Appendix C)*	35	35–193		26–392	31–212
726	n-C30 (Appendix C)	32	61–200		66–152	56–215
626	n-C30-d62	41	27–242	13–479	24–423	23–274
528	Carbazole (4c)*	38	36–165		44–227	31–188
320	2-chloronaphthalene	100	46–357		58–171	35–442
220	2-chloronaphthalene-d7	41	30–168	15–324	72–139	24–204
322	4-chloro-3-methylphenol	37	76–131		85–115	62–159
222	4-chloro-3-methylphenol-d2	111	30–174	ns–613	68–147	14–314
324	2-chlorophenol	13	79–135		78–129	76–138
224	2-chlorophenol-d4	24	36–162	23–255	55–180	33–176
340	4-chlorophenyl phenyl ether	42	75–166		71–142	63–194
240	4-chlorophenyl phenyl ether-d5	52	40–161	19–325	57–175	29–212
376	Chrysene	51	59–186		70–142	48–221
276	Chrysene-d12	69	33–219	13–512	24–411	23–290
713	p-cymene (Appendix C)	18	76–140		79–127	72–147
613	p-cymene-d14	67	ns–359	ns–ns	66–152	ns–468
082	Dibenzo(a,h)anthracene*	55	23–299		13–761	19–340
705	Dibenzofuran (Appendix C)	20	85–136		73–136	79–146
605	Dibenzofuran-d8	31	47–136	28–220	66–150	39–160
704	Dibenzothiophene (Synfuel)	31	79–150		72–140	70–168
604	Dibenzothiophene-d8	31	48–130	29–215	69–145	40–156
368	Di-n-butyl phthalate	15	76–165		71–142	74–169
268	Di-n-butyl phthalate-d4	23	23–195	13–346	52–192	22–209
325	1,2-dichlorobenzene	17	73–146		74–135	70–152
225	1,2-dichlorobenzene-d4	35	14–212	ns–494	61–164	11–247
326	1,3-dichlorobenzene	43	63–201		65–154	55–225
226	1,3-dichlorobenzene-d4	48	13–203	ns–550	52–192	ns–260
327	1,4-dichlorobenzene	42	61–194		62–161	53–219

TABLE 8—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS—Continued

EGD No.[1]	Compound	Acceptance criteria				
		Initial precision and accuracy section 8.2.3 (μg/L)		Labeled compound recovery sec. 8.3 and 14.2 P (percent)	Calibration verification sec. 12.5 (μg/mL)	On-going accuracy sec. 11.6 R (μg/L)
		s	X			
227	1,4-dichlorobenzene-d4	48	15–193	ns–474	65–153	11–245
328	3,3′-dichlorobenzidine	26	68–174	.....	77–130	64–185
228	3,3′-dichlorobenzidine-d6	80	ns–562	ns–ns	18–558	ns–ns
331	2,4-dichlorophenol	12	85–131	.....	67–149	83–135
231	2,4-dichlorophenol-d3	28	38–164	24–260	64–157	34–182
370	Diethyl phthalate	44	75–196	.....	74–135	65–222
270	Diethyl phthalate-d4	78	ns–260	ns–ns	47–211	ns–ns
334	2,4-dimethylphenol	13	62–153	.....	67–150	60–156
234	2,4-dimethylphenol-d3	22	15–228	ns–449	58–172	14–242
371	Dimethyl phthalate	36	74–188	.....	73–137	67–207
271	Dimethyl phthalate-d4	108	ns–640	ns–ns	50–201	ns–ns
359	2,4-dinitrophenol	18	72–134	.....	75–133	68–141
259	2,4-dinitrophenol-d3	66	22–308	ns–ns	39–256	17–378
335	2,4-dinitrotoluene	18	75–158	.....	79–127	72–164
235	2,4-dinitrotoluene-d3	37	22–245	10–514	53–187	19–275
336	2,6-dinitrotoluene	30	80–141	.....	55–183	70–159
236	2,6-dinitrotoluene-d3	59	44–184	17–442	36–278	31–250
369	Di-n-octyl phthalate	16	77–161	.....	71–140	74–166
269	Di-n-octyl phthalate-d4	46	12–383	ns–ns	21–467	10–433
707	Diphenylamine (Appendix C)	45	58–205	.....	57–176	51–231
607	Diphenylamine-d10	42	27–206	11–488	59–169	21–249
708	Diphenyl ether (Appendix C)	19	82–136	.....	83–120	77–144
608	Diphenyl ether-d10	37	36–155	19–281	77–129	29–186
337	1,2-diphenylhydrazine	73	49–308	.....	75–134	40–360
237	1,2-diphenylhydrazine-d10	35	31–173	17–316	58–174	26–200
339	Fluoranthene	33	71–177	.....	67–149	64–194
239	Fluoranthene-d10	35	36–161	20–278	47–215	30–187
380	Fluorene	29	81–132	.....	74–135	70–151
280	Fluorene-d10	43	51–131	27–238	61–164	38–172
309	Hexachlorobenzene	16	90–124	.....	78–128	85–132
209	Hexachlorobenzene-13C6	81	36–228	13–595	38–265	23–321
352	hexachlorobutadiene	56	51–251	.....	74–135	43–287
252	hexachlorobutadiene-13C4	63	ns–316	ns–ns	68–148	ns–413
312	hexachloroethane	227	21–ns	.....	71–141	13–ns
212	hexachloroethane-13C1	77	ns–400	ns–ns	47–212	ns–563
353	hexachlorocyclopentadiene	15	69–144	.....	77–129	67–148
253	hexachlorocyclopentadiene-13C4	60	ns–ns	ns–ns	47–211	ns–ns
083	ideno(1,2,3-cd)pyrene*	55	23–299	.....	13–761	19–340
354	isophorone	25	76–156	.....	70–142	70–168
254	isophorone-d8	23	49–133	33–193	52–194	44–147
360	2-methyl-4,6-dinitrophenol	19	77–133	.....	69–145	72–142
260	2-methyl-4,6-dinitrophenol-d2	64	36–247	16–527	56–177	28–307
355	naphthalene	20	80–139	.....	73–137	75–149
255	naphthalene-d8	39	28–157	14–305	71–141	22–192
702	B-naphthylamine (Appendix C)	49	10–ns	.....	39–256	ns–ns
602	B-naphthylamine-d7	33	ns–ns	ns–ns	44–230	ns–ns
356	nitrobenzene	25	69–161	.....	85–115	65–169
256	nitrobenzene-d5	28	18–265	ns–ns	46–219	15–314
357	2-nitrophenol	15	78–140	.....	77–129	75–145
257	2-nitrophenol-d4	23	41–145	27–217	61–163	37–158
358	4-nitrophenol	42	62–146	.....	55–183	51–175
258	4-nitrophenol-d4	188	14–398	ns–ns	35–287	ns–ns
061	N-nitrosodimethylamile*	198	21–472	.....	40–249	12–807
063	N-nitrosodi-n-proplyamine*	198	21–472	.....	40–249	12–807
362	N-nitrosodiphenylamine	45	65–142	.....	68–148	53–173
262	N-nitrosodiphenylamine-d6	37	54–126	26–256	59–170	40–166
364	pentachlorophenol	21	76–140	.....	77–130	71–150
264	pentachlorophenol-13C6	49	37–212	18–412	42–237	29–254
381	phenanthrene	13	93–119	.....	75–133	87–126
281	phenanthrene-d10	40	45–130	24–241	67–149	34–168
365	phenol	36	77–127	.....	65–155	62–154
265	phenol-d5	161	21–210	ns–ns	48–208	ns–ns
703	a-picoline (Synfuel)	38	59–149	.....	60–165	50–174
603	a-picoline-d7	138	11–380	ns–ns	31–324	ns–608
384	pyrene	19	76–152	.....	76–132	72–159
284	pyrene-d10	29	32–176	18–303	48–210	28–196
710	styrene (Appendix C)	42	53–221	.....	65–153	48–244

TABLE 8—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS—Continued

EGD No.[1]	Compound	Acceptance criteria				
		Initial precision and accuracy section 8.2.3 (μg/L)		Labeled compound recovery sec. 8.3 and 14.2 P (percent)	Calibration verification sec. 12.5 (μg/mL)	On-going accuracy sec. 11.6 R (μg/L)
		s	X			
610	styrene-d5	49	ns–281	ns–ns	44–228	ns–348
709	a-terpineol (Appendix C)	44	42–234	.....	54–186	38–258
609	a-terpineol-d3	48	22–292	ns–672	20–502	18–339
529	1,2,3-trichlorobenzene (4c)*	69	15–229	.....	60–167	11–297
308	1,2,4-trichlorobenzene	19	82–136	.....	78–128	77–144
208	1,2,4-trichlorobenzene-d3	57	15–212	ns–592	61–163	10–282
530	2,3,6-trichlorophenol (4c)*	30	58–137	.....	56–180	51–153
531	2,4,5-trichlorophenol (4c)*	30	58–137	.....	56–180	51–153
321	2,4,6-trichlorophenol	57	59–205	.....	81–123	48–244
221	2,4,6-trichlorophenol-d2	47	43–183	21–363	69–144	34–226

[1] Reference numbers beginning with 0, 1 or 5 indicate a pollutant quantified by the internal standard method; reference numbers beginning with 2 or 6 indicate a labeled compound quantified by the internal standard method; reference numbers beginning with 3 or 7 indicate a pollutant quantified by isotope dilution.

* Measured by internal standard; specification derived from related compound.

ns=no specification; limit is outside the range that can be measured reliably.

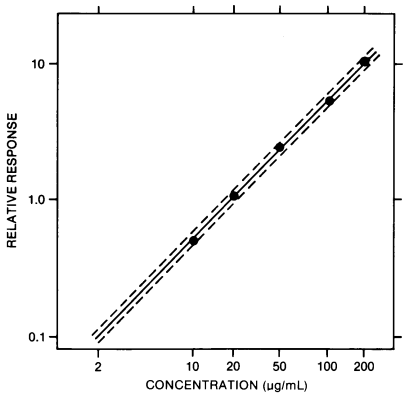

FIGURE 1 Relative Response Calibration Curve for Phenol. The Dotted Lines Enclose a ±10 Percent Error Window.

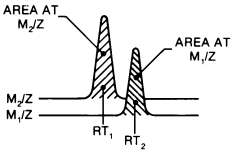

FIGURE 2 Extracted Ion Current Profiles for Chromatographically Resolved Labeled (m_2/z) and Unlabeled (m_1/z) Pairs.

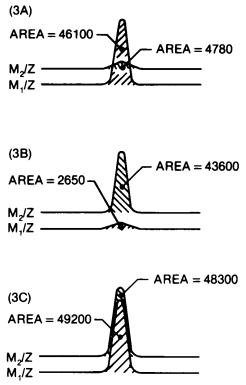

FIGURE 3 Extracted Ion Current Profiles for (3A) Unlabeled Compound, (3B) Labeled Compound, and (3C) Equal Mixture of Unlabeled and Labeled Compounds.

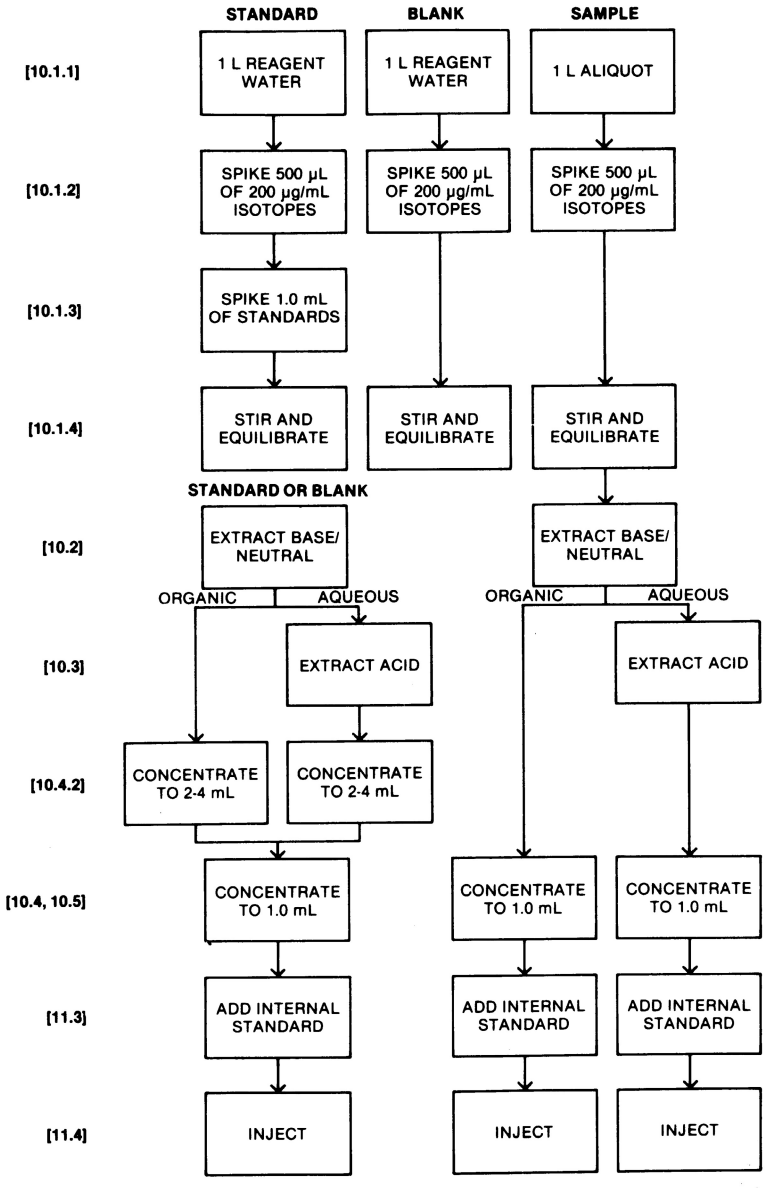

FIGURE 4 Flow Chart for Extraction/Concentration of Precision and Recovery Standard, Blank, and Sample by Method 1625. Numbers in Brackets [ ] Refer to Section Numbers in the Method.

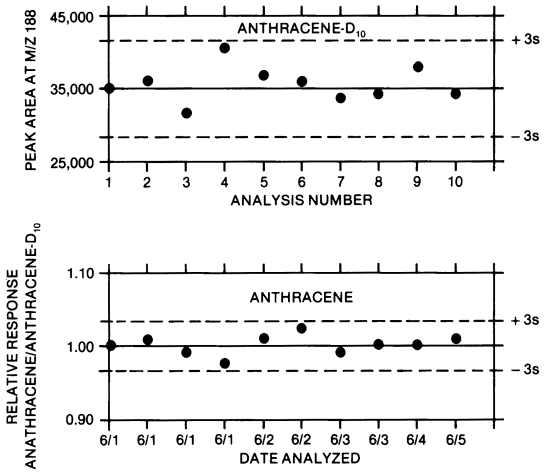

FIGURE 5 Quality Control Charts Showing Area (top graph) and Relative Response of Anthracene to Anthracene-d_{10} (lower graph) Plotted as a Function of Time or Analysis Number.

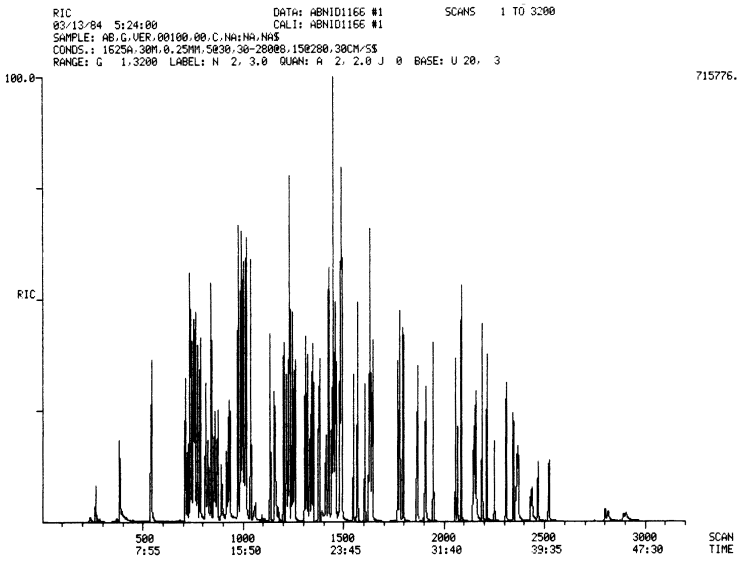

FIGURE 6 Chromatogram of Combined Acid/base/neutral Standard.

ATTACHMENT 1 TO METHOD 1625

INTRODUCTION

To support measurement of several semivolatile pollutants, EPA has developed this attachment to EPA Method 1625B.[1] The modifications listed in this attachment are approved only for monitoring wastestreams from the Centralized Waste Treatment Point Source Category (40 CFR Part 437) and the Landfills Point Source Category (40 CFR Part 445). EPA Method 1625B (the Method) employs sample extraction with methylene chloride followed by analysis of the extract using capillary column gas chromatography-mass spectrometry (GC/MS). This attachment addresses the addition of the semivolatile pollutants listed in Tables 1 and 2 to all applicable standard, stock, and spiking solutions utilized for the determination of semivolatile organic compounds by EPA Method 1625B.

1.0 EPA METHOD 1625 REVISION B MODIFICATION SUMMARY

The additional semivolatile organic compounds listed in Tables 1 and 2 are added to all applicable calibration, spiking, and other solutions utilized in the determination of semivolatile compounds by EPA Method 1625. The instrument is to be calibrated with these compounds, and all procedures and quality control tests described in the Method must be performed.

2.0 SECTION MODIFICATIONS

NOTE: All section and figure numbers in this Attachment reference section and figure numbers in EPA Method 1625 Revision B unless noted otherwise. Sections not listed here remain unchanged.

Section 6.7 The stock standard solutions described in this section are modified such that the analytes in Tables 1 and 2 of this attachment are required in addition to those specified in the Method.

Section 6.8 The labeled compound spiking solution in this section is modified to include the labeled compounds listed in Tables 5 and 6 of this attachment.

Section 6.9 The secondary standard is modified to include the additional analytes listed in Tables 1 and 2 of this attachment.

Section 6.12 The solutions for obtaining authentic mass spectra are to include all additional analytes listed in Tables 1 and 2 of this attachment.

Section 6.13 The calibration solutions are modified to include the analytes listed in Tables 1 and 2 and the labeled compounds listed in Tables 5 and 6 of this attachment.

Section 6.14 The precision and recovery standard is modified to include the analytes listed in Tables 1 and 2 and the labeled compounds listed in Tables 5 and 6 of this attachment.

Section 6.15 The solutions containing the additional analytes listed in Tables 1 and 2 of this attachment are to be analyzed for stability.

Section 7.2.1 This section is modified to include the analytes listed in Tables 1 and 2 and the labeled compounds listed in Tables 5 and 6 of this attachment.

Section 7.4.5 This section is modified to include the analytes listed in Tables 1 and 2 and the labeled compounds listed in Tables 5 and 6 in the calibration.

Section 8.2 The initial precision and recovery (IPR) requirements are modified to include the analytes listed in Tables 1 and 2 and the labeled compounds listed in Tables 5 and 6 of this attachment. Additional IPR performance criteria are supplied in Table 7 of this attachment.

Section 8.3 The labeled compounds listed in Tables 3 and 4 of this attachment are to be included in the method performance tests. Additional method performance criteria are supplied in Table 7 of this attachment.

Section 8.5.2 The acceptance criteria for blanks includes the analytes listed in Tables 1 and 2 of this attachment.

Section 10.1.2 The labeled compound solution must include the labeled compounds listed in Tables 5 and 6 of this attachment.

Section 10.1.3 The precision and recovery standard must include the analytes listed in Tables 1 and 2 and the labeled compounds listed in Tables 5 and 6 of this attachment.

Section 12.5 Additional QC requirements for calibration verification are supplied in Table 7 of this attachment.

Section 12.7 Additional QC requirements for ongoing precision and recovery are supplied in Table 7 of this attachment.

[1] EPA Method 1625 Revision B, Semivolatile Organic Compounds by Isotope Dilution GC/MS, 40 CFR Part 136, Appendix A.

TABLE 1—BASE/NEUTRAL EXTRACTABLE COMPOUNDS

Compound	Pollutant	
	CAS Registry	EPA–EGD
acetophenone [1]	98–86–2	758
aniline [2]	62–53–3	757
-2,3-dichloroaniline [1]	608–27–5	578
-o-cresol [1]	95–48–7	771
pyridine [2]	110–86–1	1330

CAS = Chemical Abstracts Registry.
EGD = Effluent Guidelines Division.
[1] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.
[2] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 2—ACID EXTRACTABLE COMPOUNDS

Compound	Pollutant	
	CAS Registry	EPA–EGD
p-cresol [1]	106–44–5	1744

CAS = Chemical Abstracts Registry.
EGD = Effluent Guidelines Division.
[1] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 3—GAS CHROMATOGRAPHY [1] OF BASE/NEUTRAL EXTRACTABLE COMPOUNDS

EGD No.	Compound	Retention time [2]			Minimum level [3] (μg/L)
		Mean (sec)	EGD Ref	Relative	
758	acetophenone [4]	818	658	1.003–1.005	10
757	aniline [5]	694	657	0.994–1.023	10
578	2,3-dichloroaniline [4]	1160	164	1.003–1.007	10
771	o-cresol [4]	814	671	1.005–1.009	10
1330	pyridine [5]	378	1230	1.005–1.011	10

EGD = Effluent Guidelines Division.
[1] The data presented in this table were obtained under the chromatographic conditions given in the footnote to Table 3 of EPA Method 1625B.
[2] Retention times are approximate and are intended to be consistent with the retention times for the analytes in EPA Method 1625B.
[3] See the definition in footnote 2 to Table 3 of EPA Method 1625B.
[4] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.
[5] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 4—GAS CHROMATOGRAPHY [1] OF ACID EXTRACTABLE COMPOUNDS

EGD No.	Compound	Retention time [2]			Minimum level (μ/L) [3]
		Mean (sec)	EGD Ref	Relative	
1744	p-cresol [4]	834	1644	1.004–1.008	20

EGD = Effluent Guidelines Division.
[1] The data presented in this table were obtained under the chromatographic conditions given in the footnote to Table 4 of EPA Method 1625B.
[2] Retention times are approximate and are intended to be consistent with the retention times for the analytes in EPA Method 1625B.
[3] See the definition in footnote 2 to Table 4 of EPA Method 1625B.
[4] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 5—BASE/NEUTRAL EXTRACTABLE COMPOUND CHARACTERISTIC M/Z'S

Compound	Labeled Analog	Primary m/z [1]
acetophenone [2]	d_5	105/110
aniline [3]	d_7	93/100
o-cresol [2]	d_7	108/116
2,3-dichloroaniline [2]	n/a	161
pyridine [3]	d_5	79/84

m/z = mass to charge ratio.

[1] Native/labeled.
[2] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.
[3] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 6—ACID EXTRACTABLE COMPOUND CHARACTERISTIC M/Z'S

Compound	Labeled Analog	Primary m/z [1]
p-cresol [2]	d_7	108/116

m/z = mass to charge ratio.
[1] Native/labeled.
[2] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

TABLE 7—ACCEPTANCE CRITERIA FOR PERFORMANCE TESTS

EGD No.	Compound	Acceptance criteria			Calibration verification sec. 12.5 µg/mL)	On-going accuracy sec. 12.7 R (µg/L)
		Initial precision and accuracy section 8.2 (µg/L)		Labeled compound recovery sec. 8.3 and 14.2 P (percent)		
		s (µg/L)	X			
758	acetophenone [1]	34	44–167	.....	85–115	45–162
658	acetophenone-d_5 [1]	51	23–254	45–162	85–115	22–264
757	aniline [2]	32	30–171	.....	85–115	33–154
657	aniline-d_7 [2]	71	15–278	33–154	85–115	12–344
771	o-cresol [1]	40	31–226	.....	85–115	35–196
671	o-cresol-d_7 [1]	23	30–146	35–196	85–115	31–142
1744	p-cresol [2]	59	54–140	.....	85–115	37–203
1644	p-cresol-d_7 [2]	22	11–618	37–203	85–115	16–415
578	2,3-dichloroaniline [1]	13	40–160	.....	85–115	44–144
1330	pyridine [2]	28	10–421	.....	83–117	18–238
1230	pyridine-d_5 [2]	ns	7–392	19–238	85–115	4–621

s = Standard deviation of four recovery measurements.
X = Average recovery for four recovery measurements.
EGD = Effluent Guidelines Division.
ns = no specification; limit is outside the range that can be measured reliably.
[1] Analysis of this pollutant is approved only for the Centralized Waste Treatment industry.
[2] Analysis of this pollutant is approved only for the Centralized Waste Treatment and Landfills industries.

[49 FR 43261, Oct. 26, 1984; 50 FR 692, 695, Jan. 4, 1985, as amended at 51 FR 23702, June 30, 1986; 62 FR 48405, Sept. 15, 1997; 65 FR 3044, Jan. 19, 2000; 65 FR 81295, 81298, Dec. 22, 2000]

APPENDIX B TO PART 136—DEFINITION AND PROCEDURE FOR THE DETERMINATION OF THE METHOD DETECTION LIMIT—REVISION 1.11

Definition

The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

Scope and Application

This procedure is designed for applicability to a wide variety of sample types ranging from reagent (blank) water containing analyte to wastewater containing analyte. The MDL for an analytical procedure may vary as a function of sample type. The procedure requires a complete, specific, and well defined analytical method. It is essential that all sample processing steps of the analytical method be included in the determination of the method detection limit.

The MDL obtained by this procedure is used to judge the significance of a single measurement of a future sample.

The MDL procedure was designed for applicability to a broad variety of physical and chemical methods. To accomplish this, the procedure was made device- or instrument-independent.

Procedure

1. Make an estimate of the detection limit using one of the following:

(a) The concentration value that corresponds to an instrument signal/noise in the range of 2.5 to 5.

(b) The concentration equivalent of three times the standard deviation of replicate instrumental measurements of the analyte in reagent water.

(c) That region of the standard curve where there is a significant change in sensitivity, i.e., a break in the slope of the standard curve.

(d) Instrumental limitations.

It is recognized that the experience of the analyst is important to this process. However, the analyst must include the above considerations in the initial estimate of the detection limit.

2. Prepare reagent (blank) water that is as free of analyte as possible. Reagent or interference free water is defined as a water sample in which analyte and interferent concentrations are not detected at the method detection limit of each analyte of interest. Interferences are defined as systematic errors in the measured analytical signal of an established procedure caused by the presence of interfering species (interferent). The interferent concentration is presupposed to be normally distributed in representative samples of a given matrix.

3. (a) If the MDL is to be determined in reagent (blank) water, prepare a laboratory standard (analyte in reagent water) at a concentration which is at least equal to or in the same concentration range as the estimated method detection limit. (Recommend between 1 and 5 times the estimated method detection limit.) Proceed to Step 4.

(b) If the MDL is to be determined in another sample matrix, analyze the sample. If the measured level of the analyte is in the recommended range of one to five times the estimated detection limit, proceed to Step 4.

If the measured level of analyte is less than the estimated detection limit, add a known amount of analyte to bring the level of analyte between one and five times the estimated detection limit.

If the measured level of analyte is greater than five times the estimated detection limit, there are two options.

(1) Obtain another sample with a lower level of analyte in the same matrix if possible.

(2) The sample may be used as is for determining the method detection limit if the analyte level does not exceed 10 times the MDL of the analyte in reagent water. The variance of the analytical method changes as the analyte concentration increases from the MDL, hence the MDL determined under these circumstances may not truly reflect method variance at lower analyte concentrations.

4. (a) Take a minimum of seven aliquots of the sample to be used to calculate the method detection limit and process each through the entire analytical method. Make all computations according to the defined method with final results in the method reporting units. If a blank measurement is required to calculate the measured level of analyte, obtain a separate blank measurement for each sample aliquot analyzed. The average blank measurement is subtracted from the respective sample measurements.

(b) It may be economically and technically desirable to evaluate the estimated method detection limit before proceeding with 4a. This will: (1) Prevent repeating this entire procedure when the costs of analyses are high and (2) insure that the procedure is being conducted at the correct concentration. It is quite possible that an inflated MDL will be calculated from data obtained at many times the real MDL even though the level of analyte is less than five times the calculated method detection limit. To insure that the estimate of the method detection limit is a good estimate, it is necessary to determine that a lower concentration of analyte will not result in a significantly lower method detection limit. Take two aliquots of the sample to be used to calculate the method detection limit and process each through the entire method, including blank measurements as described above in 4a. Evaluate these data:

(1) If these measurements indicate the sample is in desirable range for determination of the MDL, take five additional aliquots and proceed. Use all seven measurements for calculation of the MDL.

(2) If these measurements indicate the sample is not in correct range, reestimate the MDL, obtain new sample as in 3 and repeat either 4a or 4b.

5. Calculate the variance (S^2) and standard deviation (S) of the replicate measurements, as follows:

$$S^2 = \frac{1}{n-1}\left[\frac{\sum_{i=1}^{n} x_i^2 - \left(\sum_{i=1}^{n} X_i\right)^2}{n}\right]$$

$$S = \left(S^2\right)^{\frac{1}{2}}$$

where:

X_1; i=1 to n, are the analytical results in the final method reporting units obtained from

the n sample aliquots and Σ refers to the sum of the X values from i=1 to n.

6. (a) Compute the MDL as follows:

$$MDL = T_{(n-1,1-\alpha=0.99)} \quad (S)$$

where:

MDL = the method detection limit

$t_{(n-1,1-\alpha=.99)}$ = the students' t value appropriate for a 99% confidence level and a standard deviation estimate with n-1 degrees of freedom. See Table.

S = standard deviation of the replicate analyses.

(b) The 95% confidence interval estimates for the MDL derived in 6a are computed according to the following equations derived from percentiles of the chi square over degrees of freedom distribution (χ^2/df).

LCL = 0.64 MDL

UCL = 2.20 MDL

where: LCL and UCL are the lower and upper 95% confidence limits respectively based on seven aliquots.

7. Optional iterative procedure to verify the reasonableness of the estimate of the MDL and subsequent MDL determinations.

(a) If this is the initial attempt to compute MDL based on the estimate of MDL formulated in Step 1, take the MDL as calculated in Step 6, spike the matrix at this calculated MDL and proceed through the procedure starting with Step 4.

(b) If this is the second or later iteration of the MDL calculation, use S^2 from the current MDL calculation and S^2 from the previous MDL calculation to compute the F-ratio. The F-ratio is calculated by substituting the larger S^2 into the numerator S^2_A and the other into the denominator S^2_B. The computed F-ratio is then compared with the F-ratio found in the table which is 3.05 as follows: if $S^2_A/S^2_B<3.05$, then compute the pooled standard deviation by the following equation:

$$S_{pooled} = \left[\frac{6S_A^2 + 6S_B^2}{12}\right]^{\frac{1}{2}}$$

if $S^2_A/S^2_B>3.05$, respike at the most recent calculated MDL and process the samples through the procedure starting with Step 4. If the most recent calculated MDL does not permit qualitative identification when samples are spiked at that level, report the MDL as a concentration between the current and previous MDL which permits qualitative identification.

(c) Use the S_{pooled} as calculated in 7b to compute The final MDL according to the following equation:

$$MDL=2.681\ (S_{pooled})$$

where 2.681 is equal to $t_{(12,1-\alpha=.99)}$.

(d) The 95% confidence limits for MDL derived in 7c are computed according to the following equations derived from precentiles of the chi squared over degrees of freedom distribution.

LCL=0.72 MDL

UCL=1.65 MDL

where LCL and UCL are the lower and upper 95% confidence limits respectively based on 14 aliquots.

TABLES OF STUDENTS' T VALUES AT THE 99 PERCENT CONFIDENCE LEVEL

Number of replicates	Degrees of freedom (n-1)	$t_{cn-1,.99)}$
7	6	3.143
8	7	2.998
9	8	2.896
10	9	2.821
11	10	2.764
16	15	2.602
21	20	2.528
26	25	2.485
31	30	2.457
61	60	2.390
00	00	2.326

Reporting

The analytical method used must be specifically identified by number or title ald the MDL for each analyte expressed in the appropriate method reporting units. If the analytical method permits options which affect the method detection limit, these conditions must be specified with the MDL value. The sample matrix used to determine the MDL must also be identified with MDL value. Report the mean analyte level with the MDL and indicate if the MDL procedure was iterated. If a laboratory standard or a sample that contained a known amount analyte was used for this determination, also report the mean recovery.

If the level of analyte in the sample was below the determined MDL or exceeds 10 times the MDL of the analyte in reagent water, do not report a value for the MDL.

[49 FR 43430, Oct. 26, 1984; 50 FR 694, 696, Jan. 4, 1985, as amended at 51 FR 23703, June 30, 1986]

APPENDIX C TO PART 136—INDUCTIVELY COUPLED PLASMA—ATOMIC EMISSION SPECTROMETRIC METHOD FOR TRACE ELEMENT ANALYSIS OF WATER AND WASTES METHOD 200.7

1. Scope and Application

1.1 This method may be used for the determination of dissolved, suspended, or total elements in drinking water, surface water, and domestic and industrial wastewaters.

1.2 Dissolved elements are determined in filtered and acidified samples. Appropriate steps must be taken in all analyses to ensure that potential interferences are taken into account. This is especially true when dissolved solids exceed 1500 mg/L. (See Section 5.)

1.3 Total elements are determined after appropriate digestion procedures are performed. Since digestion techniques increase the dissolved solids content of the samples, appropriate steps must be taken to correct for potential interference effects. (See Section 5.)

1.4 Table 1 lists elements for which this method applies along with recommended wavelengths and typical estimated instrumental detection limits using conventional pneumatic nebulization. Actual working detection limits are sample dependent and as the sample matrix varies, these concentrations may also vary. In time, other elements may be added as more information becomes available and as required.

1.5 Because of the differences between various makes and models of satisfactory instruments, no detailed instrumental operating instructions can be provided. Instead, the analyst is referred to the instruction provided by the manufacturer of the particular instrument.

2. Summary of Method

2.1 The method describes a technique for the simultaneous or sequential multielement determination of trace elements in solution. The basis of the method is the measurement of atomic emission by an optical spectroscopic technique. Samples are nebulized and the aerosol that is produced is transported to the plasma torch where excitation occurs. Characteristic atomic-line emission spectra are produced by a radio-frequency inductively coupled plasma (ICP). The spectra are dispersed by a grating spectrometer and the intensities of the lines are monitored by photomultiplier tubes. The photocurrents from the photomultiplier tubes are processed and controlled by a computer system. A background correction technique is required to compensate for variable background contribution to the determination of trace elements. Background must be measured adjacent to analyte lines on samples during analysis. The position selected for the background intensity measurement, on either or both sides of the analytical line, will be determined by the complexity of the spectrum adjacent to the analyte line. The position used must be free of spectral interference and reflect the same change in background intensity as occurs at the analyte wavelength measured. Background correction is not required in cases of line broadening where a background correction measurement would actually degrade the analytical result. The possibility of additional interferences named in 5.1 (and tests for their presence as described in 5.2) should also be recognized and appropriate corrections made.

3. Definitions

3.1 *Dissolved*—Those elements which will pass through a 0.45 μm membrane filter.

3.2 *Suspended*—Those elements which are retained by a 0.45 μm membrane filter.

3.3 *Total*—The concentration determined on an unfiltered sample following vigorous digestion (Section 9.3), or the sum of the dissolved plus suspended concentrations. (Section 9.1 plus 9.2).

3.4 *Total recoverable*—The concentration determined on an unfiltered sample following treatment with hot, dilute mineral acid (Section 9.4).

3.5 *Instrumental detection limit*—The concentration equivalent to a signal, due to the analyte, which is equal to three times the standard deviation of a series of ten replicate measurements of a reagent blank signal at the same wavelength.

3.6 *Sensitivity*—The slope of the analytical curve, i.e. functional relationship between emission intensity and concentration.

3.7 *Instrument check standard*—A multielement standard of known concentrations prepared by the analyst to monitor and verify instrument performance on a daily basis. (See 7.6.1)

3.8 *Interference check sample*—A solution containing both interfering and analyte elemelts of known concentration that can be used to verify background and interelement correction factors. (See 7.6.2.)

3.9 *Quality control sample*—A solution obtained from an outside source having known, concentration values to be used to verify the calibration standards. (See 7.6.3)

3.10 *Calibration standards*—A series of known standard solutions used by the analyst for calibration of the instrument (i.e., preparation of the analytical curve). (See 7.4)

3.11 *Linear dynamic range*—The concentration range over which the analytical curve remains linear.

3.12 *Reagent blank*—A volume of deionized, distilled water containing the same acid matrix as the calibration standards carried through the entire analytical scheme. (See 7.5.2)

3.13 *Calibration blank*—A volume of deionized, distilled water acidified with HNO_3 and HCl. (See 7.5.1)

3.14 *Methmd of standard addition*— The standard addition technique involves the use of the unknown and the unknown plus a known amount of standard. (See 10.6.1.)

4. Safety

4.1 The toxicity of carcinogenicity of each reagent used in this method has not been precisely defined; however, each chemical compound should be treated as a potential health hazard. From this viewpoint, exposure to these chemicals must be reduced to the lowest possible level by whatever means available. The laboratory is repsonsible for maintaining a current awareness file of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference file of material data handling sheets should also be made available to all personnel involved in the chemical analysis. Additional references to laboratory safety are available and have been identified [14.7,14.8and14.9] for the information of the analyst.

5. Interferences

5.1 Several types of interference effects may contribute to inaccuracies in the determination of trace elements. They can be summarized as follows:

5.1.1 *Spectral interferences* can be categorized as (1) overlap of a spectral line from another element; (2) unresolved overlap of molecular band spectra; (3) background contribution from continuous or recombination phenomena; and (4) background contribution from stray light from the line emission of high concentration elements. The first of these effects can be compensated by utilizing a computer correction of the raw data, requiring the monitoring and measurement of the interfering element. The second effect may require selection of an alternate wavelength. The third and fourth effects can usually be compensated by a background correction adjacent to the analyte line. In addition, users of simultaneous multi-element instrumentation must assume the responsibility of verifying the absence of spectral interference from an element that could occur in a sample but for which there is no channel in the instrument array. Listed in Table 2 are some interference effects for the recommended wavelengths given in Table 1. The data in Table 2 are intended for use only as a rudimentary guide for the indication of potential spectral interferences. For this purpose, linear relations between concentration and intensity for the analytes and the interferents can be assumed. The Interference information, which was collected at the Ames Laboratory,[1] is expressed as analyte concentration equivalents (i.e. false analyte concentrations) arising from 100 mg/L of the interferent element. The suggested use of this information is as follows: Assume that arsenic (at 193.696 nm) is to be determined in a sample containing approximately 10 mg/L of aluminum. According to Table 2, 100 mg/L of aluminum would yield a false signal for arsenic equivalent to approximately 1.3 mg/L. Therefore, 10 mg/L of aluminum would result in a false signal for arsenic equivalent to approximately 0.13 mg/L. The reader is cautioned that other analytical systems may exhibit somewhat different levels of interference than those shown in Table 2, and that the interference effects must be evaluated for each individual system.

Only those interferents listed were investigated and the blank spaces in Table 2 indicate that measurable interferences were not observed for the interferent concentrations listed in Table 3. Generally, interferences were discernible if they produced peaks or background shifts corresponding to 2–5% of the peaks generated by the analyte concentrations also listed in Table 3.

At present, information on the listed silver and potassium wavelengths are not available but it has been reported that second order energy from the magnesium 383.231 nm wavelength interferes with the listed potassium line at 766.491 nm.

5.1.2 *Physical interferences* are generally considered to be effects associated with the sample nebulization and transport processes. Such properties as change in viscosity and surface tension can cause significant inaccuracies especially in samples which may contain high dissolved solids and/or acid concentrations. The use of a peristaltic pump may lessen these interferences. If these types of interferences are operative, they must be reduced by dilution of the sample and/or utilization of standard addition techniques. Another problem which can occur from high dissolved solids is salt buildup at the tip of the nebulizer. This affects aersol flow rate causing instrumental drift. Wetting the argon prior to nebulization, the use of a tip washer, or sample dilution have been used to control this problem. Also, it has been reported that better control of the argon flow rate improves instrument performance. This is accomplished with the use of mass flow controllers.

[1] Ames Laboratory, USDOE, Iowa State University, Ames Iowa 50011.

5.1.3 *Chemical Interferences* are characterized by molecular compound formation, ionization effects and solute vaporization effects. Normally these effects are not pronounced with the ICP technique, however, if observed they can be minimized by careful selection of operating conditions (that is, incident power, observation position, and so forth), by buffering of the sample, by matrix matching, and by standard addition procedures. These types of interferences can be highly dependent on matrix type and the specific analyte element.

5.2 It is recommended that whenever a new or unusual sample matrix is encountered, a series of tests be performed prior to reporting concentration data for analyte elements. These tests, as outlined in 5.2.1 through 5.2.4, will ensure the analyst that neither positive nor negative interference effects are operative on any of the analyte elements thereby distorting the accuracy of the reported values.

5.2.1 *Serial dilution*. If the analyte concentration is sufficiently high (minimally a factor of 10 above the instrumental detection limit after dilution), an analysis of a dilution should agree within 5 percent of the original determination (or within some acceptable control limit (14.3) that has been established for that matrix.). If not, a chemical or physical interference effect should be suspected.

5.2.2 *Spike addition*. The recovery of a spike addition added at a minimum level of 10X the instrumental detection limit (maximum 100X) to the original determination should be recovered to within 90 to 110 percent or within the established control limit for that matrix. If not, a matrix effect should be suspected. The use of a standard addition analysis procedure can usually compensate for this effect.

Caution: The standard addition technique does not detect coincident spectral overlap. If suspected, use of computerized compensation, an alternate wavelength, or comparison with an alternate method is recommended (See 5.2.3).

5.2.3 *Comparison with alternate method of analysis*. When investigating a new sample matrix, comparison tests may be performed with other analytical techniques such as atomic absorption spectrometry, or other approved methodology.

5.2.4 *Wavelength scanning of analyte line region*. If the appropriate equipment is available, wavelength scanning can be performed to detect potential spectral interferences.

6. Apparatus

6.1 Inductively Coupled Plasma-Atomic Emission Spectrometer.

6.1.1 Computer controlled atomic emission spectrometer with background correction.

6.1.2 Radiofrequency generator.

6.1.3 Argon gas supply, welding grade or better.

6.2 Operating conditions—Because of the differences between various makes and models of satisfactory instruments, no detailed operating instructions can be provided. Instead, the analyst should follow the instructions provided by the manufacturer of the particular instrument. Sensitivity, instrumental detection limit, precision, linear dynamic range, and interference effects must be investigated and established for each individual analyte line on that particular instrument. It is the responsibility of the analyst to verify that the instrument configuration and operating conditions used satisfy the analytical requirements and to maintain quality control data confirming instrument performance and analytical results.

7. Reagents and Standards

7.1 Acids used in the preparation of standards and for sample processing must be ultra-high purity grade or equivalent. Redistilled acids are acceptable.

7.1.1 *Acetic acid*, conc. (sp gr 1.06).

7.1.2 *Hydrochloric acid*, conc. (sp gr 1.19).

7.1.3 *Hydrochloric acid*, (1+1): Add 500 mL conc. HCl (sp gr 1.19) to 400 mL deionized, distilled water and dilute to 1 liter.

7.1.4 *Nitric acid*, conc. (sp gr 1.41).

7.1.5 *Nitric acid*, (1+1): Add 500 mL conc. HNO_3 (sp gr 1.41) to 400 mL deionized, distilled water and dilute to 1 liter.

7.2 *Deionized, distilled water:* Prepare by passing distilled water through a mixed bed of cation and anion exchange resins. Use deionized, distilled water for the preparation of all reagents, calibration standards and as dilution water. The purity of this water must be equivalent to ASTM Type II reagent water of Specification D 1193 (14.6).

7.3 *Standard stock solutions* may be purchased or prepared from ultra high purity grade chemicals or metals. All salts must be dried for 1 h at 105 °C unless otherwise specified.

(CAUTION: Many metal salts are extremely toxic and may be fatal if swallowed. Wash hands thoroughly after handling.)

Typical stock solution preparation procedures follow:

7.3.1 *Aluminum solution, stock*, 1 mL=100μg Al: Dissolve 0.100 g of aluminum metal in an acid mixture of 4 mL of (1+1) HCl and 1 mL of conc. HNO_3 in a beaker. Warm gently to effect solution. When solution is complete, transfer quantitatively to a liter flask add an additional 10 mL of (1+1) HCl and dilute to 1,000 mL with deionized, distilled water.

7.3.2 *Antimony solution stock*, 1 mL=100 μg Sb: Dissolve 0.2669 g $K(SbO)C_4H_4O_6$ in deionized distilled water, add 10 mL (1+1) HCl and dilute to 1,000 mL with deionized, distilled water.

7.3.3 *Arsenic solution, stock,* 1 mL=100 μg As: Dissolve 0.1320 g of As_2O_3 in 100 mL of deionized, distilled water containing 0.4 g NaOH. Acidify the solution with 2 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.4 *Barium solution, stock,* 1 mL=100 μg Ba: Dissolve 0.1516 g $BaCl_2$ (dried at 250 °C for 2 hrs) in 10 mL deionized, distilled water with 1 mL (1+1) HCl. Add 10.0 mL (1+1) HCl and dilute to 1,000 with mL deionized, distilled water.

7.3.5 *Beryllium solution, stock,* 1 mL=100 μg Be: *Do not dry.* Dissolve 1.966 g $BeSO_4 \cdot 4H_2O$, in deionized, distilled water, add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.6 *Boron solution, stock,* 1 mL=100μg B: *Do not dry.* Dissolve 0.5716 g anhydrous H_3BO_3 in deionized, distilled water and dilute to 1,000 mL. Use a reagent meeting ACS specifications, keep the bottle tightly stoppered and store in a desiccator to prevent the entrance of atmospheric moisture.

7.3.7 *Cadmium solution, stock,* 1 mL=100 μg Cd: Dissolve 0.1142 g CdO in a minimum amount of (1+1) HNO_3. Heat to increase rate of dissolution. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.8 *Calcium solution, stock,* 1 mL=100 μg Ca: Suspend 0.2498 g $CaCO_3$ dried at 180 °C for 1 h before weighing in deionized, distilled water and dissolve cautiously with a minimum amount of (1+1) HNO_3. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.9 *Chromium solution, stock,* 1 mL=100 μg Cr: Dissolve 0.1923 g of CrO_3 in deionized, distilled water. When solution is complete, acidify with 10 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.10 *Cobalt solution, stock,* 1 mL=100 μg Co: Dissolve 0.1000 g of cobalt metal in a minimum amount of (1+1) HNO_3. Add 10.0 mL (1+1) HCl and dilute to 1,000 mL with deionized, distilled water.

7.3.11 *Copper solution, stock,* 1 mL=100 μg Cu: Dissolve 0.1252 g CuO in a minimum amount of (1+1) HNO_3. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.12 *Iron solution, stock,* 1 mL=100 μg Fe: Dissolve 0.1430 g Fe_2O_3 in a warm mixture of 20 mL (1+1) HCl and 2 mL of conc. HNO_3. Cool, add an additional 5 mL of conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.13 *Lead solution, stock,* 1 mL=100 μg Pb: Dissolve 0.1599 g $Pb(NO_3)_2$ in a minimum amount of (1+1) HNO_3. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.14 *Magnesium solution, stock,* 1 mL=100 μg Mg: Dissolve 0.1658 g MgO in a minimum amount of (1+1) HNO_3. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.15 *Manganese solution, stock,* 1 mL=100 μg Mn: Dissolve 0.1000 g of manganese metal in the acid mixture 10 mL conc. HCl and 1 mL conc. HNO_3, and dilute to 1,000 mL with deionized, distilled water.

7.3.16 *Molybdenum solution, stock,* 1 mL=100 μg Mo: Dissolve 0.2043 g $(NH_4)_2$ MoO_4 in deionized, distilled water and dilute to 1,000 mL.

7.3.17 *Nickel solution, stock,* 1 mL=100 μg Ni: Dissolve 0.1000 g of nickel metal in 10 mL hot conc. HNO_3, cool and dilute to 1,000 mL with deionized, distilled water.

7.3.18 *Potassium solution, stock,* 1 mL=100 μg K: Dissolve 0.1907 g KCl, dried at 110 °C, in deionized, distilled water and dilute to 1,000 mL.

7.3.19 *Selenium solution, stock,* 1 mL=100 μg Se: *Do not dry.* Dissolve 0.1727 g H_2SeO_3 (actual assay 94.6%) in deionized, distilled water and dilute to 1,000 mL.

7.3.20 *Silica solution, stock,* 1 mL=100 μg SiO_2≤ *Do not dry.* Dissolve 0.4730 g $Na_2SiO_3 \cdot 9H_2O$ in deionized, distilled water. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.21 *Silver solution, stock,* 1 mL=100 μg Ag: Dissolve 0.1575 g $AgNO_3$ in 100 mL of deionized, distilled water and 10 mL conc. HNO_3. Dilute to 1,000 mL with deionized, distilled water.

7.3.22 *Sodium solution, stock,* 1 mL=100 μg Na: Dissolve 0.2542 g NaCl in deionized, distilled water. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.23 *Thallium solution, stock,* 1 mL=100 μg Tl: Dissolve 0.1303 g $TlNO_3$ in deionized, distilled water. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.24 *Vanadium solution, stock,* 1 mL=100 μg V: Dissolve 0.2297 NH_4 VO_3 in a minimum amount of conc. HNO_3. Heat to increase rate of dissolution. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL with deionized, distilled water.

7.3.25 *Zinc solution, stock,* 1 mL=100 μg Zn: Dissolve 0.1245 g ZnO in a minimum amount of dilute HNO_3. Add 10.0 mL conc. HNO_3 and dilute to 1,000 mL deionized, distilled water.

7.4 *Mixed calibration standard solutions*—Prepare mixed calibration standard solutions by combining appropriate volumes of the stock solutions in volumetric flasks. (See 7.4.1 thru 7.4.5) Add 2 mL of (1+1) HNO_3 and 10 mL of (1+1) HC1 and dilute to 100 mL with deionized, distilled water. (See Notes 1 and 6.) Prior to preparing the mixed standards, each stock solution should be analyzed separately to determine possible spectral interference or the presence of impurities. Care should be taken when preparing the

mixed standards that the elemelts are compatible and stable. Transfer the mixed standard solutions to a FEP fluorocarbon or unused polyethylene bottle for storage. Fresh mixed standards should be prepared as needed with the realization that concentration can change on aging. Calibration standards must be initially verified using a quality control sample and monitored weekly for stability (See 7.6.3). Although not specifically required, some typical calibration standard combinations follow when using those specific wavelengths listed in Table 1.

7.4.1 *Mixed standard solution I*—Manganese, beryllium, cadmium, lead, and zinc.

7.4.2 *Mixed standard solution II*—Barium, copper, iron, vanadium, and cobalt.

7.4.3 *Mixed standard solution III*—Molybdenum, silica, arsenic, and selenium.

7.4.4 *Mixed standard solution IV*—Calcium, sodium, potassium, aluminum, chromium and nickel.

7.4.5 *Mixed standard solution V*— Antimony, boron, magnesium, silver, and thallium.

NOTE: 1. If the addition of silver to the recommended acid combination results in an initial precipitation, add 15 mL of deionized distilled water and warm the flask until the solution clears. Cool and dilute to 100 mL with deionized, distilled water. For this acid combination the silver concentration should be limited to 2 mg/L. Silver under these conditions is stable in a tap water matrix for 30 days. Higher concentrations of silver require additional HCl.

7.5 Two types of blanks are required for the analysis. The calibration blank (3.13) is used in establishing the analytical curve while the reagent blank (3.12) is used to correct for possible contamination resulting from varying amounts of the acids used in the sample processing.

7.5.1 *The calibration blank* is prepared by diluting 2 mL of (1+1) HNO_3 and 10 mL of (1+1) HCl to 100 mL with deionized, distilled water. (See Note 6.) Prepare a sufficient quantity to be used to flush the system between standards and samples.

7.5.2 *The reagent blank* must contain all the reagents and in the same volumes as used in the processing of the samples. The reagent blank must be carried through the complete procedure and contain the same acid concentration in the final solution as the sample solution used for analysis.

7.6 In addition to the calibration standards, an instrument check standard (3.7), an interference check sample (3.8) and a quality control sample (3.9) are also required for the analyses.

7.6.1 The *instrument check standard* is prepared by the analyst by combining compatible elements at a concentration equivalent to the midpoint of their respective calibration curves. (See 12.1.1.)

7.6.2 The *interference check sample* is prepared by the analyst in the following manner. Select a representative sample which contains minimal concentrations of the analytes of interest but known concentration of interfering elements that will provide an adequate test of the correction factors. Spike the sample with the elements of interest at the approximate concentration of either 100 μg/L or 5 times the estimated detection limits given in Table 1. (For effluent samples of expected high concentrations, spike at an appropriate level.) If the type of samples analyzed are varied, a synthetically prepared sample may be used if the above criteria and intent are met.

7.6.3 The *quality control sample* should be prepared in the same acid matrix as the calibration standards at a concentration near 1 mg/L and in accordance with the instructions provided by the supplier. The Quality Assurance Branch of EMSL-Cincinnati will either supply a quality control sample or information where one of equal quality can be procured. (See 12.1.3.)

8. Sample Handling and Preservation

8.1 For the determination of trace elements, contamination and loss are of prime concern. Dust in the laboratory environment, impurities in reagents and impurities on laboratory apparatus which the sample contacts are all sources of potential contamination. Sample containers can introduce either positive or negative errors in the measurement of trace elements by (a) contributing contaminants through leaching or surface desorption and (b) by depleting concentrations through adsorption. Thus the collection and treatment of the sample prior to analysis requires particular attention. Laboratory glassware including the sample bottle (whether polyethylene, polyproplyene or FEP-fluorocarbon) should be thoroughly washed with detergent and tap water; rinsed with (1+1) nitric acid, tap water, (1+1) hydrochloric acid, tap and finally deionized, distilled water in that order (See Notes 2 and 3).

NOTE: 2. Chromic acid may be useful to remove organic deposits from glassware; however, the analyst should be cautioned that the glassware must be thoroughly rinsed with water to remove the last traces of chromium. This is especially important if chromium is to be included in the analytical scheme. A commercial product, NOCHROMIX, available from Godax Laboratories, 6 Varick St., New York, NY 10013, may be used in place of chromic acid. Chromic acid should not be used with plastic bottles.

NOTE: 3. If it can be documented through an active analytical quality control program using spiked samples and reagent blanks, that certain steps in the cleaning procedure are not required for routine samples, those steps may be eliminated from the procedure.

8.2 Before collection of the sample a decision must be made as to the type of data desired, that is dissolved, suspended or total, so that the appropriate preservation and pretreatment steps may be accomplished. Filtration, acid preservation, etc., are to be performed at the time the sample is collected or as soon as possible thereafter.

8.2.1 For the determination of dissolved elements the sample must be filtered through a 0.45-μm membrane filter as soon as practical after collection. (Glass or plastic filtering apparatus are recommended to avoid possible contamination.) Use the first 50–100 mL to rinse the filter flask. Discard this portion and collect the required volume of filtrate. Acidify the filtrate with (1+1) HNO_3 to a pH of 2 or less. Normally, 3 mL of (1+1) acid per liter should be sufficient to preserve the sample.

8.2.2 For the determination of suspended elements a measured volume of unpreserved sample must be filtered through a 0.45-μm membrane filter as soon as practical after collection. The filter plus suspended material should be transferred to a suitable container for storage and/or shipment. No preservative is required.

8.2.3 For the determination of total or total recoverable elements, the sample is acidified with (1+1) HNO_3 to pH 2 or less as soon as possible, preferably at the time of collection. The sample is not filtered before processing.

9. Sample Preparation

9.1 For the determinations of dissolved elements, the filtered, preserved sample may often be analyzed as received. The acid matrix and concentration of the samples and calibration standards must be the same. (See Note 6.) If a precipitate formed upon acidification of the sample or during transit or storage, it must be redissolved before the analysis by adding additional acid and/or by heat as described in 9.3.

9.2 For the determination of suspended elements, transfer the membrane filter containing the insoluble material to a 150-mL Griffin beaker and add 4 mL conc. HNO_3. Cover the beaker with a watch glass and heat gently. The warm acid will soon dissolve the membrane. Increase the temperature of the hot plate and digest the material. When the acid has nearly evaporated, cool the beaker and watch glass and add another 3 mL of conc. HNO_3. Cover and continue heating until the digestion is complete, generally indicated by a light colored digestate. Evaporate to near dryness (2 mL), cool, and 10 mL HCl (1+1) and 15 mL deionized, distilled water per 100 mL dilution and warm the beaker gently for 15 min. to dissolve any precipitated or residue material. Allow to cool, wash down the watch glass and beaker walls with deionized distilled water and filter the sample to remove insoluble material that could clog the nebulizer. (See Note 4.) Adjust the volume based on the expected concentrations of elements present. This volume will vary depending on the elements to be determined (See Note 6). The sample is now ready for analysis. Concentrations so determined shall be reported as "suspended."

NOTE: 4. In place of filtering, the sample after diluting and mixing may be centrifuged or allowed to settle by gravity overnight to remove insoluble material.

9.3 For the determination of total elements, choose a measured volume of the well mixed acid preserved sample appropriate for the expected level of elements and transfer to a Griffin beaker. (See Note 5.) Add 3 mL of conc. HNO_3. Place the beaker on a hot plate and evaporate to near dryness cautiously, making certain that the sample does not boil and that no area of the bottom of the beaker is allowed to go dry. Cool the beaker and add another 5 mL portion of conc. HNO_3. Cover the beaker with a watch glass and return to the hot plate. Increase the temperature of the hot plate so that a gently reflux action occurs. Continue heating, adding additional acid as necessary, until the digestion is complete (generally indicated when the digestate is light in color or does not change in appearance with continued refluxing.) Again, evaporate to near dryness and cool the beaker. Add 10 mL of 1+1 HCl and 15 mL of deionized, distilled water per 100 mL of final solution and warm the beaker gently for 15 min. to dissolve any precipitate or residue resulting from evaporation. Allow to cool, wash down the beaker walls and watch glass with deionized distilled water and filter the sample to remove insoluble material that could clog the nebulizer. (See Note 4.) Adjust the sample to a predetermined volume based on the expected concentrations of elements present. The sample is now ready for analysis (See Note 6). Concentrations so determined shall be reported as "total."

NOTE: 5. If low determinations of boron are critical, quartz glassware should be used.

NOTE: 6. If the sample analysis solution has a different acid concentration from that given in 9.4, but does not introduce a physical interference or affect the analytical result, the same calibration standards may be used.

9.4 For the determination of total recoverable elements, choose a measured volume of a well mixed, acid preserved sample appropriate for the expected level of elements and transfer to a Griffin beaker. (See Note 5.) Add 2 mL of (1+1) HNO_3 and 10 mL of (1+1) HCl to the sample and heat on a steam bath or hot plate until the volume has been reduced to near 25 mL making certain the sample does not boil. After this treatment, cool the sample and filter to remove insoluble material that could clog the nebulizer. (See Note 4.) Adjust the volume to 100 mL and

mix. The sample is now ready for analysis. Concentrations so determined shall be reported as "total."

10. Procedure

10.1 Set up instrument with proper operating parameters established in Section 6.2. The instrument must be allowed to become thermally stable before beginning. This usually requires at least 30 min. of operation prior to calibration.

10.2 Initiate appropriate operating configuration of computer.

10.3 Profile and calibrate instrument according to instrument manufacturer's recommended procedures, using the typical mixed calibration standard solutions described in Section 7.4. Flush the system with the calibration blank (7.5.1) between each standard. (See Note 7.) (The use of the average intensity of multiple exposures for both standardization and sample analysis has been found to reduce random error.)

NOTE: 7. For boron concentrations greater than 500 μg/L extended flush times of 1 to 2 minutes may be required.

10.4 Before beginning the sample run, reanalyze the highest mixed calibration standard as if it were a sample. Concentration values obtained should not deviate from the actual values by more than ±5 percent (or the established control limits whichever is lower). If they do, follow the recommendations of the instrument manufacturer to correct for this condition.

10.5 Begin the sample run flushing the system with the calibration blank solution (7.5.1) between each sample. (See Note 7.) Analyze the instrument check standard (7.6.1) and the calibration blank (7.5.1) each 10 samples.

10.6 If it has been found that methods of standard addition are required, the following procedure is recommended.

10.6.1 The standard addition technique (14.2) involves preparing new standards in the sample matrix by adding known amounts of standard to one or more aliquots of the processed sample solution. This technique compensates for a sample constitutent that enhances or depresses the analyte signal thus producing a different slope from that of the calibration standards. It will not correct for additive interference which causes a baseline shift. The simplest version of this technique is the single-addition method. The procedure is as follows. Two identical aliquots of the sample solution, each of volume V_X, are taken. To the first (labeled A) is added a small volume V_s of a standard analyte solution of concentration c_s. To the second (labeled B) is added the same volume V_s of the solvent. The analytical signals of A and B are measured and corrected for nonanalyte signals. The unknown sample concentration c_X is calculated:

$$c_x = \frac{S_B V_s c_s}{(S_A - S_B) V_x}$$

where S_A and S_B are the analytical signals (corrected for the blank) of solutions A and B, respectively. V_s and c_s should be chosen so that S_A is roughly twice S_B on the average. It is best if V_s is made much less than V_X, and thus c_s is much greater than c_X, to avoid excess dilution of the sample matrix. If a separation or concentration step is used, the additions are best made first and carried through the entire procedure. For the results from this technique to be valid, the following limitations must be taken into consideration:

1. The analytical curve must be linear.

2. The chemical form of the analyte added must respond the same as the analyte in the sample.

3. The interference effect must be constant over the working range of concern.

4. The signal must be corrected for any additive interference.

11. Calculation

11.1 Reagent blanks (7.5.2) should be subtracted from all samples. This is particularly important for digested samples requiring large quantities of acids to complete the digestion.

11.2 If dilutions were performed, the appropriate factor must be applied to sample values.

11.3 Data should be rounded to the thousandth place and all results should be reported in mg/L up to three significant figures.

12. Quality Control (Instrumental)

12.1 Check the instrument standardization by analyzing appropriate quality control check standards as follow:

12.1.1 Analyze and appropriate instrument check standard (7.6.1) containing the elements of interest at a frequency of 10%. This check standard is used to determine instrument drift. If agreement is not within ±5% of the expected values or within the established control limits, whichever is lower, the analysis is out of control. The analysis should be terminated, the problem corrected, and the instrument recalibrated.

Analyze the calibration blank (7.5.1) at a frequency of 10%. The result should be within the established control limits of 2 standard deviations of the meal value. If not, repeat the analysis two more times and average the three results. If the average is not wihin the control limit, terminate the analysis, correct the problem and recalibrate the instrument.

12.1.2 To verify interelement and background correction factors analyze the interference check sample (7.6.2) at the beginning,

end, and at periodic intervals throughout the sample run. Results should fall within the established control limits of 1.5 times the standard deviation of the mean value. If not, terminate the analysis, correct the problem and recalibrate the instrument.

12.1.3 A quality control sample (7.6.3) obtained from an outside source must first be used for the initial verification of the calibration standards. A fresh dilution of this sample shall be analyzed every week thereafter to monitor their stability. If the results are not within ±5% of the true value listed for the control sample, prepare a new calibration standard and recalibrate the instrument. If this does not correct the problem, prepare a new stock standard and a new calibration standard and repeat the calibration.

13. Precision and Accuracy

13.1 An interlaboratory study of metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of the twenty-five elements listed in Table 4 were added to reagent water, surface water, drinking water and three effluents. These samples were digested by both the total digestion procedure (9.3) and the total recoverable procedure (9.4). Results for both digestions for the twenty-five elements in reagent water are given in Table 4; results for the other matrices can be found in Reference 14.10.

14. References

14.1 Winge, R.K., V.J. Peterson, and V.A. Fassel, "Inductively Coupled Plasma-Atomic Emission Spectroscopy: Prominent Lines, EPA–600/4–79–017.

14.2 Winefordner, J.D., "Trace Analysis: Spectroscopic Methods for Elements," *Chemical Analysis,* Vol, *46,* pp. 41–42.

14.3 Handbook for Analytical Quality Control in Water and Wastewater Laboratories, EPA–600/4–79–019.

14.4 Garbarino, J.R. and Taylor, H.E., "An Inductively-Coupled Plasma Atomic Emission Spectrometric Method for Routine Water Quality Testing," Applied Spectroscopy *33,* No. 3 (1979).

14.5 "Methods for Chemical Analysis of Water and Wastes," EPA–600/4–79–020.

14.6 Annual Book of ASTM Standards, Part 31.

14.7 "Carcinogens—Working With Carcinogens," Department of Health, Education, and Welfare, Public Health Service, Center for Disease Control, National Institute for Occupational Safety and Health, Publication No. 77–206, August 1977.

14.8 "OSHA Safety and Health Standards, General Industry," (29 CFR Part 1910), Occupational Safety and Health Administration, OSHA 2206, (Revised, January 1976).

14.9 "Safety in Academic Chemistry Laboratories, American Chemical Society Publication, Committee on Chemical Safety, 3rd Edition, 1979.

14.10 Maxfield R. and Minak B., "EPA Method Study 27, Method 200.7 Trace Metals by ICP," National Technical Information Service, Order No. PB 85–248–656, November 1983.

TABLE 1—RECOMMENDED WAVELENGTHS [1] AND ESTIMATED INSTRUMENTAL DETECTION LIMITS

Element	Wavelength, nm	Estimated detection limit, µg/L[2]
Aluminum	308.215	45
Arsenic	193.696	53
Antimony	206.833	32
Barium	455.403	2
Beryllium	313.042	0.3
Boron	249.773	5
Cadmium	226.502	4
Calcium	317.933	10
Chromium	267.716	7
Cobalt	228.616	7
Copper	324.754	6
Iron	259.940	7
Lead	220.353	42
Magnesium	279.079	30
Manganese	257.610	2
Molybdenum	202.030	8
Nickel	231.604	15
Potassium	766.491	[3]
Selenium	196.026	75
Silica (SiO_2)	288.158	58
Silver	328.068	7
Sodium	588.995	29
Thallium	190.864	40
Vanadium	292.402	8
Zinc	213.856	2

[1]The wavelengths listed are recommended because of their sensitivity and overall acceptance. Other wavelengths may be substituted if they can provide the needed sensitivity and are treated with the same corrective techniques for spectral interference. (See 5.1.1).

[2]The estimated instrumental detection limits as shown are taken from "Inductively Coupled Plasma-Atomic Emission Spectroscopy-Prominent Lines," EPA–600/4–79–017. They are given as a guide for an instrumental limit. The actual method detection limits are sample dependent and may vary as the sample matrix varies.

[3]Highly dependent on operating conditions and plasma position.

TABLE 1—ANALYTE CONCENTRATION EQUIVALENTS (MG/L) ARISING FROM INTERFERENTS AT THE 100 MG/L LEVEL

Analyte	Wavelength, nm	Interferent—									
		A1	Ca	Cr	Cu	Fe	Mg	Mn	Ni	Ti	V
Aluminum	308.214	.....	.....	.....	.....	.....	.....	0.21	.....	.....	1.4

TABLE 1—ANALYTE CONCENTRATION EQUIVALENTS (MG/L) ARISING FROM INTERFERENTS AT THE 100 MG/L LEVEL—Continued

Analyte	Wavelength, nm	Interferent—									
		A1	Ca	Cr	Cu	Fe	Mg	Mn	Ni	Ti	V
Antimony	206.833	0.47	.....	2.9	.....	0.08	.....	.....	.....	0.25	0.45
Arsenic	193.696	1.3	.....	0.44	.....	.....	.....	.....	.....	.....	1.1
Barium	455.403	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Beryllium	313.042	.....	.....	.....	.....	.....	.....	.....	.....	0.04	0.05
Boron	249.773	0.04	.....	.....	.....	0.32	.....	.....	.....	.....	.....
Cadmium	226.502	.....	.....	.....	.....	0.03	.....	.....	0.02	.....	.....
Calcium	317.933	.....	.....	0.08	.....	0.01	0.01	0.04	.....	0.03	0.03
Chromium	267.716	.....	.....	.....	.....	0.003	.....	0.04	.....	.....	0.04
Cobalt	228.616	.....	.....	0.03	.....	0.005	.....	.....	0.03	0.15	.....
Copper	324.754	.....	.....	.....	.....	0.003	.....	.....	.....	0.05	0.02
Iron	259.940	.....	.....	.....	.....	.....	.....	0.12	.....	.....	.....
Lead	220.353	0.17	.....	.....	.....	.....	.....	.....	.....	.....	.....
Magnesium	279.079	.....	0.02	0.11	.....	0.13	.....	0.25	.....	0.07	0.12
Manganese	257.610	0.005	.....	0.01	.....	0.002	0.002	.....	.....	.....	.....
Molybdenum	202.030	0.05	.....	.....	.....	0.03	.....	.....	.....	.....	.....
Nickel	231.604	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Selenium	196.026	0.23	.....	.....	.....	0.09	.....	.....	.....	.....	.....
Silicon	288.158	.....	.....	0.07	.....	.....	.....	.....	.....	.....	0.01
Sodium	588.995	.....	.....	.....	.....	.....	.....	.....	.....	0.08	.....
Thallium	190.864	0.30	.....	.....	.....	.....	.....	.....	.....	.....	.....
Vanadium	292.402	.....	.....	0.05	.....	0.005	.....	.....	.....	0.02	.....
Zinc	213.856	.....	.....	.....	0.14	.....	.....	.....	0.29	.....	.....

TABLE 3—INTERFERENT AND ANALYTE ELEMENTAL CONCENTRATIONS USED FOR INTERFERENCE MEASUREMELTS IN TABLE 2

	Analytes	(mg/L)		Interferents	(mg/L)	
	Al	10		Al	1,000	
	AS	10		Ca	1,000	
	B	10		Cr	200	
	Ba	1		Cu	200	
	Be	1		Fe	1,000	
	Ca	1		Mg	1,000	
	Cd	10		Mn	200	
	Co	1		Ni	200	
	Cr	1		Ti	200	
	Cu	1		V	200	
	Fe	1				
	Mg	1				
	Mn	1				
	Mo	10				
	Na	10				
	Ni	10				
	Pb	10				
	Sb	10				
	Se	10				
	Si	1				
	Tl	10				
	V	1				
	Zn	10				

TABLE 4—ICP PRECISION AND RECOVERY DATA

Analyte	Concentration µg/L	Total digestion (9.3) µg/L	Recoverable digestion (9.4) µg/L
Aluminum	69–4792	X=0.9273(C)+3.6 S=0.0559(X)+18.6 SR=0.0507(X)+3.5	X=0.9380(C)+22.1 S=0.0873(X)+31.7 SR=0.0481(X)+18.8
Antimony	77–1406	X=0.7940(C) − 17.0 S=0.1556(X) − 0.6 SR=0.1081(X)+3.9	X=0.8908(C)+0.9 S=0.0982(X)+8.3 SR=0.0682(X)+2.5
Arsenic	69–1887	X=1.0437(C) − 12.2 S=0.1239(X)+2.4 SR=0.0874(X)+6.4	X=1.0175(C)+3.9 S=0.1288(X)+6.1 SR=0.0643(X)+10.3
Barium	9–377	X=0.7683(C)+0.47	X=0.8380(C)+1.68

TABLE 4—ICP PRECISION AND RECOVERY DATA—Continued

Analyte	Concentration µg/L	Total digestion (9.3) µg/L	Recoverable digestion (9.4) µg/L
		S=0.1819(X)+2.78	S=0.2540(X)+0.30
		SR=0.1285(X)+2.55	SR=0.0826(X)+3.54
Beryllium	3–1906	X=0.9629(C)+0.05	X=1.0177(C)−0.55
		S=0.0136(X)+0.95	S=0.0359(X)+0.90
		SR=0.0203(X)−0.07	SR=0.0445(X)−0.10
Boron	19–5189	X=0.8807(C)+9.0	X=0.9676(C)+18.7
		S=0.1150(X)+14.1	S=0.1320(X)+16.0
		SR=0.0742(X)+23.2	SR=0.0743(X)+21.1
Cadmium	9–1943	X=0.9874(C)−0.18	X=1.0137(C)−0.65
		S=0.557(X)+2.02	S=0.0585(X)+1.15
		SR=0.0300(X)+0.94	SR=0.332(X)+0.90
Calcium	17–47170	X=0.9182(C)−2.6	X=0.9658(C)+0.8
		S=0.1228(X)+10.1	S=0.0917(X)+6.9
		SR=0.0189(X)+3.7	SR=0.0327(X)+10.1
Chromium	13–1406	X=0.9544(C)+3.1	X=1.0049(C)−1.2
		S=0.0499(X)+4.4	S=0.0698(X)+2.8
		SR=0.0009(X)+7.9	SR=0.0571(X)+1.0
Cobalt	17–2340	X=0.9209(C)−4.5	X=0.9278(C)−1.5
		S=0.0436(X)+3.8	S=0.0498(X)+2.6
		SR=0.0428(X)+0.5	SR=0.0407(X)+0.4
Copper	8–1887	X=0.9297(C)−0.30	X=0.9647(C)−3.64
		S=0.0442(X)+2.85	S=0.0497(X)+2.28
		SR=0.0128(X)+2.53	SR=0.0406(X)+0.96
Iron	13–9359	X=0.8829(C)+7.0	X=0.9830(C)+5.7
		S=0.0683(X)+11.5	S=0.1024(X)+13.0
		SR=0.0046(X)+10.0	SR=0.0790(X)+11.5
Lead	42–4717	X=0.9699(C)−2.2	X=1.0056(C)+4.1
		S=0.0558(X)+7.0	S=0.0779(X)+4.6
		SR=0.0353(X)+3.6	SR=0.0448(X)+3.5
Magnesium	34–13868	X=0.9881(C)−1.1	X=0.9879(C)+2.2
		S=0.0607(C)+11.6	S=0.0564(X)+13.2
		SR=0.0298(X)+0.6	SR=0.0268(X)+8.1
Manganese	4–1887	X=0.9417(C)+0.13	X=0.9725(C)+0.07
		S=0.0324(X)+0.88	S=0.0557(X)+0.76
		SR=0.0153(X)+0.91	SR=0.0400(X)+0.82
Molybdenum	17–1830	X=0.9682(C)+0.1	X=0.9707(C)−2.3
		S=0.0618(X)+1.6	S=0.0811(X)+3.8
		SR=0.0371(X)+2.2	SR=0.0529(X)+2.1
Nickel	17–47170	X=0.9508(C)+0.4	X=0.9869(C)+1.5
		S=0.0604(X)+4.4	S=0.0526(X)+5.5
		SR=0.0425(X)+3.6	SR=0.0393(X)+2.2
Potassium	347–14151	X=0.8669(C)−36.4	X=0.9355(C)−183.1
		S=0.0934(X)+77.8	S=0.0481(X)+177.2
		SR=0.0099(X)+144.2	SR=0.0329(X)+60.9
Selenium	69–1415	X=0.9363(C)−2.5	X=0.9737(C)−1.0
		S=0.0855(X)+17.8	S=0.1523(X)+7.8
		SR=0.0284(X)+9.3	SR=0.0443(X)+6.6
Silicon	189–9434	X=0.5742(C)−35.6	X=0.9737(C)−60.8
		S=0.4160(X)+37.8	S=0.3288(X)+46.0
		SR=0.1987(X)+8.4	SR=0.2133(X)+22.6
Silver	8–189	X=0.4466(C)+5.07	X=0.3987(C)+8.25
		S=0.5055(X)−3.05	S=0.5478(X)−3.93
		SR=0.2086(X)−1.74	SR=0.1836(X)−0.27
Sodium	35–47170	X=0.9581(C)+39.6	X=1.0526(C)+26.7
		S=0.2097(X)+33.0	S=0.1473(X)+27.4
		SR=0.0280(X)+105.8	SR=0.0884(X)+50.5
Thallium	79–1434	X=0.9020(C)−7.3	X=0.9238(C)+5.5
		S=0.1004(X)+18.3	S=0.2156(X)+5.7
		SR=0.0364(X)+11.5	SR=0.0106(X)+48.0
Vanadium	13–4698	X=0.9615(C)−2.0	X=0.9551(C)+0.4
		S=0.0618(X)+1.7	S=0.0927(X)+1.6
		SR=0.0220(X)+0.7	SR=0.0472(X)+0.5
Zinc	7–7076	X=0.9356(C)−0.30	X=0.9500(C)+1.82
		S=0.0914(X)+3.75	S=0.0597(X)+6.50
		SR=0.0130(X)+10.7	SR=0.0153(X)+7.78

AAAAAX=Mean Recovery, µg/L
AAAAAC=True Value for the Concentration, µg/L
AAAAAS=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

[49 FR 43431, Oct. 26, 1984; 50 FR 695, 696, Jan. 4, 1985, as amended at 51 FR 23703, June 30, 1986; 55 FR 33440, Aug. 15, 1990]

APPENDIX D TO PART 136—PRECISION AND RECOVERY STATEMENTS FOR METHODS FOR MEASURING METALS

Twenty-eight selected methods from "Methods for Chemical Analysis of Water and Wastes," EPA–600/4–79–020 (1979) have been subjected to interlaboratory method validation studies. The following precision and recovery statements are presented in this appendix and incorporated into part 136:

Method 202.1

For Aluminum, Method 202.1 (Atomic Absorption, Direct Aspiration) replace the Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in water by Atomic Absorption Spectroscopy (Direction Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For a concentration range of 500–1200 µg/L

$X=0.979(C)+6.16$
$S=0.066(X)+125$
$SR=0.086(X)+40.5$

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 206.4

For Arsenic, Method 206.4 (Spectrophotometric-SDDC) add the following to the Precision and Accuracy Section:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For a concentration range of 20–292 µg/L

$X=0.850(C)-0.25$
$S=0.198(X)+5.93$
$SR=0.122(X)+3.10$

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 213.1

For Cadmium, Method 213.1 (Atomic Absorption, Direct Aspiration) replace the Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For a concentration range of 14–78 µg/L

$X=0.919(C)+2.97$
$S=0.108(X)+5.08$
$SR=0.120(X)+0.89$

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 218.1

For Chromium, Method 218.1 (Atomic Absorption, Direct Aspiration) replace the Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June 1986.

For a concentration range of 74–407 µg/L

X=0.976(C)+3.94
S=0.131(X)+4.26
SR=0.052(X)+3.01

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 220.1

For Copper, Method 220.1 (Atomic Absorption, Direct Aspiration) replace the Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For concentration range 60–332 µg/L

X=0.963(C)+3.49
S=0.047(X)+12.3
SR=0.042(X)+4.60

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 236.1

For Iron, Method 236.1 (Atomic Absorption, Direct Aspiration) replace the Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trade Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For concentration range 350–840 µg/L

X=0.999(C) − 2.21
S=0.022(X)+41.0
SR=0.019(X)+21.2

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-Laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 239.1

For Lead, Method 239.1 (Atomic Absorption, Direct Aspiration) replace Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7 Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry"; National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For concentration range of 84–367 µg/L

X=0.961(C)+13.8
S=0.028(C)+33.9
SR=0.011(X)+16.1

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 243.1

For Manganese, Method 243.1 (Atomic Absorption, Direct Aspiration) replace Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J.A. and Britton, P.W., June, 1986.

For concentration range 84–469 µg/L

X=0.987(C)−1.27
S=0.042(X)+8.95
SR=0.023(X)+4.90

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 289.1

For Zinc, Method 289.1 (Atomic Absorption, Direct Aspiration) replace the Precision and Accuracy Section with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory-Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water and a natural water or effluent of the analyst's choice. The digestion procedure was not specified. Results for the reagent water are given below. Results for other water types and study details are found in "USEPA Method Study 7, Analyses for Trace Methods in Water by Atomic Absorption Spectroscopy (Direct Aspiration) and Colorimetry", National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB86–208709/AS, Winter, J. A. and Britton, P. W., June, 1986.

For concentration range 56–310 µg/L

X=0.999(C)+0.033
S=0.078(X)+10.8
SR=0.049(X)+1.10

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 202.2

For Aluminum, Method 202.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory-Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques), "National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.46−125 µg/L

X=1.1579(C)−0.121
S=0.4286(X)−0.124
SR=0.2908(X)−0.082

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 204.2

For Antimony, Method 204.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory-Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual as modified by this method. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 10.50 − 240 µg/L
X=0.7219(C) − 0.986
S=0.3732(X)+0.854
SR=0.1874(X) − 0.461

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 206.2

For Arsenic, Method 206.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precision and Accuracy statement:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory-Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 9.78 − 237 µg/L
X=0.9652(C)+2.112
S=0.1411(X)+1.873
SR=0.0464(X)+2.109

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 208.2

For Barium, Method 208.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precision and Accuracy information:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 56.50–437 µg/L
X=0.8268(C)+59.459
S=0.2466(X)+6.436
SR=0.1393(X) − 0.428

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 210.2

For Beryllium, Method 210.2 (Atomic Absorption, Furnace Technique) replace the existing Precision and Accuracy statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.45–11.4 µg/L
X=1.0682(C)−0.158
S=0.2167(X)+0.090
SR=0.1096(X)+0.061

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 213.2

For Cadmium, Method 213.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precision and Accuracy information:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring System Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.43–12.5 µg/L
X=0.9826(C)+0.171
S=0.2300(X)+0.045
SR=0.1031(X)+0.116

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Devision, µg/L

Method 218.2

For Chromium, Method 218.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precision and Accuracy Section:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 9.87–246 µg/L
X=0.9120(C)+0.234
S=0.1684(X)+0.852
SR=0.1469(X)+0.315

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Devision, µg/L

Method 219.2

For Cobalt, Method 219.2 (Atomic Absorption, Furnace Technique), replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 21.10−461 µg/L
X=0.8875(C)+0.859
S=0.2481(X)−2.541
SR=0.0969(X)+0.134

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 220.2

For Copper, Method 220.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.30 – 245 µg/L
X=0.9253(C)+0.010
S=0.2735(X) – 0.058
SR=0.2197(X) – 0.050

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 236.2

For Iron, Method 236.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.37 – 455 µg/L
X=1.4494(C) – 0.229
S=0.3611(X) – 0.079
SR=0.3715(X) – 0.161

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 239.2

For Lead, Method 239.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precisions and Accuracy Section:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 10.40 – 254 µg/L
X=0.9430(C) – 0.504
S=0.2224(X)+0.507
SR=0.1931(X) – 0.378

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 243.2

For Manganese, Method 243.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL—CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31,

Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.42–666 µg/L
X=1.0480(C)+1.404
S=0.2001(X)+1.042
SR=0.1333(X)+0.680

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 249.2

For Nickel, Method 249.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL—CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 26.20–482 µg/L
X=0.8812(C)+2.426
S=0.2475(X)+1.896
SR=0.1935(X)+1.315

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 270.2

For Selenium, Method 270.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precision and Accuracy Section:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL—CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 10.00–246 µg/L
X=0.9564(C)+0.476
S=0.1584(X)+0.878
SR=0.0772(X)+0.547

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 272.2

For Silver, Method 272.2 (Atomic Absorption, Furnace Technique) add the following to the existing Precision and Accuracy Section:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory—Cincinnati (EMSL—CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.45–56.5 µg/L
X=0.9470(C)+0.181
S=0.1805(X)+0.153
SR=0.1417(X)+0.039

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 279.2

For Thalliu, Method 279.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory–Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 10.00–252 µg/L.
X=0.8781(C) − 0.715
S=0.1112(X)+0.669
SR=0.1005(X)+0.241

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 286.2

For Vanadium, Method 286.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory–Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 1.36–982 µg/L.
X=0.8486(C)+0.252
S=0.3323(X) − 0.428
SR=0.1195(X) − 0.121

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

Method 289.2

For Zinc, Method 289.2 (Atomic Absorption, Furnace Technique) replace the Precision and Accuracy Section statement with the following:

Precision and Accuracy

An interlaboratory study on metal analyses by this method was conducted by the Quality Assurance Branch (QAB) of the Environmental Monitoring Systems Laboratory–Cincinnati (EMSL–CI). Synthetic concentrates containing various levels of this element were added to reagent water, surface water, drinking water and three effluents. These samples were digested by the total digestion procedure, 4.1.3 in this manual. Results for the reagent water are given below. Results for other water types and study details are found in "EPA Method Study 31, Trace Metals by Atomic Absorption (Furnace Techniques)," National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 Order No. PB 86–121 704/AS, by Copeland, F.R. and Maney, J.P., January 1986.

For a concentration range of 0.51–189 µg/L.
X=1.6710(C)+1.485
S=0.6740(X) − 0.342
SR=0.3895(X) − 0.384

where:

C=True Value for the Concentration, µg/L
X=Mean Recovery, µg/L
S=Multi-laboratory Standard Deviation, µg/L
SR=Single-analyst Standard Deviation, µg/L

[55 FR 33442, Aug. 15, 1990]

PART 140—MARINE SANITATION DEVICE STANDARD

Sec.

140.1 Definitions.
140.2 Scope of standard.
140.3 Standard.
140.4 Complete prohibition.
140.5 Analytical procedures.

AUTHORITY: 33 U.S.C. 1322, as amended.

SOURCE: 41 FR 4453, Jan. 29, 1976, unless otherwise noted.

§ 140.1 Definitions.

For the purpose of these standards the following definitions shall apply:

(a) *Sewage* means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

(b) *Discharge* includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;

(c) *Marine sanitation device* includes any equipment for installation onboard a vessel and which is designed to receive, retain, treat, or discharge sewage and any process to treat such sewage;

(d) *Vessel* includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on waters of the United States;

(e) *New vessel* refers to any vessel on which construction was initiated on or after January 30, 1975;

(f) *Existing vessel* refers to any vessel on which construction was initiated before January 30, 1975;

(g) *Fecal coliform bacteria* are those organisms associated with the intestines of warm-blooded animals that are commonly used to indicate the presence of fecal material and the potential presence of organisms capable of causing human disease.

§ 140.2 Scope of standard.

The standard adopted herein applies only to vessels on which a marine sanitation device has been installed. The standard does not require the installation of a marine sanitation device on any vessel that is not so equipped. The standard applies to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

§ 140.3 Standard.

(a) (1) In freshwater lakes, freshwater reservoirs or other freshwater impoundments whose inlets or outlets are such as to prevent the ingress or egress by vessel traffic subject to this regulation, or in rivers not capable of navigation by interstate vessel traffic subject to this regulation, marine sanitation devices certified by the U.S. Coast Guard (see 33 CFR part 159, published in 40 FR 4622, January 30, 1975), installed on all vessels shall be designed and operated to prevent the overboard discharge of sewage, treated or untreated, or of any waste derived from sewage. This shall not be construed to prohibit the carriage of Coast Guard-certified flow-through treatment devices which have been secured so as to prevent such discharges.

(2) In all other waters, Coast Guard-certified marine sanitation devices installed on all vessels shall be designed and operated to either retain, dispose of, or discharge sewage. If the device has a discharge, subject to paragraph (d) of this section, the effluent shall not have a fecal coliform bacterial count of greater than 1,000 per 100 milliliters nor visible floating solids. Waters where a Coast Guard-certified marine sanitation device permitting discharge is allowed include coastal waters and estuaries, the Great Lakes and inter-connected waterways, fresh-water lakes and impoundments accessible through locks, and other flowing waters that are navigable interstate by vessels subject to this regulation.

(b) This standard shall become effective on January 30, 1977 for new vessels and on January 30, 1980 for existing vessels (or, in the case of vessels owned and operated by the Department of Defense, two years and five years, for new and existing vessels, respectively, after promulgation of implementing regulations by the Secretary of Defense under section 312(d) of the Act).

(c) Any vessel which is equipped as of the date of promulgation of this regulation with a Coast Guard-certified flow-through marine sanitation device meeting the requirements of paragraph (a)(2) of this section, shall not be required to comply with the provisions designed to prevent the overboard discharge of sewage, treated or untreated, in paragraph (a)(1) of this section, for the operable life of that device.

(d) After January 30, 1980, subject to paragraphs (e) and (f) of this section, marine sanitation devices on all vessels on waters that are not subject to a prohibition of the overboard discharge of sewage, treated or untreated, as specified in paragraph (a)(1) of this section, shall be designed and operated to

either retain, dispose of, or discharge sewage, and shall be certified by the U.S. Coast Guard. If the device has a discharge, the effluent shall not have a fecal coliform bacterial count of greater than 200 per 100 milliliters, nor suspended solids greater than 150 mg/1.

(e) Any existing vessel on waters not subject to a prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and which is equipped with a certified device on or before January 30, 1978, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(f) Any new vessel on waters not subject to the prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and on which construction is initiated before January 31, 1980, which is equipped with a marine sanitation device before January 31, 1980, certified under paragraph (a)(2) of this section, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(g) The degrees of treatment described in paragraphs (a) and (d) of this section are "appropriate standards" for purposes of Coast Guard and Department of Defense certification pursuant to section 312(g)(2) of the Act.

[41 FR 4453, Jan. 29, 1976, as amended at 60 FR 33932, June 29, 1995]

§ 140.4 Complete prohibition.

(a) Prohibition pursuant to CWA section 312(f)(3): a State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into some or all of the waters within such State by making a written application to the Administrator, Environmental Protection Agency, and by receiving the Administrator's affirmative determination pursuant to section 312(f)(3) of the Act. Upon receipt of an application under section 312(f)(3) of the Act, the Administrator will determine within 90 days whether adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels using such waters are reasonably available. Applications made by States pursuant to section 312(f)(3) of the Act shall include:

(1) A certification that the protection and enhancement of the waters described in the petition require greater environmental protection than the applicable Federal standard;

(2) A map showing the location of commercial and recreational pump-out facilities;

(3) A description of the location of pump-out facilities within waters designated for no discharge;

(4) The general schedule of operating hours of the pump-out facilities;

(5) The draught requirements on vessels that may be excluded because of insufficient water depth adjacent to the facility;

(6) Information indicating that treatment of wastes from such pump-out facilities is in conformance with Federal law; and

(7) Information on vessel population and vessel usage of the subject waters.

(b) Prohibition pursuant to CWA section 312(f)(4)(A): a State may make a written application to the Administrator, Environmental Protection Agency, under section 312(f)(4)(A) of the Act, for the issuance of a regulation completely prohibiting discharge from a vessel of any sewage, whether treated or not, into particular waters of the United States or specified portions thereof, which waters are located within the boundaries of such State. Such application shall specify with particularly the waters, or portions thereof, for which a complete prohibition is desired. The application shall include identification of water recreational areas, drinking water intakes, aquatic sanctuaries, identifiable fish-spawning and nursery areas, and areas of intensive boating activities. If, on the basis of the State's application and any other information available to him, the Administrator is unable to make a finding that the waters listed in the application require a complete prohibition of any discharge in the waters or portions thereof covered by the application, he shall state the reasons why he cannot make such a finding, and shall deny the application. If the Administrator makes a finding that the waters listed in the application require a complete prohibition of any discharge in all or any part of the waters or portions thereof covered by the

State's application, he shall publish notice of such findings together with a notice of proposed rule making, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that applicable water quality standards require a complete prohibition covering a more restricted or more expanded area than that applied for by the State, he shall state the reasons why his finding differs in scope from that requested in the State's application.

(1) For the following waters the discharge from a vessel of any sewage (whether treated or not) is completely prohibited pursuant to CWA section 312(f)(4)(A):

(i) Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, as described in 16 U.S.C. 577–577d1.

(ii) Waters of the State of Florida within the boundaries of the Florida Keys National Marine Sanctuary as delineated on a map of the Sanctuary at *http://www.fknms.nos.noaa.gov/*.

(c)(1) *Prohibition pursuant to CWA* section 312(f)(4)(B): A State may make written application to the Administrator of the Environmental Protection Agency under section 312(f)(4)(B) of the Act for the issuance of a regulation establishing a drinking water intake no discharge zone which completely prohibits discharge from a vessel of any sewage, whether treated or untreated, into that zone in particular waters, or portions thereof, within such State. Such application shall:

(i) Identify and describe exactly and in detail the location of the drinking water supply intake(s) and the community served by the intake(s), including average and maximum expected amounts of inflow;

(ii) Specify and describe exactly and in detail, the waters, or portions thereof, for which a complete prohibition is desired, and where appropriate, average, maximum and low flows in million gallons per day (MGD) or the metric equivalent;

(iii) Include a map, either a USGS topographic quadrant map or a NOAA nautical chart, as applicable, clearly marking by latitude and longitude the waters or portions thereof to be designated a drinking water intake zone; and

(iv) Include a statement of basis justifying the size of the requested drinking water intake zone, for example, identifying areas of intensive boating activities.

(2) If the Administrator finds that a complete prohibition is appropriate under this paragraph, he or she shall publish notice of such finding together with a notice of proposed rulemaking, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that a complete prohibition covering a more restricted or more expanded area than that applied for by the State is appropriate, he or she shall also include a statement of the reasons why the finding differs in scope from that requested in the State's application.

(3) If the Administrator finds that a complete prohibition is inappropriate under this paragraph, he or she shall deny the application and state the reasons for such denial.

(4) For the following waters the discharge from a vessel of any sewage, whether treated or not, is completely prohibited pursuant to CWA section 312(f)(4)(B):

(i) Two portions of the Hudson River in New York State, the first is bounded by an east-west line through the most northern confluence of the Mohawk River which will be designated by the Troy-Waterford Bridge (126th Street Bridge) on the south and Lock 2 on the north, and the second of which is bounded on the north by the southern end of Houghtaling Island and on the south by a line between the Village of Roseton on the western shore and Low Point on the eastern shore in the vicinity of Chelsea, as described in Items 2 and 3 of 6 NYCRR Part 858.4.

(ii) [Reserved]

[41 FR 4453, Jan. 29, 1976, as amended at 42 FR 43837, Aug. 31, 1977; 60 FR 63945, Dec. 13, 1995; 63 FR 1320, Jan. 8, 1998; 67 FR 35743, May 21, 2002]

§ 140.5 Analytical procedures.

In determining the composition and quality of effluent discharge from marine sanitation devices, the procedures

contained in 40 CFR part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants," or subsequent revisions or amendments thereto, shall be employed.

PART 141—NATIONAL PRIMARY DRINKING WATER REGULATIONS

Subpart A—General

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141.4 Variances and exemptions.
141.5 Siting requirements.
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141.28 Certified laboratories.
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Subpart D—Reporting and Recordkeeping

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141.35 Reporting of unregulated contaminant monitoring results.

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141.40 Monitoring requirements for unregulated contaminants.
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141.51 Maximum contaminant level goals for inorganic contaminants.
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141.55 Maximum contaminant level goals for radionuclides.

Subpart G—National Primary Drinking Water Regulations: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels

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141.61 Maximum contaminant levels for organic contaminants.
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141.82 Description of corrosion control treatment requirements.
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141.85 Public education and supplemental monitoring requirements.

141.86 Monitoring requirements for lead and copper in tap water.
141.87 Monitoring requirements for water quality parameters.
141.88 Monitoring requirements for lead and copper in source water.
141.89 Analytical methods.
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Subpart J—Use of Non-Centralized Treatment Devices

141.100 Criteria and procedures for public water systems using point-of-entry devices.
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Subpart K—Treatment Techniques

141.110 General requirements.
141.111 Treatment techniques for acrylamide and epichlorohydrin.

Subpart L—Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors

141.130 General requirements.
141.131 Analytical requirements.
141.132 Monitoring requirements.
141.133 Compliance requirements.
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141.135 Treatment technique for control of disinfection byproduct (DBP) precursors.

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141.152 Effective dates.
141.153 Content of the reports.
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Subpart Q—Public Notification of Drinking Water Violations

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AUTHORITY: 42 U.S.C. 300f, 300g–1, 300g–2, 300g–3, 300g–4, 300g–5, 300g–6, 300j–4, 300j–9, and 300j–11.

SOURCE: 40 FR 59570, Dec. 24, 1975, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 141 appear at 69 FR 18803, Apr. 9, 2004.

NOTE: For community water systems serving 75,000 or more persons, monitoring must begin 1 year following promulation and the effective date of the MCL is 2 years following promulgation. For community water systems serving 10,000 to 75,000 persons, monitoring must begin within 3 years from the date of promulgation and the effective date of the MCL is 4 years from the date of promulgation. Effective immediately, systems that plan to make significant modifications to their treatment processes for the purpose of complying with the TTHM MCL are required to seek and obtain State approval of their treatment modification plans. This note affects §§141.2, 141.6, 141.12, 141.24 and 141.30. For additional information see 44 FR 68641, Nov. 29, 1979.

Subpart A—General

§ 141.1 Applicability.

This part establishes primary drinking water regulations pursuant to section 1412 of the Public Health Service Act, as amended by the Safe Drinking Water Act (Pub. L. 93–523); and related regulations applicable to public water systems.

§ 141.2 Definitions.

As used in this part, the term:

Act means the Public Health Service Act, as amended by the Safe Drinking Water Act, Public Law 93–523.

Action level, is the concentration of lead or copper in water specified in §141.80(c) which determines, in some cases, the treatment requirements contained in subpart I of this part that a water system is required to complete.

Best available technology or *BAT* means the best technology, treatment techniques, or other means which the Administrator finds, after examination

for efficacy under field conditions and not solely under laboratory conditions, are available (taking cost into consideration). For the purposes of setting MCLs for synthetic organic chemicals, any BAT must be at least as effective as granular activated carbon.

Coagulation means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

Community water system means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

Compliance cycle means the nine-year calendar year cycle during which public water systems must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar year cycle begins January 1, 1993 and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011 and ends December 31, 2019.

Compliance period means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993 to December 31, 1995; the second from January 1, 1996 to December 31, 1998; the third from January 1, 1999 to December 31, 2001.

Comprehensive performance evaluation (CPE) is a thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. For purpose of compliance with subparts P and T of this part, the comprehensive performance evaluation must consist of at least the following components: Assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of a CPE report.

Confluent growth means a continuous bacterial growth covering the entire filtration area of a membrane filter, or a portion thereof, in which bacterial colonies are not discrete.

Contaminant means any physical, chemical, biological, or radiological substance or matter in water.

Conventional filtration treatment means a series of processes including coagulation, flocculation, sedimentation, and filtration resulting in substantial particulate removal.

Corrosion inhibitor means a substance capable of reducing the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.

CT or *CTcalc* is the product of "residual disinfectant concentration" (C) in mg/1 determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes, i.e., "C" x "T". If a public water system applies disinfectants at more than one point prior to the first customer, it must determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio." In determining the total inactivation ratio, the public water system must determine the residual disinfectant concentration of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). "$CT_{99.9}$" is the CT value required for 99.9 percent (3–log) inactivation of *Giardia lamblia* cysts. $CT_{99.9}$ for a variety of disinfectants and conditions appear in tables 1.1–1.6, 2.1, and 3.1 of §141.74(b)(3).

$$\frac{\text{CTcalc}}{\text{CT}_{99.9}}$$

is the inactivation ratio. The sum of the inactivation ratios, or total inactivation ratio shown as

$$\sum \frac{(\text{CTcalc})}{(\text{CT}_{99.9})}$$

is calculated by adding together the inactivation ratio for each disinfection

sequence. A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts.

Diatomaceous earth filtration means a process resulting in substantial particulate removal in which (1) a precoat cake of diatomaceous earth filter media is deposited on a support membrance (septum), and (2) while the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

Direct filtration means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

Disinfectant means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

Disinfectant contact time ("T" in CT calculations) means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of disinfectant residual measurement to a point before or at the point where residual disinfectant concentration ("C") is measured. Where only one "C" is measured, "T" is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at where residual disinfectant concentration ("C") is measured. Where more than one "C" is measured, "T" is (a) for the first measurement of "C", the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first "C" is measured and (b) for subsequent measurements of "C", the time in minutes that it takes for water to move from the previous "C" measurement point to the "C" measurement point for which the particular "T" is being calculated. Disinfectant contact time in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe. Disinfectant contact time within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

Disinfection means a process which inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

Disinfection profile is a summary of *Giardia lamblia* inactivation through the treatment plant. The procedure for developing a disinfection profile is contained in §141.172 (Disinfection profiling and benchmarking) in subpart P and §§141.530–141.536 (Disinfection profile) in subpart T of this part.

Domestic or other non-distribution system plumbing problem means a coliform contamination problem in a public water system with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

Dose equivalent means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

Effective corrosion inhibitor residual, for the purpose of subpart I of this part only, means a concentration sufficient to form a passivating film on the interior walls of a pipe.

Enhanced coagulation means the addition of sufficient coagulant for improved removal of disinfection byproduct precursors by conventional filtration treatment.

Enhanced softening means the improved removal of disinfection byproduct precursors by precipitative softening.

Filter profile is a graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed.

Filtration means a process for removing particulate matter from water by passage through porous media.

First draw sample means a one-liter sample of tap water, collected in accordance with §141.86(b)(2), that has been standing in plumbing pipes at least 6 hours and is collected without flushing the tap.

Flocculation means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

GAC10 means granular activated carbon filter beds with an empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days.

Ground water under the direct influence of surface water (GWUDI) means any water beneath the surface of the ground with significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia* or *Cryptosporidium*, or significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH which closely correlate to climatological or surface water conditions. Direct influence must be determined for individual sources in accordance with criteria established by the State. The State determination of direct influence may be based on site-specific measurements of water quality and/or documentation of well construction characteristics and geology with field evaluation.

Gross alpha particle activity means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

Gross beta particle activity means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

Haloacetic acids (five) (HAA5) mean the sum of the concentrations in milligrams per liter of the haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid), rounded to two significant figures after addition.

Halogen means one of the chemical elements chlorine, bromine or iodine.

Initial compliance period means the first full three-year compliance period which begins at least 18 months after promulgation, except for contaminants listed at §141.61(a) (19)–(21), (c) (19)–(33), and §141.62(b) (11)–(15), initial compliance period means the first full three-year compliance period after promulgation for systems with 150 or more service connections (January 1993–December 1995), and first full three-year compliance period after the effective date of the regulation (January 1996–December 1998) for systems having fewer than 150 service connections.

Large water system, for the purpose of subpart I of this part only, means a water system that serves more than 50,000 persons.

Lead service line means a service line made of lead which connects the water main to the building inlet and any lead pigtail, gooseneck or other fitting which is connected to such lead line.

Legionella means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

Man-made beta particle and photon emitters means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, NBS Handbook 69, except the daughter products of thorium–232, uranium–235 and uranium–238.

Maximum contaminant level means the maximum permissable level of a contaminant in water which is delivered to any user of a public water system.

Maximum contaminant level goal or *MCLG* means the maximum level of a contaminant in drinking water at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. Maximum contaminant level goals are nonenforceable health goals.

Maximum residual disinfectant level (MRDL) means a level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects. For chlorine and chloramines, a PWS is in compliance with the MRDL when the running annual average of monthly averages of samples taken in the distribution system, computed quarterly, is less than

or equal to the MRDL. For chlorine dioxide, a PWS is in compliance with the MRDL when daily samples are taken at the entrance to the distribution system and no two consecutive daily samples exceed the MRDL. MRDLs are enforceable in the same manner as maximum contaminant levels under Section 1412 of the Safe Drinking Water Act. There is convincing evidence that addition of a disinfectant is necessary for control of waterborne microbial contaminants. Notwithstanding the MRDLs listed in §141.65, operators may increase residual disinfectant levels of chlorine or chloramines (but not chlorine dioxide) in the distribution system to a level and for a time necessary to protect public health to address specific microbiological contamination problems caused by circumstances such as distribution line breaks, storm runoff events, source water contamination, or cross-connections.

Maximum residual disinfectant level goal (MRDLG) means the maximum level of a disinfectant added for water treatment at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MRDLGs are nonenforceable health goals and do not reflect the benefit of the addition of the chemical for control of waterborne microbial contaminants.

Maximum Total Trihalomethane Potential (MTP) means the maximum concentration of total trihalomethanes produced in a given water containing a disinfectant residual after 7 days at a temperature of 25 °C or above.

Medium-size water system, for the purpose of subpart I of this part only, means a water system that serves greater than 3,300 and less than or equal to 50,000 persons.

Near the first service connection means at one of the 20 percent of all service connections in the entire system that are nearest the water supply treatment facility, as measured by water transport time within the distribution system.

Non-community water system means a public water system that is not a community water system. A non-community water system is either a "transient non-community water system (TWS)" or a "non-transient non-community water system (NTNCWS)."

Non-transient non-community water system or *NTNCWS* means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year.

Optimal corrosion control treatment, for the purpose of subpart I of this part only, means the corrosion control treatment that minimizes the lead and copper concentrations at users' taps while insuring that the treatment does not cause the water system to violate any national primary drinking water regulations.

Performance evaluation sample means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

Person means an individual; corporation; company; association; partnership; municipality; or State, Federal, or tribal agency.

Picocurie (pCi) means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

Point of disinfectant application is the point where the disinfectant is applied and water downstream of that point is not subject to recontamination by surface water runoff.

Point-of-entry treatment device (POE) is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

Point-of-use treatment device (POU) is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

Public water system means a system for the provision to the public of water for human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at

least 60 days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "noncommunity water system."

Rem means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

Repeat compliance period means any subsequent compliance period after the initial compliance period.

Residual disinfectant concentration ("C" in CT calculations) means the concentration of disinfectant measured in mg/l in a representative sample of water.

Sanitary survey means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

Sedimentation means a process for removal of solids before filtration by gravity or separation.

Service connection, as used in the definition of *public water system*, does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if:

(1) The water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, and cooking, or other similar uses);

(2) The State determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulation is provided for residential or similar uses for drinking and cooking; or

(3) The State determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

Service line sample means a one-liter sample of water collected in accordance with §141.86(b)(3), that has been standing for at least 6 hours in a service line.

Single family structure, for the purpose of subpart I of this part only, means a building constructed as a single-family residence that is currently used as either a residence or a place of business.

Slow sand filtration means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 m/h) resulting in substantial particulate removal by physical and biological mechanisms.

Small water system, for the purpose of subpart I of this part only, means a water system that serves 3,300 persons or fewer.

Special irrigation district means an irrigation district in existence prior to May 18, 1994 that provides primarily agricultural service through a piped water system with only incidental residential or similar use where the system or the residential or similar users of the system comply with the exclusion provisions in section 1401(4)(B)(i)(II) or (III).

Standard sample means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

State means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term "State" means the Regional Administrator, U.S. Environmental Protection Agency.

Subpart H systems means public water systems using surface water or ground water under the direct influence of surface water as a source that are subject to the requirements of subpart H of this part.

Supplier of water means any person who owns or operates a public water system.

Surface water means all water which is open to the atmosphere and subject to surface runoff.

SUVA means Specific Ultraviolet Absorption at 254 nanometers (nm), an indicator of the humic content of water. It is a calculated parameter obtained by dividing a sample's ultraviolet absorption at a wavelength of 254 nm (UV_{254}) (in m^{-1}) by its concentration of dissolved organic carbon (DOC) (in mg/L).

System with a single service connection means a system which supplies drinking water to consumers via a single service line.

Too numerous to count means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

Total Organic Carbon (TOC) means total organic carbon in mg/L measured using heat, oxygen, ultraviolet irradiation, chemical oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two significant figures.

Total trihalomethanes (TTHM) means the sum of the concentration in milligrams per liter of the trihalomethane compounds (trichloromethane [chloroform], dibromochloromethane, bromodichloromethane and tribromomethane [bromoform]), rounded to two significant figures.

Transient non-community water system or *TWS* means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.

Trihalomethane (THM) means one of the family of organic compounds, named as derivatives of methane, wherein three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure.

Uncovered finished water storage facility is a tank, reservoir, or other facility used to store water that will undergo no further treatment except residual disinfection and is open to the atmosphere.

Virus means a virus of fecal origin which is infectious to humans by waterborne transmission.

Waterborne disease outbreak means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system which is deficient in treatment, as determined by the appropriate local or State agency.

[40 FR 59570, Dec. 24, 1975, as amended at 41 FR 28403, July 9, 1976; 44 FR 68641, Nov. 29, 1979; 51 FR 11410, Apr. 2, 1986; 52 FR 20674, June 2, 1987; 52 FR 25712, July 8, 1987; 53 FR 37410, Sept. 26, 1988; 54 FR 27526, 27562, June 29, 1989; 56 FR 3578, Jan. 30, 1991; 56 FR 26547, June 7, 1991; 57 FR 31838, July 17, 1992; 59 FR 34322, July 1, 1994; 61 FR 24368, May 14, 1996; 63 FR 23366, Apr. 28, 1998; 63 FR 69463, 69515, Dec. 16, 1998; 66 FR 7061, Jan. 22, 2001; 67 FR 1835, Jan. 14, 2002]

§ 141.3 Coverage.

This part shall apply to each public water system, unless the public water system meets all of the following conditions:

(a) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities);

(b) Obtains all of its water from, but is not owned or operated by, a public water system to which such regulations apply:

(c) Does not sell water to any person; and

(d) Is not a carrier which conveys passengers in interstate commerce.

§ 141.4 Variances and exemptions.

(a) Variances or exemptions from certain provisions of these regulations may be granted pursuant to sections 1415 and 1416 of the Act and subpart K of part 142 of this chapter (for small system variances) by the entity with primary enforcement responsibility, except that variances or exemptions from the MCL for total coliforms and variances from any of the treatment technique requirements of subpart H of this part may not be granted.

(b) EPA has stayed the effective date of this section relating to the total coliform MCL of §141.63(a) for systems that demonstrate to the State that the violation of the total coliform MCL is due to a persistent growth of total coliforms in the distribution system rather than fecal or pathogenic contamination, a treatment lapse or deficiency,

or a problem in the operation or maintenance of the distribution system.

[54 FR 27562, June 29, 1989, as amended at 56 FR 1557, Jan. 15, 1991; 63 FR 43846, Aug. 14, 1998]

§ 141.5 Siting requirements.

Before a person may enter into a financial commitment for or initiate construction of a new public water system or increase the capacity of an existing public water system, he shall notify the State and, to the extent practicable, avoid locating part or all of the new or expanded facility at a site which:

(a) Is subject to a significant risk from earthquakes, floods, fires or other disasters which could cause a breakdown of the public water system or a portion thereof; or

(b) Except for intake structures, is within the floodplain of a 100–year flood or is lower than any recorded high tide where appropriate records exist. The U.S. Environmental Protection Agency will not seek to override land use decisions affecting public water systems siting which are made at the State or local government levels.

§ 141.6 Effective dates.

(a) Except as provided in paragraphs (b) through (k) of this section, and in § 141.80(a)(2), the regulations set forth in this part shall take effect on June 24, 1977.

(b) The regulations for total trihalomethanes set forth in § 141.12(c) shall take effect 2 years after the date of promulgation of these regulations for community water systems serving 75,000 or more individuals, and 4 years after the date of promulgation for communities serving 10,000 to 74,999 individuals.

(c) The regulations set forth in §§ 141.11(d); 141.21(a), (c) and (i); 141.22(a) and (e); 141.23(a)(3) and (a)(4); 141.23(f); 141.24(e) and (f); 141.25(e); 141.27(a); 141.28(a) and (b); 141.31(a), (d) and (e); 141.32(b)(3); and 141.32(d) shall take effect immediately upon promulgation.

(d) The regulations set forth in § 141.41 shall take effect 18 months from the date of promulgation. Suppliers must complete the first round of sampling and reporting within 12 months following the effective date.

(e) The regulations set forth in § 141.42 shall take effect 18 months from the date of promulgation. All requirements in § 141.42 must be completed within 12 months following the effective date.

(f) The regulations set forth in § 141.11(c) and § 141.23(g) are effective May 2, 1986. Section 141.23(g)(4) is effective October 2, 1987.

(g) The regulations contained in § 141.6, paragraph (c) of the table in 141.12, and 141.62(b)(1) are effective July 1, 1991. The regulations contained in §§ 141.11(b), 141.23, 141.24, 142.57(b), 143.4(b)(12) and (b)(13), are effective July 30, 1992. The regulations contained in the revisions to §§ 141.32(e) (16), (25) through (27) and (46); 141.61(c)(16); and 141.62(b)(3) are effective January 1, 1993. The effective date of regulations contained in § 141.61(c) (2), (3), and (4) is postponed.

(h) Regulations for the analytic methods listed at § 141.23(k)(4) for measuring antimony, beryllium, cyanide, nickel, and thallium are effective August 17, 1992. Regulations for the analytic methods listed at § 141.24(f)(16) for dichloromethane, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane are effective August 17, 1992. Regulations for the analytic methods listed at § 141.24(h)(12) for measuring dalapon, dinoseb, diquat, endothall, endrin, glyphosate, oxamyl, picloram, simazine, benzo(a)pyrene, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, hexachlorobenzene, hexachlorocyclopentadiene, and 2,3,7,8-TCDD are effective August 17, 1992. The revision to § 141.12(a) promulgated on July 17, 1992 is effective on August 17, 1992.

(i) [Reserved]

(j) The arsenic maximum contaminant levels (MCL) listed in § 141.62 is effective for the purpose of compliance on January 23, 2006. Requirements relating to arsenic set forth in §§ 141.23(i)(4), 141.23(k)(3) introductory text, 141.23(k)(3)(ii), 141.51(b), 141.62(b), 141.62(b)(16), 141.62(c), 141.62(d), and 142.62(b) revisions in Appendix A of subpart O for the consumer confidence rule, and Appendices A and B of subpart Q for the public notification rule

are effective for the purpose of compliance on January 23, 2006. However, the consumer confidence rule reporting requirements relating to arsenic listed in §141.154(b) and (f) are effective for the purpose of compliance on February 22, 2002.

(k) Regulations set forth in §§141.23(i)(1), 141.23(i)(2), 141.24(f)(15), 141.24(f)(22), 141.24(h)(11), 141.24(h)(20), 142.16(e), 142.16(j), and 142.16(k) are effective for the purpose of compliance on January 22, 2004.

[44 FR 68641, Nov. 29, 1979, as amended at 45 FR 57342, Aug. 27, 1980; 47 FR 10998, Mar. 12, 1982; 51 FR 11410, Apr. 2, 1986; 56 FR 30274, July 1, 1991; 57 FR 22178, May 27, 1992; 57 FR 31838, July 17, 1992; 59 FR 34322, July 1, 1994; 61 FR 24368, May 14, 1996; 66 FR 7061, Jan. 22, 2001; 66 FR 28350, May 22, 2001]

Subpart B—Maximum Contaminant Levels

§141.11 Maximum contaminant levels for inorganic chemicals.

(a) The maximum contaminant level for arsenic applies only to community water systems. The analyses and determination of compliance with the 0.05 milligrams per liter maximum contaminant level for arsenic use the requirements of §141.23.

(b) The maximum contaminant level for arsenic is 0.05 milligrams per liter for community water systems until January 23, 2006.

(c) [Reserved]

(d) At the discretion of the State, nitrate levels not to exceed 20 mg/l may be allowed in a non-community water system if the supplier of water demonstrates to the satisfaction of the State that:

(1) Such water will not be available to children under 6 months of age; and

(2) 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

(3) Local and State public health authorities will be notified annually of nitrate levels that exceed 10 mg/l; and

(4) No adverse health effects shall result.

[40 FR 59570, Dec. 24, 1975, as amended at 45 FR 57342, Aug. 27, 1980; 47 FR 10998, Mar. 12, 1982; 51 FR 11410, Apr. 2, 1986; 56 FR 3578, Jan. 30, 1991; 56 FR 26548, June 7, 1991; 56 FR 30274, July 1, 1991; 56 FR 32113, July 15, 1991; 60 FR 33932, June 29, 1995; 65 FR 26022, May 4, 2000; 66 FR 7061, Jan. 22, 2001]

§141.12 Maximum contaminant levels for total trihalomethanes.

The maximum contaminant level of 0.10 mg/L for total trihalomethanes (the sum of the concentrations of bromodichloromethane, dibromochloromethane, tribromomethane (bromoform), and trichloromethane (chloroform)) applies to subpart H community water systems which serve a population of 10,000 people or more until December 31, 2001. This level applies to community water systems that use only ground water not under the direct influence of surface water and serve a population of 10,000 people or more until December 31, 2003. Compliance with the maximum contaminant level for total trihalomethanes is calculated pursuant to §141.30. After December 31, 2003, this section is no longer applicable.

[63 FR 69463, Dec. 16, 1998, as amended at 66 FR 3776, Jan. 16, 2001]

§141.13 Maximum contaminant levels for turbidity.

The maximum contaminant levels for turbidity are applicable to both community water systems and non-community water systems using surface water sources in whole or in part. The maximum contaminant levels for turbidity in drinking water, measured at a representative entry point(s) to the distribution system, are:

EDITORIAL NOTE: At 54 FR 27527, June 29, 1989, §141.13 was amended by adding introductory text, effective December 31, 1990. However, introductory text already exists. The added text follows.

The requirements in this section apply to unfiltered systems until December 30, 1991, unless the State has determined prior to that date, in writing pursuant to §1412(b)(7)(C)(iii), that filtration is required. The requirements

in this section apply to filtered systems until June 29, 1993. The requirements in this section apply to unfiltered systems that the State has determined, in writing pursuant to §1412(b)(7)(C)(iii), must install filtration, until June 29, 1993, or until filtration is installed, whichever is later.

(a) One turbidity unit (TU), as determined by a monthly average pursuant to §141.22, except that five or fewer turbidity units may be allowed if the supplier of water can demonstrate to the State that the higher turbidity does not do any of the following:

(1) Interfere with disinfection;

(2) Prevent maintenance of an effective disinfectant agent throughout the distribution system; or

(3) Interfere with microbiological determinations.

(b) Five turbidity units based on an average for two consecutive days pursuant to §141.22.

[40 FR 59570, Dec. 24, 1975]

Subpart C—Monitoring and Analytical Requirements

§141.21 Coliform sampling.

(a) *Routine monitoring.* (1) Public water systems must collect total coliform samples at sites which are representative of water throughout the distribution system according to a written sample siting plan. These plans are subject to State review and revision.

(2) The monitoring frequency for total coliforms for community water systems is based on the population served by the system, as follows:

TOTAL COLIFORM MONITORING FREQUENCY FOR COMMUNITY WATER SYSTEMS

Population served	Minimum number of samples per month
25 to 1,000[1]	1
1,001 to 2,500	2
2,501 to 3,300	3
3,301 to 4,100	4
4,101 to 4,900	5
4,901 to 5,800	6
5,801 to 6,700	7
6,701 to 7,600	8
7,601 to 8,500	9
8,501 to 12,900	10
12,901 to 17,200	15
17,201 to 21,500	20
21,501 to 25,000	25
25,001 to 33,000	30
33,001 to 41,000	40
41,001 to 50,000	50
50,001 to 59,000	60
59,001 to 70,000	70
70,001 to 83,000	80
83,001 to 96,000	90
96,001 to 130,000	100
130,001 to 220,000	120
220,001 to 320,000	150
320,001 to 450,000	180
450,001 to 600,000	210
600,001 to 780,000	240
780,001 to 970,000	270
970,001 to 1,230,000	300
1,230,001 to 1,520,000	330
1,520,001 to 1,850,000	360
1,850,001 to 2,270,000	390
2,270,001 to 3,020,000	420
3,020,001 to 3,960,000	450
3,960,001 or more	480

[1] Includes public water systems which have at least 15 service connections, but serve fewer than 25 persons.

If a community water system serving 25 to 1,000 persons has no history of total coliform contamination in its current configuration and a sanitary survey conducted in the past five years shows that the system is supplied solely by a protected groundwater source and is free of sanitary defects, the State may reduce the monitoring frequency specified above, except that in no case may the State reduce the monitoring frequency to less than one sample per quarter. The State must approve the reduced monitoring frequency in writing.

(3) The monitoring frequency for total coliforms for non-community water systems is as follows:

(i) A non-community water system using only ground water (except ground water under the direct influence of surface water, as defined in §141.2) and serving 1,000 persons or fewer must monitor each calendar quarter that the system provides water to the public, except that the State may reduce this monitoring frequency, in writing, if a sanitary survey shows that the system is free of sanitary defects. Beginning June 29, 1994, the State cannot reduce the monitoring frequency for a non-community water

system using only ground water (except ground water under the direct influence of surface water, as defined in §141.2) and serving 1,000 persons or fewer to less than once/year.

(ii) A non-community water system using only ground water (except ground water under the direct influence of surface water, as defined in §141.2) and serving more than 1,000 persons during any month must monitor at the same frequency as a like-sized community water system, as specified in paragraph (a)(2) of this section, except the State may reduce this monitoring frequency, in writing, for any month the system serves 1,000 persons or fewer. The State cannot reduce the monitoring frequency to less than once/year. For systems using ground water under the direct influence of surface water, paragraph (a)(3)(iv) of this section applies.

(iii) A non-community water system using surface water, in total or in part, must monitor at the same frequency as a like-sized community water system, as specified in paragraph (a)(2) of this section, regardless of the number of persons it serves.

(iv) A non-community water system using ground water under the direct influence of surface water, as defined in §141.2, must monitor at the same frequency as a like-sized community water system, as specified in paragraph (a)(2) of this section. The system must begin monitoring at this frequency beginning six months after the State determines that the ground water is under the direct influence of surface water.

(4) The public water system must collect samples at regular time intervals throughout the month, except that a system which uses only ground water (except ground water under the direct influence of surface water, as defined in §141.2), and serves 4,900 persons or fewer, may collect all required samples on a single day if they are taken from different sites.

(5) A public water system that uses surface water or ground water under the direct influence of surface water, as defined in §141.2, and does not practice filtration in compliance with Subpart H must collect at least one sample near the first service connection each day the turbidity level of the source water, measured as specified in §141.74(b)(2), exceeds 1 NTU. This sample must be analyzed for the presence of total coliforms. When one or more turbidity measurements in any day exceed 1 NTU, the system must collect this coliform sample within 24 hours of the first exceedance, unless the State determines that the system, for logistical reasons outside the system's control, cannot have the sample analyzed within 30 hours of collection. Sample results from this coliform monitoring must be included in determining compliance with the MCL for total coliforms in §141.63.

(6) Special purpose samples, such as those taken to determine whether disinfection practices are sufficient following pipe placement, replacement, or repair, shall not be used to determine compliance with the MCL for total coliforms in §141.63. Repeat samples taken pursuant to paragraph (b) of this section are not considered special purpose samples, and must be used to determine compliance with the MCL for total coliforms in §141.63.

(b) *Repeat monitoring.* (1) If a routine sample is total coliform-positive, the public water system must collect a set of repeat samples within 24 hours of being notified of the positive result. A system which collects more than one routine sample/month must collect no fewer than three repeat samples for each total coliform-positive sample found. A system which collects one routine sample/month or fewer must collect no fewer than four repeat samples for each total coliform-positive sample found. The State may extend the 24-hour limit on a case-by-case basis if the system has a logistical problem in collecting the repeat samples within 24 hours that is beyond its control. In the case of an extension, the State must specify how much time the system has to collect the repeat samples.

(2) The system must collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken, and at least one repeat sample at a tap within five service connections upstream and at least one repeat sample at a tap within five service connections downstream of

the original sampling site. If a total coliform-positive sample is at the end of the distribution system, or one away from the end of the distribution system, the State may waive the requirement to collect at least one repeat sample upstream or downstream of the original sampling site.

(3) The system must collect all repeat samples on the same day, except that the State may allow a system with a single service connection to collect the required set of repeat samples over a four-day period or to collect a larger volume repeat sample(s) in one or more sample containers of any size, as long as the total volume collected is at least 400 ml (300 ml for systems which collect more than one routine sample/month).

(4) If one or more repeat samples in the set is total coliform-positive, the public water system must collect an additional set of repeat samples in the manner specified in paragraphs (b) (1)–(3) of this section. The additional samples must be collected within 24 hours of being notified of the positive result, unless the State extends the limit as provided in paragraph (b)(1) of this section. The system must repeat this process until either total coliforms are not detected in one complete set of repeat samples or the system determines that the MCL for total coliforms in §141.63 has been exceeded and notifies the State.

(5) If a system collecting fewer than five routine samples/month has one or more total coliform-positive samples and the State does not invalidate the sample(s) under paragraph (c) of this section, it must collect at least five routine samples during the next month the system provides water to the public, except that the State may waive this requirement if the conditions of paragraph (b)(5) (i) or (ii) of this section are met. The State cannot waive the requirement for a system to collect repeat samples in paragraphs (b) (1)–(4) of this section.

(i) The State may waive the requirement to collect five routine samples the next month the system provides water to the public if the State, or an agent approved by the State, performs a site visit before the end of the next month the system provides water to the public. Although a sanitary survey need not be performed, the site visit must be sufficiently detailed to allow the State to determine whether additional monitoring and/or any corrective action is needed. The State cannot approve an employee of the system to perform this site visit, even if the employee is an agent approved by the State to perform sanitary surveys.

(ii) The State may waive the requirement to collect five routine samples the next month the system provides water to the public if the State has determined why the sample was total coliform-positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. In this case, the State must document this decision to waive the following month's additional monitoring requirement in writing, have it approved and signed by the supervisor of the State official who recommends such a decision, and make this document available to the EPA and public. The written documentation must describe the specific cause of the total coliform-positive sample and what action the system has taken and/or will take to correct this problem. The State cannot waive the requirement to collect five routine samples the next month the system provides water to the public solely on the grounds that all repeat samples are total coliform-negative. Under this paragraph, a system must still take at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with the MCL for total coliforms in §141.63, unless the State has determined that the system has corrected the contamination problem before the system took the set of repeat samples required in paragraphs (b) (1)–(4) of this section, and all repeat samples were total coliform-negative.

(6) After a system collects a routine sample and before it learns the results of the analysis of that sample, if it collects another routine sample(s) from within five adjacent service connections of the initial sample, and the initial sample, after analysis, is found to

contain total coliforms, then the system may count the subsequent sample(s) as a repeat sample instead of as a routine sample.

(7) Results of all routine and repeat samples not invalidated by the State must be included in determining compliance with the MCL for total coliforms in §141.63.

(c) *Invalidation of total coliform samples.* A total coliform-positive sample invalidated under this paragraph (c) does not count towards meeting the minimum monitoring requirements of this section.

(1) The State may invalidate a total coliform-positive sample only if the conditions of paragraph (c)(1) (i), (ii), or (iii) of this section are met.

(i) The laboratory establishes that improper sample analysis caused the total coliform-positive result.

(ii) The State, on the basis of the results of repeat samples collected as required by paragraphs (b) (1) through (4) of this section, determines that the total coliform-positive sample resulted from a domestic or other non-distribution system plumbing problem. The State cannot invalidate a sample on the basis of repeat sample results unless all repeat sample(s) collected at the same tap as the original total coliform-positive sample are also total coliform-positive, and all repeat samples collected within five service connections of the original tap are total coliform-negative (e.g., a State cannot invalidate a total coliform-positive sample on the basis of repeat samples if all the repeat samples are total coliform-negative, or if the public water system has only one service connection).

(iii) The State has substantial grounds to believe that a total coliform-positive result is due to a circumstance or condition which does not reflect water quality in the distribution system. In this case, the system must still collect all repeat samples required under paragraphs (b) (1)–(4) of this section, and use them to determine compliance with the MCL for total coliforms in §141.63. To invalidate a total coliform-positive sample under this paragraph, the decision with the rationale for the decision must be documented in writing, and approved and signed by the supervisor of the State official who recommended the decision. The State must make this document available to EPA and the public. The written documentation must state the specific cause of the total coliform-positive sample, and what action the system has taken, or will take, to correct this problem. The State may not invalidate a total coliform-positive sample solely on the grounds that all repeat samples are total coliform-negative.

(2) A laboratory must invalidate a total coliform sample (unless total coliforms are detected) if the sample produces a turbid culture in the absence of gas production using an analytical method where gas formation is examined (e.g., the Multiple-Tube Fermentation Technique), produces a turbid culture in the absence of an acid reaction in the Presence-Absence (P–A) Coliform Test, or exhibits confluent growth or produces colonies too numerous to count with an analytical method using a membrane filter (e.g., Membrane Filter Technique). If a laboratory invalidates a sample because of such interference, the system must collect another sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the presence of total coliforms. The system must continue to re-sample within 24 hours and have the samples analyzed until it obtains a valid result. The State may waive the 24-hour time limit on a case-by-case basis.

(d) *Sanitary surveys.* (1)(i) Public water systems which do not collect five or more routine samples/month must undergo an initial sanitary survey by June 29, 1994, for community public water systems and June 29, 1999, for non-community water systems. Thereafter, systems must undergo another sanitary survey every five years, except that non-community water systems using only protected and disinfected ground water, as defined by the State, must undergo subsequent sanitary surveys at least every ten years after the initial sanitary survey. The State must review the results of each sanitary survey to determine whether the existing monitoring frequency is adequate and what additional

measures, if any, the system needs to undertake to improve drinking water quality.

(ii) In conducting a sanitary survey of a system using ground water in a State having an EPA-approved wellhead protection program under section 1428 of the Safe Drinking Water Act, information on sources of contamination within the delineated wellhead protection area that was collected in the course of developing and implementing the program should be considered instead of collecting new information, if the information was collected since the last time the system was subject to a sanitary survey.

(2) Sanitary surveys must be performed by the State or an agent approved by the State. The system is responsible for ensuring the survey takes place.

(e) *Fecal coliforms/Escherichia coli (E. coli) testing.* (1) If any routine or repeat sample is total coliform-positive, the system must analyze that total coliform-positive culture medium to determine if fecal coliforms are present, except that the system may test for *E. coli* in lieu of fecal coliforms. If fecal coliforms or *E. coli* are present, the system must notify the State by the end of the day when the system is notified of the test result, unless the system is notified of the result after the State office is closed, in which case the system must notify the State before the end of the next business day.

(2) The State has the discretion to allow a public water system, on a case-by-case basis, to forgo fecal coliform or *E. coli* testing on a total coliform-positive sample if that system assumes that the total coliform-positive sample is fecal coliform-positive or *E. coli*-positive. Accordingly, the system must notify the State as specified in paragraph (e)(1) of this section and the provisions of § 141.63(b) apply.

(f) *Analytical methodology.* (1) The standard sample volume required for total coliform analysis, regardless of analytical method used, is 100 ml.

(2) Public water systems need only determine the presence or absence of total coliforms; a determination of total coliform density is not required.

(3) Public water systems must conduct total coliform analyses in accordance with one of the analytical methods in the following table.

Organism	Methodology[12]	Citation[1]
Total Coliforms[2]	Total Coliform Fermentation Technique[3, 4, 5]	9221A, B.
	Total Coliform Membrane Filter Technique[6]	9222A, B, C.
	Presence-Absence (P–A) Coliform Test[5, 7]	9221D.
	ONPG–MUG Test[8]	9223.
	Colisure Test[9].	
	E*Colite® Test[10].	
	m-ColiBlue24® Test[11].	
	Readycult® Coliforms 100 Presence/Absence Test[13].	
	Membrane Filter Technique using Chromocult® Coliform Agar[14].	
	Colitag® Test[15].	

The procedures shall be done in accordance with the documents listed below. The incorporation by reference of the following documents listed in footnotes 1, 6, 8, 9, 10 , 11, 13, 14 and 15 was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies of the documents may be obtained from the sources listed below. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, EPA West, 1301 Constitution Avenue, NW., EPA West, Room B102, Washington DC 20460 (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[1] *Standard Methods for the Examination of Water and Wastewater,* 18th edition (1992), 19th edition (1995), or 20th edition (1998). American Public Health Association, 1015 Fifteenth Street, NW., Washington, DC 20005. The cited methods published in any of these three editions may be used.

[2] The time from sample collection to initiation of analysis may not exceed 30 hours. Systems are encouraged but not required to hold samples below 10 deg. C during transit.

[3] Lactose broth, as commercially available, may be used in lieu of lauryl tryptose broth, if the system conducts at least 25 parallel tests between this medium and lauryl tryptose broth using the water normally tested, and this comparison demonstrates that the false-positive rate and false-negative rate for total coliform, using lactose broth, is less than 10 percent.

[4] If inverted tubes are used to detect gas production, the media should cover these tubes at least one-half to two-thirds after the sample is added.

[5] No requirement exists to run the completed phase on 10 percent of all total coliform-positive confirmed tubes.

[6] MI agar also may be used. Preparation and use of MI agar is set forth in the article, "New medium for the simultaneous detection of total coliform and *Escherichia coli* in water" by Brenner, K.P., *et. al.,* 1993, Appl. Environ. Microbiol. 59:3534–3544. Also available from the Office of Water Resource Center (RC–4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, EPA/600/J–99/225. Verification of colonies is not required.

[7] Six-times formulation strength may be used if the medium is filter-sterilized rather than autoclaved.

[8] The ONPG–MUG Test is also known as the Autoanalysis Collect System.

[9] A description of the Colisure Test, Feb 28, 1994, may be obtained from IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092. The Colisure Test may be read after an incubation time of 24 hours.

[10] A description of the E*Colite® Test, "Presence/Absence for Coliforms and *E. Coli* in Water," Dec 21, 1997, is available from Charm Sciences, Inc., 36 Franklin Street, Malden, MA 02148–4120.

[11] A description of the m-ColiBlue24® Test, Aug 17, 1999, is available from the Hach Company, 100 Dayton Avenue, Ames, IA 50010.

[12] EPA strongly recommends that laboratories evaluate the false-positive and negative rates for the method(s) they use for monitoring total coliforms. EPA also encourages laboratories to establish false-positive and false-negative rates within their own laboratory and sample matrix (drinking water or source water) with the intent that if the method they choose has an unacceptable false-positive or negative rate, another method can be used. The Agency suggests that laboratories perform these studies on a minimum of 5% of all total coliform-positive samples, except for those methods where verification/confirmation is already required, e.g., the M-Endo and LES Endo Membrane Filter Tests, Standard Total Coliform Fermentation Technique, and Presence-Absence Coliform Test. Methods for establishing false-positive and negative-rates may be based on lactose fermentation, the rapid test for β-galactosidase and cytochrome oxidase, multi-test identification systems, or equivalent confirmation tests. False-positive and false-negative information is often available in published studies and/or from the manufacturer(s).

[13] The Readycult® Coliforms 100 Presence/Absence Test is described in the document, "Readycult® Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and *Escherichla coli* in Finished Waters", November 2000, Version 1.0, available from EM Science (an affiliate of Merck KGgA, Darmstadt Germany), 480 S. Democrat Road, Gibbstown, NJ 08027–1297. Telephone number is (800) 222–0342, e-mail address is: *adellenbusch@emscience.com.*

[14] Membrane Filter Technique using Chromocult® Coliform Agar is described in the document, "Chromocult® Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and *Escherichla coli* in Finished Waters", November 2000, Version 1.0, available from EM Science (an affiliate of Merck KGgA, Darmstadt Germany), 480 S. Democrat Road, Gibbstown, NJ 08027–1297. Telephone number is (800) 222–0342, e-mail address is: *adellenbusch@emscience.com.*

[15] Colitag® product for the determination of the presence/absence of total coliforms and *E. coli* is described in "Colitag® Product as a Test for Detection and Identification of Coliforms and *E. coli* Bacteria in Drinking Water and Source Water as Required in National Primary Drinking Water Regulations," August 2001, available from CPI International, Inc., 5580 Skylane Blvd., Santa Rosa, CA, 95403, telephone (800) 878–7654, Fax (707) 545–7901, Internet address *http://www.cpiinternational.com.*

(4) [Reserved]

(5) Public water systems must conduct fecal coliform analysis in accordance with the following procedure. When the MTF Technique or Presence-Absence (PA) Coliform Test is used to test for total coliforms, shake the lactose-positive presumptive tube or P–A vigorously and transfer the growth with a sterile 3-mm loop or sterile applicator stick into brilliant green lactose bile broth and EC medium to determine the presence of total and fecal coliforms, respectively. For EPA-approved analytical methods which use a membrane filter, transfer the total coliform-positive culture by one of the following methods: remove the membrane containing the total coliform colonies from the substrate with a sterile forceps and carefully curl and insert the membrane into a tube of EC medium (the laboratory may first remove a small portion of selected colonies for verification), swab the entire membrane filter surface with a sterile cotton swab and transfer the inoculum to EC medium (do not leave the cotton swab in the EC medium), or inoculate individual total coliform-positive colonies into EC Medium. Gently shake the inoculated tubes of EC medium to insure adequate mixing and incubate in a waterbath at 44.5 ± 0.2 °C for 24 ± 2 hours. Gas production of any amount in the inner fermentation tube of the EC medium indicates a positive fecal coliform test. The preparation of EC medium is described in Method 9221E (paragraph 1a) in Standard Methods for the Examination of Water and Wastewater, 18th edition (1992), 19th edition (1995), and 20th edition (1998); the cited method in any one of these three editions may be used. Public water systems need only determine the presence or absence of fecal coliforms; a determination of fecal coliform density is not required.

(6) Public water systems must conduct analysis of *Escherichia coli* in accordance with one of the following analytical methods:

(i) EC medium supplemented with 50 μg/mL of 4-methylumbelliferyl-beta-D-glucuronide (MUG) (final concentration), as described in Method 9222G in Standard Methods for the Examination of Water and Wastewater, 19th edition (1995) and 20th edition (1998). Either edition may be used. Alternatively, the 18th edition (1992) may be used if at least 10 mL of EC medium, as described in paragraph (f)(5) of this section, is supplemented with 50 μg/mL of MUG before autoclaving. The inner inverted fermentation tube may be omitted. If the 18th edition is used, apply the procedure in paragraph (f)(5) of this section for transferring a total coliform-positive culture to EC medium supplemented with MUG, incubate the tube at 44.5 ± 0.2 °C for 24 ± 2 hours, and then observe fluorescence with an ultraviolet light (366 nm) in the dark. If fluorescence is visible, E. coli are present.

(ii) Nutrient agar supplemented with 100 μg/mL of 4-methylumbelliferyl-beta-D-glucuronide (MUG) (final concentration), as described in Method

9222G in Standard Methods for the Examination of Water and Wastewater, 19th edition (1995) and 20th edition (1998). Either edition may be used for determining if a total coliform-positive sample, as determined by a membrane filter technique, contains E. coli. Alternatively, the 18th edition (1992) may be used if the membrane filter containing a total coliform-positive colony(ies) is transferred to nutrient agar, as described in Method 9221B (paragraph 3) of Standard Methods (18th edition), supplemented with 100 μg/mL of MUG. If the 18th edition is used, incubate the agar plate at 35 °C for 4 hours and then observe the colony(ies) under ultraviolet light (366 nm) in the dark for fluorescence. If fluorescence is visible, E. coli are present.

(iii) Minimal Medium ONPG–MUG (MMO–MUG) Test, as set forth in the article "National Field Evaluation of a Defined Substrate Method for the Simultaneous Detection of Total Coliforms and *Escherichia coli* from Drinking Water: Comparison with Presence-Absence Techniques" (Edberg et al.), Applied and Environmental Microbiology, Volume 55, pp. 1003–1008, April 1989. (Note: The Autoanalysis Colilert System is an MMO–MUG test). If the MMO–MUG test is total coliform-positive after a 24-hour incubation, test the medium for fluorescence with a 366-nm ultraviolet light (preferably with a 6-watt lamp) in the dark. If fluorescence is observed, the sample is *E. coli*-positive. If fluorescence is questionable (cannot be definitively read) after 24 hours incubation, incubate the culture for an additional four hours (but not to exceed 28 hours total), and again test the medium for fluorescence. The MMO–MUG Test with hepes buffer in lieu of phosphate buffer is the only approved formulation for the detection of *E. coli*.

(iv) The Colisure Test. A description of the Colisure Test may be obtained from the Millipore Corporation, Technical Services Department, 80 Ashby Road, Bedford, MA 01730.

(v) The membrane filter method with MI agar, a description of which is cited in footnote 6 to the table in paragraph (f)(3) of this section.

(vi) E*Colite® Test, a description of which is cited in footnote 10 to the table at paragraph (f)(3) of this section.

(vii) m-ColiBlue24® Test, a description of which is cited in footnote 11 to the table in paragraph (f)(3) of this section.

(viii) Readycult® Coliforms 100 Presence/Absence Test, a description of which is cited in footnote 13 to the table at paragraph (f)(3) of this section.

(ix) Membrane Filter Technique using Chromocult® Coliform Agar, a description of which is cited in footnote 14 to the table at paragraph (f)(3) of this section.

(x) Colitag®, a description of which is cited in footnote 15 to the table at paragraph (f)(3) of this section.

(7) As an option to paragraph (f)(6)(iii) of this section, a system with a total coliform-positive, MUG-negative, MMO–MUG test may further analyze the culture for the presence of *E. coli* by transferring a 0.1 ml, 28-hour MMO–MUG culture to EC Medium + MUG with a pipet. The formulation and incubation conditions of EC Medium + MUG, and observation of the results are described in paragraph (f)(6)(i) of this section.

(8) The following materials are incorporated by reference in this section with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the analytical methods cited in Standard Methods for the Examination of Water and Wastewater (18th, 19th, and 20th editions) may be obtained from the American Public Health Association *et al.*; 1015 Fifteenth Street, NW., Washington, DC 20005–2605. Copies of the MMO–MUG Test, as set forth in the article "National Field Evaluation of a Defined Substrate Method for the Simultaneous Enumeration of Total Coliforms and Escherichia coli from Drinking Water: Comparison with the Standard Multiple Tube Fermentation Method" (Edberg *et al.*) may be obtained from the American Water Works Association Research Foundation, 6666 West Quincy Avenue, Denver, CO 80235. Copies of the MMO–MUG Test as set forth in the article "National Field Evaluation of a Defined Substrate

Method for the Simultaneous Enumeration of Total Coliforms and *Escherichia coli* from Drinking Water: Comparison with the Standard Multiple Tube Fermentation Method" (Edberg *et al.*) may be obtained from the American Water Works Association Research Foundation, 6666 West Quincy Avenue, Denver, CO 80235. A description of the Colisure Test may be obtained from the Millipore Corp., Technical Services Department, 80 Ashby Road, Bedford, MA 01730. Copies may be inspected at EPA's Drinking Water Docket; 401 M St., SW.; Washington, DC 20460, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(g) *Response to violation.* (1) A public water system which has exceeded the MCL for total coliforms in §141.63 must report the violation to the State no later than the end of the next business day after it learns of the violation, and notify the public in accordance with subpart Q.

(2) A public water system which has failed to comply with a coliform monitoring requirement, including the sanitary survey requirement, must report the monitoring violation to the State within ten days after the system discovers the violation, and notify the public in accordance with subpart Q.

[54 FR 27562, June 29, 1989, as amended at 54 FR 30001, July 17, 1989; 55 FR 25064, June 19, 1990; 56 FR 642, Jan. 8, 1991; 57 FR 1852, Jan. 15, 1992; 57 FR 24747, June 10, 1992; 59 FR 62466, Dec. 5, 1994; 60 FR 34085, June 29, 1995; 64 FR 67461, Dec. 1, 1999; 65 FR 26022, May 4, 2000; 67 FR 65246, Oct. 23, 2002; 67 FR 65896, Oct. 29, 2002; 69 FR 7160, Feb. 13, 2004]

§141.22 Turbidity sampling and analytical requirements.

The requirements in this section apply to unfiltered systems until December 30, 1991, unless the State has determined prior to that date, in writing pursuant to section 1412(b)(7)(iii), that filtration is required. The requirements in this section apply to filtered systems until June 29, 1993. The requirements in this section apply to unfiltered systems that the State has determined, in writing pursuant to section 1412(b)(7)(C)(iii), must install filtration, until June 29, 1993, or until filtration is installed, whichever is later.

(a) Samples shall be taken by suppliers of water for both community and non-community water systems at a representative entry point(s) to the water distribution system at least once per day, for the purposes of making turbidity measurements to determine compliance with §141.13. If the State determines that a reduced sampling frequency in a non-community will not pose a risk to public health, it can reduce the required sampling frequency. The option of reducing the turbidity frequency shall be permitted only in those public water systems that practice disinfection and which maintain an active residual disinfectant in the distribution system, and in those cases where the State has indicated in writing that no unreasonable risk to health existed under the circumstances of this option. Turbidity measurements shall be made as directed in §141.74(a)(1).

(b) If the result of a turbidity analysis indicates that the maximum allowable limit has been exceeded, the sampling and measurement shall be confirmed by resampling as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum allowable limit has been exceeded, the supplier of water shall report to the State within 48 hours. The repeat sample shall be the sample used for the purpose of calculating the monthly average. If the monthly average of the daily samples exceeds the maximum allowable limit, or if the average of two samples taken on consecutive days exceeds 5 TU, the supplier of water shall report to the State and notify the public as directed in §§141.31 and subpart Q.

(c) Sampling for non-community water systems shall begin within two years after the effective date of this part.

(d) The requirements of this §141.22 shall apply only to public water systems which use water obtained in whole or in part from surface sources.

(e) The State has the authority to determine compliance or initiate enforcement action based upon analytical results or other information compiled by

their sanctioned representatives and agencies.

[40 FR 59570, Dec. 24, 1975, as amended at 45 FR 57344, Aug. 27, 1980; 47 FR 8998, Mar. 3, 1982; 47 FR 10998, Mar. 12, 1982; 54 FR 27527, June 29, 1989; 59 FR 62466, Dec. 5, 1994; 65 FR 26022, May 4, 2000]

§ 141.23 Inorganic chemical sampling and analytical requirements.

Community water systems shall conduct monitoring to determine compliance with the maximum contaminant levels specified in § 141.62 in accordance with this section. Non-transient, non-community water systems shall conduct monitoring to determine compliance with the maximum contaminant levels specified in § 141.62 in accordance with this section. Transient, non-community water systems shall conduct monitoring to determine compliance with the nitrate and nitrite maximum contaminant levels in §§ 141.11 and 141.62 (as appropriate) in accordance with this section.

(a) Monitoring shall be conducted as follows:

(1) Groundwater systems shall take a minimum of one sample at every entry point to the distribution system which is representative of each well after treatment (hereafter called a sampling point) beginning in the initial compliance period. The system shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(2) Surface water systems shall take a minimum of one sample at every entry point to the distribution system after any application of treatment or in the distribution system at a point which is representative of each source after treatment (hereafter called a sampling point) beginning in the initial compliance period. The system shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

NOTE: For purposes of this paragraph, surface water systems include systems with a combination of surface and ground sources.

(3) If a system draws water from more than one source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water is representative of all sources being used).

(4) The State may reduce the total number of samples which must be analyzed by allowing the use of compositing. Composite samples from a maximum of five samples are allowed, provided that the detection limit of the method used for analysis is less than one-fifth of the MCL. Compositing of samples must be done in the laboratory.

(i) If the concentration in the composite sample is greater than or equal to one-fifth of the MCL of any inorganic chemical, then a follow-up sample must be taken within 14 days at each sampling point included in the composite. These samples must be analyzed for the contaminants which exceeded one-fifth of the MCL in the composite sample. Detection limits for each analytical method and MCLs for each inorganic contaminant are the following:

DETECTION LIMITS FOR INORGANIC CONTAMINANTS

Contaminant	MCL (mg/l)	Methodology	Detection limit (mg/l)
Antimony	0.006	Atomic Absorption; Furnace	0.003
		Atomic Absorption; Platform	0.0008[5]
		ICP-Mass Spectrometry	0.0004
		Hydride-Atomic Absorption	0.001
Arsenic	0.010[6]	Atomic Absorption; Furnace	0.001
		Atomic Absorption; Platform—Stabilized Temperature	0.0005[7]
		Atomic Absorption; Gaseous Hydride	0.001
		ICP-Mass Spectrometry	0.0014[8]
Asbestos	7 MFL[1]	Transmission Electron Microscopy	0.01 MFL
Barium	2	Atomic Absorption; furnace technique	0.002
		Atomic Absorption; direct aspiration	0.1
		Inductively Coupled Plasma	0.002 (0.001)
Beryllium	0.004	Atomic Absorption; Furnace	0.0002
		Atomic Absorption; Platform	0.00002[5]

DETECTION LIMITS FOR INORGANIC CONTAMINANTS—Continued

Contaminant	MCL (mg/l)	Methodology	Detection limit (mg/l)
		Inductively Coupled Plasma[2]	0.0003
		ICP-Mass Spectrometry	0.0003
Cadmium	0.005	Atomic Absorption; furnace technique	0.0001
		Inductively Coupled Plasma	0.001
Chromium	0.1	Atomic Absorption; furnace technique	0.001
		Inductively Coupled Plasma	0.007 (0.001)
Cyanide	0.2	Distillation, Spectrophotometric[3]	0.02
		Distillation, Automated, Spectrophotometric[3]	0.005
		Distillation, Amenable, Spectrophotometric[4]	0.02
		Distillation, Selective Electrode[3]	0.05
		UV, Distillation, Spectrophotometric	0.0005
		Distillation, Spectrophotometric	0.0006
Mercury	0.002	Manual Cold Vapor Technique	0.0002
		Automated Cold Vapor Technique	0.0002
Nickel	xl	Atomic Absorption; Furnace	0.001
		Atomic Absorption; Platform	0.0006[5]
		Inductively Coupled Plasma[2]	0.005
		ICP-Mass Spectrometry	0.0005
Nitrate	10 (as N)	Manual Cadmium Reduction	0.01
		Automated Hydrazine Reduction	0.01
		Automated Cadmium Reduction	0.05
		Ion Selective Electrode	1
		Ion Chromatography	0.01
Nitrite	1 (as N)	Spectrophotometric	0.01
		Automated Cadmium Reduction	0.05
		Manual Cadmium Reduction	0.01
		Ion Chromatography	0.004
Selenium	0.05	Atomic Absorption; furnace	0.002
		Atomic Absorption; gaseous hydride	0.002
Thallium	0.002	Atomic Absorption; Furnace	0.001
		Atomic Absorption; Platform	0.0007[5]
		ICP-Mass Spectrometry	0.0003

[1] MFL = million fibers per liter >10 μm.
[2] Using a 2X preconcentration step as noted in Method 200.7. Lower MDLs may be achieved when using a 4X preconcentration.
[3] Screening method for total cyanides.
[4] Measures "free" cyanides.
[5] Lower MDLs are reported using stabilized temperature graphite furnace atomic absorption.
[6] The value for arsenic is effective January 23, 2006. Unit then, the MCL is 0.05 mg/L.
[7] The MDL reported for EPA method 200.9 (Atomic Absorption; Platform—Stablized Temperature) was determined using a 2x concentration step during sample digestion. The MDL determined for samples analyzed using direct analyses (i.e., no sample digestion) will be higher. Using multiple depositions, EPA 200.9 is capable of obtaining MDL of 0.0001 mg/L.
[8] Using selective ion monitoring, EPA Method 200.8 (ICP–MS) is capable of obtaining a MDL of 0.0001 mg/L.

(ii) If the population served by the system is >3,300 persons, then compositing may only be permitted by the State at sampling points within a single system. In systems serving ≤3,300 persons, the State may permit compositing among different systems provided the 5-sample limit is maintained.

(iii) If duplicates of the original sample taken from each sampling point used in the composite sample are available, the system may use these instead of resampling. The duplicates must be analyzed and the results reported to the State within 14 days after completing analysis of the composite sample, provided the holding time of the sample is not exceeded.

(5) The frequency of monitoring for asbestos shall be in accordance with paragraph (b) of this section: the frequency of monitoring for antimony, arsenic, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium and thallium shall be in accordance with paragraph (c) of this section; the frequency of monitoring for nitrate shall be in accordance with paragraph (d) of this section; and the frequency of monitoring for nitrite shall be in accordance with paragraph (e) of this section.

(b) The frequency of monitoring conducted to determine compliance with the maximum contaminant level for asbestos specified in § 141.62(b) shall be conducted as follows:

(1) Each community and non-transient, non-community water system is required to monitor for asbestos during the first three-year compliance period of each nine-year compliance cycle beginning in the compliance period starting January 1, 1993.

(2) If the system believes it is not vulnerable to either asbestos contamination in its source water or due to corrosion of asbestos-cement pipe, or both, it may apply to the State for a waiver of the monitoring requirement in paragraph (b)(1) of this section. If the State grants the waiver, the system is not required to monitor.

(3) The State may grant a waiver based on a consideration of the following factors:

(i) Potential asbestos contamination of the water source, and

(ii) The use of asbestos-cement pipe for finished water distribution and the corrosive nature of the water.

(4) A waiver remains in effect until the completion of the three-year compliance period. Systems not receiving a waiver must monitor in accordance with the provisions of paragraph (b)(1) of this section.

(5) A system vulnerable to asbestos contamination due solely to corrosion of asbestos-cement pipe shall take one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination is most likely to occur.

(6) A system vulnerable to asbestos contamination due solely to source water shall monitor in accordance with the provision of paragraph (a) of this section.

(7) A system vulnerable to asbestos contamination due both to its source water supply and corrosion of asbestos-cement pipe shall take one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination is most likely to occur.

(8) A system which exceeds the maximum contaminant levels as determined in §141.23(i) of this section shall monitor quarterly beginning in the next quarter after the violation occurred.

(9) The State may decrease the quarterly monitoring requirement to the frequency specified in paragraph (b)(1) of this section provided the State has determined that the system is reliably and consistently below the maximum contaminant level. In no case can a State make this determination unless a groundwater system takes a minimum of two quarterly samples and a surface (or combined surface/ground) water system takes a minimum of four quarterly samples.

(10) If monitoring data collected after January 1, 1990 are generally consistent with the requirements of §141.23(b), then the State may allow systems to use that data to satisfy the monitoring requirement for the initial compliance period beginning January 1, 1993.

(c) The frequency of monitoring conducted to determine compliance with the maximum contaminant levels in §141.62 for antimony, arsenic, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium and thallium shall be as follows:

(1) Groundwater systems shall take one sample at each sampling point during each compliance period. Surface water systems (or combined surface/ground) shall take one sample annually at each sampling point.

(2) The system may apply to the State for a waiver from the monitoring frequencies specified in paragraph (c)(1) of this section. States may grant a public water system a waiver for monitoring of cyanide, provided that the State determines that the system is not vulnerable due to lack of any industrial source of cyanide.

(3) A condition of the waiver shall require that a system shall take a minimum of one sample while the waiver is effective. The term during which the waiver is effective shall not exceed one compliance cycle (i.e., nine years).

(4) The State may grant a waiver provided surface water systems have monitored annually for at least three years and groundwater systems have conducted a minimum of three rounds of monitoring. (At least one sample shall have been taken since January 1, 1990). Both surface and groundwater systems shall demonstrate that all previous analytical results were less than the maximum contaminant level. Systems that use a new water source are not eligible

for a waiver until three rounds of monitoring from the new source have been completed.

(5) In determining the appropriate reduced monitoring frequency, the State shall consider:

(i) Reported concentrations from all previous monitoring;

(ii) The degree of variation in reported concentrations; and

(iii) Other factors which may affect contaminant concentrations such as changes in groundwater pumping rates, changes in the system's configuration, changes in the system's operating procedures, or changes in stream flows or characteristics.

(6) A decision by the State to grant a waiver shall be made in writing and shall set forth the basis for the determination. The determination may be initiated by the State or upon an application by the public water system. The public water system shall specify the basis for its request. The State shall review and, where appropriate, revise its determination of the appropriate monitoring frequency when the system submits new monitoring data or when other data relevant to the system's appropriate monitoring frequency become available.

(7) Systems which exceed the maximum contaminant levels as calculated in §141.23(i) of this section shall monitor quarterly beginning in the next quarter after the violation occurred.

(8) The State may decrease the quarterly monitoring requirement to the frequencies specified in paragraphs (c)(1) and (c)(2) of this section provided it has determined that the system is reliably and consistently below the maximum contaminant level. In no case can a State make this determination unless a groundwater system takes a minimum of two quarterly samples and a surface water system takes a minimum of four quarterly samples.

(9) All new systems or systems that use a new source of water that begin operation after January 22, 2004 must demonstrate compliance with the MCL within a period of time specified by the State. The system must also comply with the initial sampling frequencies specified by the State to ensure a system can demonstrate compliance with the MCL. Routine and increased monitoring frequencies shall be conducted in accordance with the requirements in this section.

(d) All public water systems (community; non-transient, non-community; and transient, non-community systems) shall monitor to determine compliance with the maximum contaminant level for nitrate in §141.62.

(1) Community and non-transient, non-community water systems served by groundwater systems shall monitor annually beginning January 1, 1993; systems served by surface water shall monitor quarterly beginning January 1, 1993.

(2) For community and non-transient, non-community water systems, the repeat monitoring frequency for groundwater systems shall be quarterly for at least one year following any one sample in which the concentration is ≥50 percent of the MCL. The State may allow a groundwater system to reduce the sampling frequency to annually after four consecutive quarterly samples are reliably and consistently less than the MCL.

(3) For community and non-transient, non-community water systems, the State may allow a surface water system to reduce the sampling frequency to annually if all analytical results from four consecutive quarters are <50 percent of the MCL. A surface water system shall return to quarterly monitoring if any one sample is ≧50 percent of the MCL.

(4) Each transient non-community water system shall monitor annually beginning January 1, 1993.

(5) After the initial round of quarterly sampling is completed, each community and non-transient non-community system which is monitoring annually shall take subsequent samples during the quarter(s) which previously resulted in the highest analytical result.

(e) All public water systems (community; non-transient, non-community; and transient, non-community systems) shall monitor to determine compliance with the maximum contaminant level for nitrite in §141.62(b).

(1) All public water systems shall take one sample at each sampling

point in the compliance period beginning January 1, 1993 and ending December 31, 1995.

(2) After the initial sample, systems where an analytical result for nitrite is <50 percent of the MCL shall monitor at the frequency specified by the State.

(3) For community, non-transient, non-community, and transient non-community water systems, the repeat monitoring frequency for any water system shall be quarterly for at least one year following any one sample in which the concentration is ≥50 percent of the MCL. The State may allow a system to reduce the sampling frequency to annually after determining the system is reliably and consistently less than the MCL.

(4) Systems which are monitoring annually shall take each subsequent sample during the quarter(s) which previously resulted in the highest analytical result.

(f) Confirmation samples:

(1) Where the results of sampling for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium or thallium indicate an exceedance of the maximum contaminant level, the State may require that one additional sample be collected as soon as possible after the initial sample was taken (but not to exceed two weeks) at the same sampling point.

(2) 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.

(3) If a State-required confirmation sample is taken for any contaminant, then the results of the initial and confirmation sample shall be averaged. The resulting average shall be used to determine the system's compliance in accordance with paragraph (i) of this section. States have the discretion to delete results of obvious sampling errors.

(g) The State may require more frequent monitoring than specified in paragraphs (b), (c), (d) and (e) of this section or may require confirmation samples for positive and negative results at its discretion.

(h) Systems may apply to the State to conduct more frequent monitoring than the minimum monitoring frequencies specified in this section.

(i) Compliance with §§141.11 or 141.62(b) (as appropriate) shall be determined based on the analytical result(s) obtained at each sampling point.

(1) For systems which are conducting monitoring at a frequency greater than annual, compliance with the maximum contaminant levels for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium or thallium is determined by a running annual average at any sampling point. If the average at any sampling point is greater than the MCL, then the system is out of compliance. If any one sample would cause the annual average to be exceeded, then the system is out of compliance immediately. Any sample below the method detection limit shall be calculated at zero for the purpose of determining the annual average. If a system fails to collect the required number of samples, compliance (average concentration) will be based on the total number of samples collected.

(2) For systems which are monitoring annually, or less frequently, the system is out of compliance with the maximum contaminant levels for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium or thallium if the level of a contaminant is greater than the MCL. If confirmation samples are required by the State, the determination of compliance will be based on the annual average of the initial MCL exceedance and any State-required confirmation samples. If a system fails to collect the required number of samples, compliance (average concentration) will be based on the total number of samples collected.

(3) Compliance with the maximum contaminant levels for nitrate and nitrate is determined based on one sample if the levels of these contaminants are below the MCLs. If the levels of nitrate and/or nitrite exceed the MCLs in the initial sample, a confirmation sample is required in accordance with paragraph (f)(2) of this section, and compliance shall be determined based on the average of the initial and confirmation samples.

(4) Arsenic sampling results will be reported to the nearest 0.001 mg/L.

(j) Each public water system shall monitor at the time designated by the State during each compliance period.

(k) Inorganic analysis:

(1) Analysis for the following contaminants shall be conducted in accordance with the methods in the following table, or their equivalent as determined by EPA. Criteria for analyzing arsenic, barium, beryllium, cadmium, calcium, chromium, copper, lead, nickel, selenium, sodium, and thallium with digestion or directly without digestion, and other analytical test procedures are contained in *Technical Notes on Drinking Water Methods*, EPA–600/R–94–173, October 1994. This document also contains approved analytical test methods which remain available for compliance monitoring until July 1, 1996. These methods will not be available for use after July 1, 1996. This document is available from the National Technical Information Service, NTIS PB95–104766, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll-free number is 800–553–6847.

Contaminant and methodology [13]	EPA	ASTM [3]	SM [4] (18th, 19th ed.)	SM [4] (20th ed.)	Other
1. Alkalinity:					
Titrimetric	.....	D1067—92B.	2320 B	2320 B	
Electrometric titration	.....	.....	.....	.....	I–1030–85 [5]
2. Antimony:					
Inductively Coupled Plasma (ICP)—Mass Spectrometry.	200.8 [2].				
Hydride-Atomic Absorption	.....	D3697–92			
Atomic Absorption; Platform	200.9 [2]				
Atomic Absorption; Furnace	.....	.....	3113 B		
3. Arsenic: [14]					
Inductively Coupled Plasma [15]	200.7 [2]	.....	3120 B	3120 B	
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
Atomic Absorption; Furnace	.....	D2972–97C.	3113 B		
Hydride Atomic Absorption	.....	D2972–97B.	3114 B		
4. Asbestos:					
Transmission Electron Microscopy	100.1 [9].				
Transmission Electron Microscopy	100.2 [10].				
5. Barium:					
Inductively Coupled Plasma	200.7 [2]	.....	3120 B	3120 B	
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Direct	.....	.....	3111 D		
Atomic Absorption; Furnace	.....	.....	3113 B		
6. Beryllium:					
Inductively Coupled Plasma	200.7 [2]	.....	3120 B	3120 B	
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
Atomic Absorption; Furnace	.....	D3645—97B.	3113 B		
7. Cadmium:					
Inductively Coupled Plasma	200.7 [2]				
ICP-Mass Spectrometry	200.8 [2]				
Atomic Absorption; Platform	200.9 [2]				
Atomic Absorption; Furnace	.....	.....	3113 B.		
8. Calcium:					
EDTA titrimetric	.....	D511—93A.	3500–Ca D.	3500–Ca B.	
Atomic Absorption; Direct Aspiration	.....	D511—93B.	3111 B.		
Inductively Coupled Plasma	200.7 [2]	.....	3120 B	3120 B.	
9. Chromium:					

Contaminant and methodology [13]	EPA	ASTM [3]	SM [4] (18th, 19th ed.)	SM [4] (20th ed.)	Other
Inductively Coupled Plasma	200.7 [2]		3120 B	3120 B.	
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
Atomic Absorption; Furnace			3113 B.		
10. Copper:					
Atomic Absorption; Furnace		D1688–95C.	3113 B.		
Atomic Absorption; Direct Aspiration		D1688–95A.	3111 B.		
Inductively Coupled Plasma	200.7 [2]		3120 B	3120 B.	
ICP-Mass spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
11. Conductivity:					
Conductance		D1125–95A.	2510 B	2510 B.	
12. Cyanide:					
Manual Distillation followed by		D2036–98A.	4500–CN^- C.	4500–CN^- C.	
Spectrophotometric Manual		D2036–98A.	4500–CN^- E.	4500–CN^- E.	I–3300-85 [5]
Spectrophotometric Semi-automated	335.4 [6].				
Spectrophotometric, Amenable		D2036–98B.	4500–CN^- G.	4500–CN^- G.	
Selective Electrode			4500–CN^- F.	4500–CN^- F.	
UV/Distillation/Spectrophotometric					Kelada 01 [17]
Distillation/Spectrophotometric					QuikChem 10–204–00–1–X [18]
13. Fluoride:					
Ion Chromatography	300.0 [6]	D4327–97	4110 B	4110 B.	
Manual Distill.; Color. SPADNS			4500–F^- B,D.	4500–F^- B,D.	
Manual Electrode		D1179–93B.	4500–F^- C.	4500–F^- C.	
Automated Electrode					380–75WE [11]
Automated Alizarin			4500–F^- E.	4500–F^- E.	29–71W [11]
14. Lead:					
Atomic Absorption; Furnace		D3559–96D.	3113 B.		
ICP-Mass spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
Differential Pulse Anodic Stripping Voltammetry					Method 1001 [16]
15. Magnesium:					
Atomic Absorption		D511–93 B	3111 B.		
ICP	200.7 [2]		3120 B	3120 B.	
Complexation Titrimetric Methods		D511–93 A	3500–Mg E.	3500–Mg B.	
16. Mercury:					
Manual, Cold Vapor	245.1 [2]	D3223–97	3112 B.		
Automated, Cold Vapor	245.2 [1].				
ICP-Mass Spectrometry	200.8 [2].				
17. Nickel:					
Inductively Coupled Plasma	200.7 [2]		3120 B	3120 B.	
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
Atomic Absorption; Direct			3111 B.		
Atomic Absorption; Furnace			3113 B.		
18. Nitrate:					
Ion Chromatography	300.0 [6]	D4327–97	4110 B	4110 B	B–1011 [8]
Automated Cadmium Reduction	353.2 [6]	D3867–90A.	4500–NO_3^- F.	4500–NO_3^- F.	
Ion Selective Electrode			4500–NO_3^- D.	4500–NO_3^- D.	601 [7]
Manual Cadmium Reduction		D3867–90B.	4500–NO_3^- E.	4500–NO_3^- E.	
19. Nitrite:					

Contaminant and methodology [13]	EPA	ASTM [3]	SM [4] (18th, 19th ed.)	SM [4] (20th ed.)	Other
Ion Chromatography	300.0 [6]	D4327–97	4110 B	4110 B	B–1011 [8]
Automated Cadmium Reduction	353.2 [6]	D3867–90A.	4500–NO_3^-.	4500–NO_3^- F.	
Manual Cadmium Reduction		D3867–90B.	4500–NO_3^- E.	4500–NO_3^- E.	
Spectrophotometric			4500–NO_2^- B.	4500–NO_2^- B.	
20. Ortho-phosphate: [12]					
Colorimetric, Automated, Ascorbic Acid	365.1 [6]		4500–P F	4500–P F.	
Colorimetric, ascorbic acid, single reagent		D515–88A	4500–P E	4500–P E.	
Colorimetric Phosphomolybdate;					I–1601–85 [5]
Automated-segmented Flow;					I–2601–90 [5]
Automated Discrete					I–2598–85 [5]
Ion Chromatography	300.0 [6]	D4327–97	4110 B	4110 B.	
21. pH:					
Electrometric	150.1 [1] 150.2 [1].	D1293–95	4500–H^+ B.	4500–H^+ B.	
22. Selenium:					
Hydride-Atomic Absorption		D3859–98A.	3114 B.		
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				
Atomic Absorption; Furnace		D3859–98B.	3113 B.		
23. Silica:					
Colorimetric, Molybdate Blue;					I–1700–85 [5]
Automated-segmented Flow					I–2700–85 [5]
Colorimetric		D859–95.			
Molybdosilicate			4500–Si D	4500–SiO_2 C.	
Heteropoly Blue			4500–Si E	4500–SiO_2 D.	
Automated for Molybdate-reactive Silica			4500–Si F	4500–SiO_2 E.	
Inductively Coupled Plasma	200.7 [2]		3120 B	3120 B.	
24. Sodium:					
Inductively Coupled Plasma	200.7 [2].				
Atomic Absorption; Direct Aspiration			3111 B.		
25. Temperature:					
Thermometric			2550	2550.	
26. Thallium:					
ICP-Mass Spectrometry	200.8 [2].				
Atomic Absorption; Platform	200.9 [2].				

The procedures shall be done in accordance with the documents listed below. The incorporation by reference of the following documents listed in footnotes 1–11 and 16 was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed below. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA'sDrinking Water Docket, EPA West, 1301 Constitution Avenue, NW, Room B135, Washington, DC (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[1] "Methods for Chemical Analysis of Water and Wastes", EPA/600/4–79/020, March 1983. Available at NTIS, PB84–128677.

[2] "Methods for the Determination of Metals in Environmental Samples—Supplement I", EPA/600/R–94/111, May 1994. Available at NTIS, PB95–125472.

[3] *Annual Book of ASTM Standards,* 1994, 1996, or 1999, Vols. 11.01 and 11.02, ASTM International; any year containing the cited version of the method may be used. The previous versions of D1688–95A, D1688–95C (copper), D3559–95D (lead), D1293–95 (pH), D1125–91A (conductivity) and D859–94 (silica) are also approved. These previous versions D1688–90A, C; D3559–90D, D1293–84, D1125–91A and D859–88, respectively are located in the *Annual Book of ASTM Standards,* 1994, Vol. 11.01. Copies may be obtained from ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

[4] Standard Methods for the Examination of Water and Wastewater, 18th edition (1992), 19th edition (1995), or 20th edition (1998). American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005. The cited methods published in any of these three editions may be used, except that the versions of 3111 B, 3111 D, 3113 B and 3114 B in the 20th edition may not be used.

[5] Method I–2601–90, Methods for Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Inorganic and Organic Constituents in Water and Fluvial Sediment, Open File Report 93–125, 1993; For Methods I–1030–85; I–1601–85; I–1700–85; I–2598–85; I–2700–85; and I–3300–85 See Techniques of Water Resources Investigation of the U.S. Geological Survey, Book 5, Chapter A–1, 3rd ed., 1989; Available from Information Services, U.S. Geological Survey, Federal Center, Box 25286, Denver, CO 80225–0425.

[6] "Methods for the Determination of Inorganic Substances in Environmental Samples", EPA/600/R–93/100, August 1993. Available at NTIS, PB94–120821.

[7] The procedure shall be done in accordance with the Technical Bulletin 601 "Standard Method of Test for Nitrate in Drinking Water", July 1994, PN 221890–001, Analytical Technology, Inc. Copies may be obtained from ATI Orion, 529 Main Street, Boston, MA 02129.

[8] Method B–1011, "Waters Test Method for Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography," August 1987. Copies may be obtained from Waters Corporation, Technical Services Division, 34 Maple Street, Milford, MA 01757.

[9] Method 100.1, "Analytical Method For Determination of Asbestos Fibers in Water", EPA/600/4–83/043, EPA, September 1983. Available at NTIS, PB83–260471.

[10] Method 100.2, "Determination of Asbestos Structure Over 10μm In Length In Drinking Water", EPA/600/R–94/134, June 1994. Available at NTIS, PB94–201902.

[11] Industrial Method No. 129–71W, "Fluoride in Water and Wastewater", December 1972, and Method No. 380–75WE, "Fluoride in Water and Wastewater", February 1976, Technicon Industrial Systems. Copies may be obtained from Bran & Luebbe, 1025 Busch Parkway, Buffalo Grove, IL 60089.

[12] Unfiltered, no digestion or hydrolysis.

[13] Because MDLs reported in EPA Methods 200.7 and 200.9 were determined using a 2X preconcentration step during sample digestion, MDLs determined when samples are analyzed by direct analysis (i.e., no sample digestion) will be higher. For direct analysis of cadmium and arsenic by Method 200.7, and arsenic by Method 3120 B sample preconcentration using pneumatic nebulization may be required to achieve lower detection limits. Preconcentration may also be required for direct analysis of antimony, lead, and thallium by Method 200.9; antimony and lead by Method 3113 B; and lead by Method D3559–90D unless multiple in-furnace depositions are made.

[14] If ultrasonic nebulization is used in the determination of arsenic by Methods 200.7, 200.8, or SM 3120 B, the arsenic must be in the pentavalent state to provide uniform signal response. For methods 200.7 and 3120 B, both samples and standards must be diluted in the same mixed acid matrix concentration of nitric and hydrochloric acid with the addition of 100 μL of 30% hydrogen peroxide per 100ml of solution. For direct analysis of arsenic with method 200.8 using ultrasonic nebulization, samples and standards must contain one mg/L of sodium hypochlorite.

[15] Starting January 23, 2006, analytical methods using the ICP–AES technology, may not be used because the detection limits for these methods are 0.008 mg/L or higher. This restriction means that the two ICP–AES methods (EPA Method 200.7 and SM 3120 B) approved for use for the MCL of 0.05 mg/L may not be used for compliance determinations for the revised MCL of 0.010 mg/L. However, prior to January 23, 2006, systems may have compliance samples analyzed with these less sensitive methods.

[16] The description for Method Number 1001 for lead is available from Palintest, LTD, 21 Kenton Lands Road, P.O. Box 18395, Erlanger, KY 41018. Or from the Hach Company, P.O. Box 389, Loveland, CO 80539.

[17] The description for the Kelada 01 Method, "Kelada Automated Test Methods for Total Cyanide, Acid Dissociable Cyanide, And Thiocyanate", Revision 1.2, August 2001, EPA # 821–B–01–009 for cyanide is available from the National Technical Information Service (NTIS), PB 2001–108275, 5285 Port Royal Road, Springfield, VA 22161. The toll free telephone number is 800–553–6847.

[18] The description for the QuikChem Method 10–204–00–1-X, "Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis", Revision 2.1, November 30, 2000 for cyanide is available from Lachat Instruments, 6645 W. Mill Rd., Milwaukee, WI 53218, USA. Phone: 414–358–4200.

(2) Sample collection for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, selenium, and thallium under this section shall be conducted using the sample preservation, container, and maximum holding time procedures specified in the table below:

Contaminant	Preservative [1]	Container [2]	Time [3]
Antimony	HNO_3	P or G	6 months
Arsenic	Conc HNO_3 to pH <2.	P or G	6 months
Asbestos	4 °C	P or G	48 hours [4]
Barium	HNO_3	P or G	6 months
Beryllium	HNO_3	P or G	6 months
Cadmium	HNO_3	P or G	6 months
Chromium	HNO_3	P or G	6 months
Cyanide	4 °C, NaOH	P or G	14 days
Fluoride	None	P or G	1 month
Mercury	HNO_3	P or G	28 days
Nickel	HNO_3	P or G	6 months
Nitrate	4 °C	P or G	48 hours [5]
Nitrate-Nitrite [6]	H_2SO_4	P or G	28 days
Nitrite	4°C	P or G	48 hours
Selenium	HNO_3	P or G	6 months
Thallium	HNO_3	P or G	6 months

[1] For cyanide determinations samples must be adjusted with sodium hydroxide to pH 12 at the time off collection. When chilling is indicated the sample must be shipped and stored at 4 °C or less. Acidification of nitrate or metals samples may be with a concentrated acid or a dilute (50% by volume) solution of the applicable concentrated acid. Acidification of samples for metals analysis is encouraged and allowed at the laboratory rather than at the time of sampling provided the shipping time and other instructions in Section 8.3 of EPA Methods 200.7 or 200.8 or 200.9 are followed.

[2] P=plastic, hard or soft; G=glass, hard or soft.

[3] In all cases samples should be analyzed as soon after collection as possible. Follow additional (if any) information on preservation, containers or holding times that is specified in method.

[4] Instructions for containers, preservation procedures and holding times as specified in Method 100.2 must be adhered to for all compliance analyses including those conducted with Method 100.1.

[5] If the sample is chlorinated, the holding time for an unacidified sample kept at 4 °C is extended to 14 days.

[6] Nitrate-Nitrite refers to a measurement of total nitrate.

(3) Analysis under this section shall only be conducted by laboratories that have been certified by EPA or the State. Laboratories may conduct sample analysis under provisional certification until January 1, 1996. To receive certification to conduct analyses for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite and selenium and thallium, the laboratory must:

(i) Analyze Performance Evaluation (PE) samples provided by EPA, the State or by a third party (with the approval of the State or EPA) at least once a year.

(ii) For each contaminant that has been included in the PE sample and for each method for which the laboratory desires certification achieve quantitative results on the analyses that are within the following acceptance limits:

Contaminant	Acceptance limit
Antimony	±30 at ≧0.006 mg/1
Arsenic	±30 at ≥0.003 mg/L
Asbestos	2 standard deviations based on study statistics.
Barium	±15% at ≧0.15 mg/1
Beryllium	±15% at ≧0.001 mg/1
Cadmium	±20% at ≧0.002 mg/1
Chromium	±15% at ≧0.01 mg/1
Cyanide	±25% at ≧0.1 mg/1
Fluoride	±10% at ≧1 to 10 mg/1
Mercury	±30% at ≧0.0005 mg/1
Nickel	±15% at ≧0.01 mg/1
Nitrate	±10% at ≧0.4 mg/1
Nitrite	±15% at ≧0.4 mg/1
Selenium	±20% at ≧0.01 mg/1
Thallium	±30% at ≧0.002 mg/1

(l) Analyses for the purpose of determining compliance with §141.11 shall be conducted using the requirements specified in paragraphs (l) through (q) of this section.

(1) Analyses for all community water systems utilizing surface water sources shall be completed by June 24, 1978. These analyses shall be repeated at yearly intervals.

(2) Analyses for all community water systems utilizing only ground water sources shall be completed by June 24, 1979. These analyses shall be repeated at three-year intervals.

(3) For non-community water systems, whether supplied by surface or ground sources, analyses for nitrate shall be completed by December 24, 1980. These analyses shall be repeated at intervals determined by the State.

(4) The State has the authority to determine compliance or initiate enforcement action based upon analytical results and other information compiled by their sanctioned representatives and agencies.

(m) If the result of an analysis made under paragraph (l) of this section indicates that the level of any contaminant listed in §141.11 exceeds the maximum contaminant level, the supplier of the water shall report to the State within 7 days and initiate three additional analyses at the same sampling point within one month.

(n) When the average of four analyses made pursuant to paragraph (m) of this section, rounded to the same number of significant figures as the maximum contaminant level for the substance in question, exceeds the maximum contaminant level, the supplier of water shall notify the State pursuant to §141.31 and give notice to the public pursuant to subpart Q. Monitoring after public notification shall be at a frequency designated by the State and shall continue until the maximum contaminant level has not been exceeded in two successive samples or until a monitoring schedule as a condition to a variance, exemption or enforcement action shall become effective.

(o) The provisions of paragraphs (m) and (n) of this section notwithstanding, compliance with the maximum contaminant level for nitrate shall be determined on the basis of the mean of two analyses. When a level exceeding the maximum contaminant level for nitrate is found, a second analysis shall be initiated within 24 hours, and if the mean of the two analyses exceeds the maximum contaminant level, the supplier of water shall report his findings to the State pursuant to §141.31 and shall notify the public pursuant to subpart Q.

(p) For the initial analyses required by paragraph (l) (1), (2) or (3) of this section, data for surface waters acquired within one year prior to the effective date and data for ground waters acquired within 3 years prior to the effective date of this part may be substituted at the discretion of the State.

(q) [Reserved]

[56 FR 3579, Jan. 30, 1991, as amended at 56 FR 30274, July 1, 1991; 57 FR 31838, July 17, 1992; 59 FR 34322, July 1, 1994; 59 FR 62466, Dec. 5, 1994; 60 FR 33932, 34085, June 29, 1995; 64 FR 67461, Dec. 1, 1999; 65 FR 26022, May 4, 2000; 66 FR 7061, Jan. 22, 2001; 67 FR 65246, Oct. 23, 2002; 67 FR 65897, Oct. 29, 2002; 67 FR 68911, Nov. 13, 2002; 68 FR 14506, Mar. 25, 2003]

§141.24 Organic chemicals, sampling and analytical requirements.

(a)–(d) [Reserved]

(e) Analyses for the contaminants in this section shall be conducted using

the following EPA methods or their equivalent as approved by EPA.

(1) The following documents are incorporated by reference. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at EPA's Drinking Water Docket, 1301 Constitution Avenue, NW., EPA West, Room B102, Washington DC 20460 (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*. Method 508A and 515.1 are in *Methods for the Determination of Organic Compounds in Drinking Water*, EPA/600/4–88–039, December 1988, Revised, July 1991. Methods 547, 550 and 550.1 are in *Methods for the Determination of Organic Compounds in Drinking Water—Supplement I*, EPA/600–4–90–020, July 1990. Methods 548.1, 549.1, 552.1 and 555 are in *Methods for the Determination of Organic Compounds in Drinking Water—Supplement II*, EPA/600/R–92–129, August 1992. Methods 502.2, 504.1, 505, 506, 507, 508, 508.1, 515.2, 524.2, 525.2, 531.1, 551.1 and 552.2 are in *Methods for the Determination of Organic Compounds in Drinking Water—Supplement III*, EPA/600/R–95–131, August 1995. Method 1613 is titled "Tetra-through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution HRGC/HRMS", EPA/821–B–94–005, October 1994. These documents are available from the National Technical Information Service, NTIS PB91–231480, PB91–146027, PB92–207703, PB95–261616 and PB95–104774, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll-free number is 800–553–6847. Method 6651 shall be followed in accordance with *Standard Methods for the Examination of Water and Wastewater*, 18th edition (1992), 19th edition (1995), or 20th edition (1998), American Public Health Association (APHA); any of these three editions may be used. Method 6610 shall be followed in accordance with *Standard Methods for the Examination of Water and Wastewater*, *(18th Edition Supplement)* (1994), or with the 19th edition (1995) or 20th edition (1998) of *Standard Methods for the Examination of Water and Wastewater*; any of these three editions may be used. The APHA documents are available from APHA, 1015 Fifteenth Street NW., Washington, D.C. 20005. Other required analytical test procedures germane to the conduct of these analyses are contained in *Technical Notes on Drinking Water Methods*, EPA/600/R–94–173, October 1994, NTIS PB95–104766. EPA Methods 515.3 and 549.2 are available from U.S. Environmental Protection Agency, National Exposure Research Laboratory (NERL)-Cincinnati, 26 West Martin Luther King Drive, Cincinnati, OH 45268. ASTM Method D 5317–93 is available in the *Annual Book of ASTM Standards*, (1999), Vol. 11.02, ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or in any edition published after 1993. EPA Method 515.4, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Microextraction, Derivatization and Fast Gas Chromatography with Electron Capture Detection," Revision 1.0, April 2000, EPA /815/B–00/001 can be accessed and downloaded directly on-line at *www.epa.gov/safewater/methods/sourcalt.html*. The Syngenta AG–625, "Atrazine in Drinking Water by Immunoassay", February 2001 is available from Syngenta Crop Protection, Inc., 410 Swing Road, Post Office Box 18300, Greensboro, NC 27419, Phone number (336) 632–6000. Method 531.2 "Measurement of N-methylcarbamoyloximes and N-methylcarbamates in Water by Direct Aqueous Injection HPLC with Postcolumn Derivatization," Revision 1.0, September 2001, EPA 815/B/01/002 can be accessed and downloaded directly on-line at *www.epa.gov/safewater/methods/sourcalt.html*.

Contaminant	EPA method [1]	Standard methods	ASTM	Other
1. Benzene	502.2, 524.2.			

Contaminant	EPA method [1]	Standard methods	ASTM	Other
2. Carbon tetrachloride	502.2, 524.2, 551.1.			
3. Chlorobenzene	502.2, 524.2.			
4. 1,2-Dichlorobenzene	502.2, 524.2.			
5. 1,4-Dichlorobenzene	502.2, 524.2.			
6. 1,2-Dichloroethane	502.2, 524.2.			
7. cis-Dichloroethylene	502.2, 524.2.			
8. trans-Dichloroethylene	502.2, 524.2.			
9. Dichloromethane	502.2, 524.2.			
10. 1,2-Dichloropropane	502.2, 524.2.			
11. Ethylbenzene	502.2, 524.2.			
12. Styrene	502.2, 524.2.			
13. Tetrachloroethylene	502.2, 524.2, 551.1.			
14. 1,1,1-Trichloroethane	502.2, 524.2, 551.1.			
15. Trichloroethylene	502.2, 524.2, 551.1.			
16. Toluene	502.2, 524.2.			
17. 1,2,4-Trichlorobenzene	502.2, 524.2.			
18. 1,1-Dichloroethylene	502.2, 524.2.			
19. 1,1,2-Trichloroethane	502.2, 524.2, 551.1.			
20. Vinyl chloride	502.2, 524.2.			
21. Xylenes (total)	502.2, 524.2.			
22. 2,3,7,8-TCDD (dioxin)	1613.			
23. 2,4-D [4] (as acid, salts and esters)	515.2, 555, 515.1, 515.3, 515.4.	.....	D5317–93.	
24. 2,4,5-TP [4] (Silvex)	515.2, 555, 515.1, 515.3, 515.4.	.....	D5317–93.	
25. Alachlor [2]	507, 525.2, 508.1, 505, 551.1.			
26. Atrazine [2]	507, 525.2, 508.1, 505, 551.1.	.....	.....	Syngenta AG–625.
27. Benzo(a)pyrene	525.2, 550, 550.1.			
28. Carbofuran	531.1, 531.2.	6610.		
29. Chlordane	508, 525.2, 508.1, 505.			

Contaminant	EPA method [1]	Standard methods	ASTM	Other
30. Dalapon	552.1, 515.1, 552.2, 515.3, 515.4.			
31. Di(2-ethylhexyl)adipate	506, 525.2.			
32. Di(2-ethylhexyl)phthalate	506, 525.2.			
33. Dibromochloropropane (DBCP)	504.1, 551.1.			
34. Dinoseb [4]	515.2, 555, 515.1, 515.3, 515.4.			
35. Diquat	549.2.			
36. Endothall	548.1.			
37. Endrin	508, 525.2, 508.1, 505, 551.1.			
38. Ethylene dibromide (EDB)	504.1, 551.1.			
39. Glyphosate	547	6651.		
40. Heptachlor	508, 525.2, 508.1, 505, 551.1.			
41. Heptachlor Epoxide	508, 525.2, 508.1, 505, 551.1.			
42. Hexachlorobenzene	508, 525.2, 508.1, 505, 551.1.			
43. Hexachlorocyclopentadiene	508, 525.2, 508.1, 505, 551.1.			
44. Lindane	508, 525.2, 508.1, 505, 551.1.			
45. Methoxychlor	508, 525.2, 508.1, 505, 551.1.			
46. Oxamyl	531.1, 531.2.	6610.		
47. PCBs [3] (as decachlorobiphenyl)	508A.			
48. PCBs [3] (as Aroclors)	508.1, 508, 525.2, 505.			
49. Pentachlorophenol	515.2, 525.2, 555, 515.1, 515.3, 515.4.		D5317–93.	
50. Picloram [4]	515.2, 555, 515.1, 515.3, 515.4.		D5317–93.	
51. Simazine [2]	507, 525.2, 508.1, 505, 551.1.			
52. Toxaphene	508, 508.1, 525.2, 505.			

Contaminant	EPA method [1]	Standard methods	ASTM	Other
53. Total Trihalomethanes	502.2, 524.2, 551.1.			

[1] For previously approved EPA methods which remain available for compliance monitoring until June 1, 2001, see paragraph (e)(2) of this section.
[2] Substitution of the detector specified in Method 505, 507, 508 or 508.1 for the purpose of achieving lower detection limits is allowed as follows. Either an electron capture or nitrogen phosphorous detector may be used provided all regulatory requirements and quality control criteria are met.
[3] PCBs are qualitatively identified as Aroclors and measured for compliance purposes as decachlorobiphenyl. Users of Method 505 may have more difficulty in achieving the required detection limits than users of Methods 508.1, 525.2 or 508.
[4] Accurate determination of the chlorinated esters requires hydrolysis of the sample as described in EPA Methods 515.1, 515.2, 515.3, 515.4 and 555 and ASTM Method D5317–93.

(2) The following EPA methods will remain available for compliance monitoring until June 1, 2001. The following documents are incorporated by reference. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be inspected at EPA's Drinking Water Docket, 401 M St., SW., Washington, DC 20460; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*. EPA methods 502.2 Rev. 2.0, 505 Rev. 2.0, 507 Rev. 2.0, 508 Rev. 3.0, 531.1 Rev. 3.0 are in "Methods for the Determination of Organic Compounds in Drinking Water", December 1988, revised July 1991; methods 506 and 551 are in "Methods for the Determination of Organic Compounds in Drinking Water—Supplement I", July 1990; methods 515.2 Rev. 1.0 and 524.2 Rev. 4.0 are in "Methods for the Determination of Organic Compounds in Drinking Water—Supplement II," August 1992; and methods 504.1 Rev. 1.0, 508.1 Rev. 1.0, 525.2 Rev.1.0 are available from US EPA NERL, Cincinnati, OH 45268

(f) Beginning with the initial compliance period, analysis of the contaminants listed in §141.61(a) (1) through (21) for the purpose of determining compliance with the maximum contaminant level shall be conducted as follows:

(1) Groundwater systems shall take a minimum of one sample at every entry point to the distribution system which is representative of each well after treatment (hereafter called a sampling point). Each sample must be taken at the same sampling point unless conditions make another sampling point more representative of each source, treatment plant, or within the distribution system.

(2) Surface water systems (or combined surface/ground) shall take a minimum of one sample at points in the distribution system that are representative of each source or at each entry point to the distribution system after treatment (hereafter called a sampling point). Each sample must be taken at the same sampling point unless conditions make another sampling point more representative of each source, treatment plant, or within the distribution system.

(3) If the system draws water from more than one source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water representative of all sources is being used).

(4) Each community and non-transient non-community water system shall take four consecutive quarterly samples for each contaminant listed in §141.61(a) (2) through (21) during each compliance period, beginning in the initial compliance period.

(5) If the initial monitoring for contaminants listed in §141.61(a) (1) through (8) and the monitoring for the contaminants listed in §141.61(a) (9) through (21) as allowed in paragraph (f)(18) has been completed by December 31, 1992, and the system did not detect any contaminant listed in §141.61(a) (1) through (21), then each ground and surface water system shall take one sample annually beginning with the initial compliance period.

(6) After a minimum of three years of annual sampling, the State may allow groundwater systems with no previous detection of any contaiminant listed in §141.61(a) to take one sample during each compliance period.

(7) Each community and non-transient non–community ground water system which does not detect a contaminant listed in §141.61(a) (1) through (21) may apply to the State for a waiver from the requirements of paragraphs (f)(5) and (f)(6) of this section after completing the initial monitoring. (For purposes of this section, detection is defined as ≧0.0005 mg/l.) A waiver shall be effective for no more than six years (two compliance periods). States may also issue waivers to small systems for the initial round of monitoring for 1,2,4-trichlorobenzene.

(8) A State may grant a waiver after evaluating the following factor(s):

(i) Knowledge of previous use (including transport, storage, or disposal) of the contaminant within the watershed or zone of influence of the system. If a determination by the State reveals no previous use of the contaminant within the watershed or zone of influence, a waiver may be granted.

(ii) If previous use of the contaminant is unknown or it has been used previously, then the following factors shall be used to determine whether a waiver is granted.

(A) Previous analytical results.

(B) The proximity of the system to a potential point or non-point source of contamination. Point sources include spills and leaks of chemicals at or near a water treatment facility or at manufacturing, distribution, or storage facilities, or from hazardous and municipal waste landfills and other waste handling or treatment facilities.

(C) The environmental persistence and transport of the contaminants.

(D) The number of persons served by the public water system and the proximity of a smaller system to a larger system.

(E) How well the water source is protected against contamination, such as whether it is a surface or groundwater system. Groundwater systems must consider factors such as depth of the well, the type of soil, and wellhead protection. Surface water systems must consider watershed protection.

(9) As a condition of the waiver a groundwater system must take one sample at each sampling point during the time the waiver is effective (i.e., one sample during two compliance periods or six years) and update its vulnerability assessment considering the factors listed in paragraph (f)(8) of this section. Based on this vulnerability assessment the State must reconfirm that the system is non-vulnerable. If the State does not make this reconfirmation within three years of the initial determination, then the waiver is invalidated and the system is required to sample annually as specified in paragraph (5) of this section.

(10) Each community and non-transient non–community surface water system which does not detect a contaminant listed in §141.61(a) (1) through (21) may apply to the State for a waiver from the requirements of (f)(5) of this section after completing the initial monitoring. Composite samples from a maximum of five sampling points are allowed, provided that the detection limit of the method used for analysis is less than one-fifth of the MCL. Systems meeting this criterion must be determined by the State to be non-vulnerable based on a vulnerability assessment during each compliance period. Each system receiving a waiver shall sample at the frequency specified by the State (if any).

(11) If a contaminant listed in §141.61(a) (2) through (21) is detected at a level exceeding 0.0005 mg/l in any sample, then:

(i) The system must monitor quarterly at each sampling point which resulted in a detection.

(ii) The State may decrease the quarterly monitoring requirement specified in paragraph (f)(11)(i) of this section provided it has determined that the system is reliably and consistently below the maximum contaminant level. In no case shall the State make this determination unless a groundwater system takes a minimum of two quarterly samples and a surface water system takes a minimum of four quarterly samples.

(iii) If the State determines that the system is reliably and consistently

below the MCL, the State may allow the system to monitor annually. Systems which monitor annually must monitor during the quarter(s) which previously yielded the highest analytical result.

(iv) Systems which have three consecutive annual samples with no detection of a contaminant may apply to the State for a waiver as specified in paragraph (f)(7) of this section.

(v) Groundwater systems which have detected one or more of the following two-carbon organic compounds: trichloroethylene, tetrachloroethylene, 1,2-dichloroethane, 1,1,1-trichloroethane, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, or 1,1-dichloroethylene shall monitor quarterly for vinyl chloride. A vinyl chloride sample shall be taken at each sampling point at which one or more of the two-carbon organic compounds was detected. If the results of the first analysis do not detect vinyl chloride, the State may reduce the quarterly monitoring frequency of vinyl chloride monitoring to one sample during each compliance period. Surface water systems are required to monitor for vinyl chloride as specified by the State.

(12) Systems which violate the requirements of §141.61(a) (1) through (21), as determined by paragraph (f)(15) of this section, must monitor quarterly. After a minimum of four consecutive quarterly samples which show the system is in compliance as specified in paragraph (f)(15) of this section the system and the State determines that the system is reliably and consistently below the maximum contaminant level, the system may monitor at the frequency and times specified in paragraph (f)(11)(iii) of this section.

(13) The State may require a confirmation sample for positive or negative results. If a confirmation sample is required by the State, the result must be averaged with the first sampling result and the average is used for the compliance determination as specified by paragraph (f)(15). States have discretion to delete results of obvious sampling errors from this calculation.

(14) The State may reduce the total number of samples a system must analyze by allowing the use of compositing. Composite samples from a maximum of five sampling points are allowed, provided that the detection limit of the method used for analysis is less than one-fifth of the MCL. Compositing of samples must be done in the laboratory and analyzed within 14 days of sample collection.

(i) If the concentration in the composite sample is greater than or equal to 0.0005 mg/l for any contaminant listed in §141.61(a), then a follow-up sample must be taken within 14 days at each sampling point included in the composite, and be analyzed for that contaminant.

(ii) If duplicates of the original sample taken from each sampling point used in the composite sample are available, the system may use these instead of resampling. The duplicates must be analyzed and the results reported to the State within 14 days after completing analysis of the composite sample, provided the holding time of the sample is not exceeded.

(iii) If the population served by the system is > 3,300 persons, then compositing may only be permitted by the State at sampling points within a single system. In systems serving ≤ 3,300 persons, the State may permit compositing among different systems provided the 5-sample limit is maintained.

(iv) Compositing samples prior to GC analysis.

(A) Add 5 ml or equal larger amounts of each sample (up to 5 samples are allowed) to a 25 ml glass syringe. Special precautions must be made to maintain zero headspace in the syringe.

(B) The samples must be cooled at 4 °C during this step to minimize volatilization losses.

(C) Mix well and draw out a 5-ml aliquot for analysis.

(D) Follow sample introduction, purging, and desorption steps described in the method.

(E) If less than five samples are used for compositing, a proportionately small syringe may be used.

(v) Compositing samples prior to GC/MS analysis.

(A) Inject 5-ml or equal larger amounts of each aqueous sample (up to 5 samples are allowed) into a 25-ml

purging device using the sample introduction technique described in the method.

(B) The total volume of the sample in the purging device must be 25 ml.

(C) Purge and desorb as described in the method.

(15) Compliance with §141.61(a) (1) through (21) shall be determined based on the analytical results obtained at each sampling point. If one sampling point is in violation of an MCL, the system is in violation of the MCL.

(i) For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average at each sampling point.

(ii) Systems monitoring annually or less frequently whose sample result exceeds the MCL must begin quarterly sampling. The system will not be considered in violation of the MCL until it has completed one year of quarterly sampling.

(iii) If any sample result will cause the running annual average to exceed the MCL at any sampling point, the system is out of compliance with the MCL immediately.

(iv) If a system fails to collect the required number of samples, compliance will be based on the total number of samples collected.

(v) If a sample result is less than the detection limit, zero will be used to calculate the annual average.

(16) [Reserved]

(17) Analysis under this section shall only be conducted by laboratories that are certified by EPA or the State according to the following conditions (laboratories may conduct sample analysis under provisional certification until January 1, 1996):

(i) To receive certification to conduct analyses for the contaminants in §141.61(a) (2) through (21) the laboratory must:

(A) Analyze Performance Evaluation (PE) samples provided by EPA, the State, or by a third party (with the approval of the State or EPA) at least once a year by each method for which the laboratory desires certification.

(B) Achieve the quantitative acceptance limits under paragraphs (f)(17)(i)(C) and (D) of this section for at least 80 percent of the regulated organic contaminants included in the PE sample.

(C) Achieve quantitative results on the analyses performed under paragraph (f)(17)(i)(A) of this section that are within ±20% of the actual amount of the substances in the Performance Evaluation sample when the actual amount is greater than or equal to 0.010 mg/l.

(D) Achieve quantitative results on the analyses performed under paragraph (f)(17)(i)(A) of this section that are within ±40 percent of the actual amount of the substances in the Performance Evaluation sample when the actual amount is less than 0.010 mg/l.

(E) Achieve a method detection limit of 0.0005 mg/l, according to the procedures in appendix B of part 136.

(ii) To receive certification to conduct analyses for vinyl chloride, the laboratory must:

(A) Analyze Performance Evaluation (PE) samples provided by EPA, the State, or by a third party (with the approval of the State or EPA) at least once a year by each method for which the laboratory desires certification.

(B) Achieve quantitative results on the analyses performed under paragraph (f)(17)(ii)(A) of this section that are within ±40 percent of the actual amount of vinyl chloride in the Performance Evaluation sample.

(C) Achieve a method detection limit of 0.0005 mg/l, according to the procedures in appendix B of part 136.

(D) Obtain certification for the contaminants listed in §141.61(a)(2) through (21).

(18) States may allow the use of monitoring data collected after January 1, 1988, required under section 1445 of the Act for purposes of initial monitoring compliance. If the data are generally consistent with the other requirements of this section, the State may use these data (i.e., a single sample rather than four quarterly samples) to satisfy the initial monitoring requirement of paragraph (f)(4) of this section. Systems which use grandfathered samples and did not detect any contaminant listed §141.61(a)(2) through (21) shall begin monitoring annually in accordance with paragraph (f)(5) of this section beginning with the initial compliance period.

(19) States may increase required monitoring where necessary to detect variations within the system.

(20) Each certified laboratory must determine the method detection limit (MDL), as defined in appendix B to part 136, at which it is capable of detecting VOCs. The acceptable MDL is 0.0005 mg/l. This concentration is the detection concentration for purposes of this section.

(21) Each public water system shall monitor at the time designated by the State within each compliance period.

(22) All new systems or systems that use a new source of water that begin operation after January 22, 2004 must demonstrate compliance with the MCL within a period of time specified by the State. The system must also comply with the initial sampling frequencies specified by the State to ensure a system can demonstrate compliance with the MCL. Routine and increased monitoring frequencies shall be conducted in accordance with the requirements in this section.

(g) [Reserved]

(h) Analysis of the contaminants listed in §141.61(c) for the purposes of determining compliance with the maximum contaminant level shall be conducted as follows:[7]

(1) Groundwater systems shall take a minimum of one sample at every entry point to the distribution system which is representative of each well after treatment (hereafter called a sampling point). Each sample must be taken at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(2) Surface water systems shall take a minimum of one sample at points in the distribution system that are representative of each source or at each entry point to the distribution system after treatment (hereafter called a sampling point). Each sample must be taken at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

NOTE: For purposes of this paragraph, surface water systems include systems with a combination of surface and ground sources.

(3) If the system draws water from more than one source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water representative of all sources is being used).

(4) Monitoring frequency:

(i) Each community and non-transient non-community water system shall take four consecutive quarterly samples for each contaminant listed in §141.61(c) during each compliance period beginning with the initial compliance period.

(ii) Systems serving more than 3,300 persons which do not detect a contaminant in the initial compliance period may reduce the sampling frequency to a minimum of two quarterly samples in one year during each repeat compliance period.

(iii) Systems serving less than or equal to 3,300 persons which do not detect a contaminant in the initial compliance period may reduce the sampling frequency to a minimum of one sample during each repeat compliance period.

(5) Each community and non-transient water system may apply to the State for a waiver from the requirement of paragraph (h)(4) of this section. A system must reapply for a waiver for each compliance period.

(6) A State may grant a waiver after evaluating the following factor(s): Knowledge of previous use (including transport, storage, or disposal) of the contaminant within the watershed or zone of influence of the system. If a determination by the State reveals no previous use of the contaminant within the watershed or zone of influence, a waiver may be granted. If previous use of the contaminant is unknown or it has been used previously, then the following factors shall be used to determine whether a waiver is granted.

(i) Previous analytical results.

(ii) The proximity of the system to a potential point or non-point source of contamination. Point sources include spills and leaks of chemicals at or near

[7] Monitoring for the contaminants aldicarb, aldicarb sulfoxide, and aldicarb sulfone shall be conducted in accordance with §141.40.

a water treatment facility or at manufacturing, distribution, or storage facilities, or from hazardous and municipal waste landfills and other waste handling or treatment facilities. Nonpoint sources include the use of pesticides to control insect and weed pests on agricultural areas, forest lands, home and gardens, and other land application uses.

(iii) The environmental persistence and transport of the pesticide or PCBs.

(iv) How well the water source is protected against contamination due to such factors as depth of the well and the type of soil and the integrity of the well casing.

(v) Elevated nitrate levels at the water supply source.

(vi) Use of PCBs in equipment used in the production, storage, or distribution of water (i.e., PCBs used in pumps, transformers, etc.).

(7) If an organic contaminant listed in §141.61(c) is detected (as defined by paragraph (h)(18) of this section) in any sample, then:

(i) Each system must monitor quarterly at each sampling point which resulted in a detection.

(ii) The State may decrease the quarterly monitoring requirement specified in paragraph (h)(7)(i) of this section provided it has determined that the system is reliably and consistently below the maximum contaminant level. In no case shall the State make this determination unless a groundwater system takes a minimum of two quarterly samples and a surface water system takes a minimum of four quarterly samples.

(iii) After the State determines the system is reliably and consistently below the maximum contaminant level the State may allow the system to monitor annually. Systems which monitor annually must monitor during the quarter that previously yielded the highest analytical result.

(iv) Systems which have 3 consecutive annual samples with no detection of a contaminant may apply to the State for a waiver as specified in paragraph (h)(6) of this section.

(v) If monitoring results in detection of one or more of certain related contaminants (aldicarb, aldicarb sulfone, aldicarb sulfoxide and heptachlor, heptachlor epoxide), then subsequent monitoring shall analyze for all related contaminants.

(8) Systems which violate the requirements of §141.61(c) as determined by paragraph (h)(11) of this section must monitor quarterly. After a minimum of four quarterly samples show the system is in compliance and the State determines the system is reliably and consistently below the MCL, as specified in paragraph (h)(11) of this section, the system shall monitor at the frequency specified in paragraph (h)(7)(iii) of this section.

(9) The State may require a confirmation sample for positive or negative results. If a confirmation sample is required by the State, the result must be averaged with the first sampling result and the average used for the compliance determination as specified by paragraph (h)(11) of this section. States have discretion to delete results of obvious sampling errors from this calculation.

(10) The State may reduce the total number of samples a system must analyze by allowing the use of compositing. Composite samples from a maximum of five sampling points are allowed, provided that the detection limit of the method used for analysis is less than one-fifth of the MCL. Compositing of samples must be done in the laboratory and analyzed within 14 days of sample collection.

(i) If the concentration in the composite sample detects one or more contaminants listed in §141.61(c), then a follow-up sample must be taken within 14 days at each sampling point included in the composite, and be analyzed for that contaminant.

(ii) If duplicates of the original sample taken from each sampling point used in the composite sample are available, the system may use these instead of resampling. The duplicates must be analyzed and the results reported to the State within 14 days after completion of the composite analysis or before the holding time for the initial sample is exceeded whichever is sooner.

(iii) If the population served by the system is >3,300 persons, then compositing may only be permitted by the State at sampling points within a single system. In systems serving ≤

3,300 persons, the State may permit compositing among different systems provided the 5-sample limit is maintained.

(11) Compliance with §141.61(c) shall be determined based on the analytical results obtained at each sampling point. If one sampling point is in violation of an MCL, the system is in violation of the MCL.

(i) For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average at each sampling point.

(ii) Systems monitoring annually or less frequently whose sample result exceeds the regulatory detection level as defined by paragraph (h)(18) of this section must begin quarterly sampling. The system will not be considered in violation of the MCL until it has completed one year of quarterly sampling.

(iii) If any sample result will cause the running annual average to exceed the MCL at any sampling point, the system is out of compliance with the MCL immediately.

(iv) If a system fails to collect the required number of samples, compliance will be based on the total number of samples collected.

(v) If a sample result is less than the detection limit, zero will be used to calculate the annual average.

(12) [Reserved]

(13) Analysis for PCBs shall be conducted as follows using the methods in paragraph (e) of this section:

(i) Each system which monitors for PCBs shall analyze each sample using either Method 508.1, 525.2, 508 or 505. Users of Method 505 may have more difficulty in achieving the required Aroclor detection limits than users of Methods 508.1, 525.2 or 508.

(ii) If PCBs (as one of seven Aroclors) are detected (as designated in this paragraph) in any sample analyzed using Method 505 or 508, the system shall reanalyze the sample using Method 508A to quantitate PCBs (as decachlorobiphenyl).

Aroclor	Detection limit (mg/l)
1016	0.00008
1221	0.02
1232	0.0005
1242	0.0003
1248	0.0001
1254	0.0001
1260	0.0002

(iii) Compliance with the PCB MCL shall be determined based upon the quantitative results of analyses using Method 508A.

(14) If monitoring data collected after January 1, 1990, are generally consistent with the requirements of §141.24(h), then the State may allow systems to use that data to satisfy the monitoring requirement for the initial compliance period beginning January 1, 1993.

(15) The State may increase the required monitoring frequency, where necessary, to detect variations within the system (e.g., fluctuations in concentration due to seasonal use, changes in water source).

(16) The State has the authority to determine compliance or initiate enforcement action based upon analytical results and other information compiled by their sanctioned representatives and agencies.

(17) Each public water system shall monitor at the time designated by the State within each compliance period.

(18) Detection as used in this paragraph shall be defined as greater than or equal to the following concentrations for each contaminant.

Contaminant	Detection limit (mg/l)
Alachlor	.0002
Aldicarb	.0005
Aldicarb sulfoxide	.0005
Aldicarb sulfone	.0008
Atrazine	.0001
Benzo[a]pyrene	.00002
Carbofuran	.0009
Chlordane	.0002
Dalapon	.001
1,2–Dibromo–3–chloropropane (DBCP)	.00002
Di (2-ethylhexyl) adipate	.0006
Di (2-ethylhexyl) phthalate	.0006
Dinoseb	.0002
Diquat	.0004
2,4-D	.0001
Endothall	.009
Endrin	.00001
Ethylene dibromide (EDB)	.00001
Glyphosate	.006
Heptachlor	.00004
Heptachlor epoxide	.00002
Hexachlorobenzene	.0001
Hexachlorocyclopentadiene	.0001
Lindane	.00002
Methoxychlor	.0001
Oxamyl	.002
Picloram	.0001

Contaminant	Detection limit (mg/l)
Polychlorinated biphenyls (PCBs) (as decachlorobiphenyl)	.0001
Pentachlorophenol	.00004
Simazine	.00007
Toxaphene	.001
2,3,7,8-TCDD (Dioxin)	.000000005
2,4,5-TP (Silvex)	.0002

(19) Anaylsis under this section shall only be conducted by laboratories that have received certification by EPA or the State and have met the following conditions:

(i) To receive certification to conduct analyses for the contaminants in §141.61(c) the laboratory must:

(A) Analyze Performance Evaluation (PE) samples provided by EPA, the State, or by a third party (with the approval of the State or EPA) at least once a year by each method for which the laboratory desires certification.

(B) For each contaminant that has been included in the PE sample achieve quantitative results on the analyses that are within the following acceptance limits:

Contaminant	Acceptance limits (percent)
DBCP	±40
EDB	±40.
Alachlor	±45.
Atrazine	±45.
Benzo[a]pyrene	2 standard deviations.
Carbofuran	±45.
Chlordane	±45.
Dalapon	2 standard deviations.
Di(2-ethylhexyl)adipate	2 standard deviations.
Di(2-ethylhexyl)phthalate	2 standard deviations.
Dinoseb	2 standard deviations.
Diquat	2 standard deviations.
Endothall	2 standard deviations.
Endrin	±30.
Glyphosate	2 standard deviations.
Heptachlor	±45.
Heptachlor epoxide	±45.
Hexachlorobenzene	2 standard deviations.
Hexachloro- cyclopentadiene	2 standard deviations.
Lindane	±45.
Methoxychlor	±45.
Oxamyl	2 standard deviations.
PCBs (as Decachlorobiphenyl)	0–200.
Picloram	2 standard deviations.
Simazine	2 standard deviations.
Toxaphene	±45.
Aldicarb	2 standard deviations.
Aldicarb sulfoxide	2 standard deviations.
Aldicarb sulfone	2 standard deviations.
Pentachlorophenol	±50.
2,3,7,8-TCDD (Dioxin)	2 standard deviations.
2,4-D	±50.
2,4,5-TP (Silvex)	±50.

(ii) [Reserved]

(20) All new systems or systems that use a new source of water that begin operation after January 22, 2004 must demonstrate compliance with the MCL within a period of time specified by the State. The system must also comply with the initial sampling frequencies specified by the State to ensure a system can demonstrate compliance with the MCL. Routine and increased monitoring frequencies shall be conducted in accordance with the requirements in this section.

(Approved by the Office of Management and Budget under control number 2040–0090)

[40 FR 59570, Dec. 24, 1975, as amended at 44 FR 68641, Nov. 29, 1979; 45 FR 57345, Aug. 27, 1980; 47 FR 10998, Mar. 12, 1982; 52 FR 25712, July 8, 1987; 53 FR 5147, Feb. 19, 1988; 53 FR 25110, July 1, 1988; 56 FR 3583, Jan. 30, 1991; 56 FR 30277, July 1, 1991; 57 FR 22178, May 27, 1992; 57 FR 31841, July 17, 1992; 59 FR 34323, July 1, 1994; 59 FR 62468, Dec. 5, 1994; 60 FR 34085, June 29, 1995; 64 FR 67464, Dec. 1, 1999; 65 FR 26022, May 4, 2000; 66 FR 7063, Jan. 22, 2001; 67 FR 65250, Oct. 23, 2002; 67 FR 65898, Oct. 29, 2002]

§141.25 Analytical methods for radioactivity.

(a) Analysis for the following contaminants shall be conducted to determine compliance with §141.66 (radioactivity) in accordance with the methods in the following table, or their equivalent determined by EPA in accordance with §141.27.

Contaminant	Methodology	Reference (method or page number)								
		EPA[1]	EPA[2]	EPA[3]	EPA[4]	SM[5]	ASTM[6]	USGS[7]	DOE[8]	Other
Naturally occurring:										
Gross alpha[11] and beta.	Evaporation	900.0	p 1	00–01	p 1	302, 7110 B		R–1120–76		
Gross alpha[11]	Co-precipitation			00–02		7110 C				
Radium 226	Radon emanation	903.1	p 16	Ra–04	p 19	305,7500–Ra C	D 3454–97	R–1141–76	Ra–04	N.Y.[9]
	Radiochemi- cal	903.0	p 13	Ra–03		304,7500–Ra B	D 2460–97	R–1140–76		
Radium 228	Radiochemi- cal	904.0	p 24	Ra–05	p 19	7500–Ra D		R–1142–76		N.Y.[9], N.J.[10]
Uranium[12]	Radiochemi- cal	908.0				7500–U B				
	Fluorometric	908.1				7500–U C (17th Ed.)	D2907–97	R–1180–76, R–1181–76.	U–04	
	Alpha spectrometry			00–07	p 33	7500–U C (18th, 19th or 20th Ed.).	D 3972–97	R–1182–76	U–02	
	Laser Phosphorimetry.						D 5174–97			
Man-made:										
Radioact- ive cesium	Radiochemi- cal	901.0	p 4			7500–CsB	D 2459–72	R–1111–76		
	Gamma ray spec- trometry.	901.1			p 92	7120	D 3649–91	R– 1110–76	4.5.2.3	
Radioact- ive iodine	Radiochemi- cal	902.0	p 6, p 9			7500–I B, 7500–I C, 7500–I D.	D 3649–91			
	Gamma ray spec- trometry.	901.1			p 92	7120	D 4785–93		4.5.2.3	
Radioact- ive Strontium 89, 90.	Radiochemi- cal	905.0	p 29	Sr–04	p 65	303, 7500–Sr B		R–1160–76	Sr–01, Sr–02	
Tritium	Liquid scintillation	906.0	p 34	H–02	p 87	306, 7500–3H B	D 4107–91	R–1171–76		
Gamma emitters	Gamma ray	901.1			p 92	7120	D 3649–91	R–1110–76	Ga–01–R	
	Spectrometry	902.0, 901.0.				7500–Cs B, 7500–I B	D 4785–93			

The procedures shall be done in accordance with the documents listed below. The incorporation by reference of documents 1 through 10 was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed below. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, EPA West, 1301 Constitution Avenue, NW., Room B135, Washington, DC (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

[1] "Prescribed Procedures for the Measurement of Radioactivity in Drinking Water", EPA 600/4–80–032, August 1980. Available at the U.S. Department of Commerce, National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161 (Telephone 800–553–6847), PB 80–224744.

[2] "Interim Radiochemical Methodology for Drinking Water", EPA 600/4–75–008(revised), March 1976. Available NTIS, ibid. PB 253258.

[3] "Radiochemistry Procedures Manual", EPA 520/5–84–006, December, 1987. Available NTIS, ibid. PB 84–215581.

[4] "Radiochemical Analytical Procedures for Analysis of Environmental Samples", March 1979. Available at NTIS, ibid. EMSL LV 053917.

[5] "Standard Methods for the Examination of Water and Wastewater", 13th, 17th, 18th, 19th Editions, or 20th edition, 1971, 1989, 1992, 1995, 1998. Available at American Public Health Association, 1015 Fifteenth Street NW., Washington, DC 20005 . Methods 302, 303, 304, 305 and 306 are only in the 13th edition. Methods 7110B, 7500–Ra B, 7500–Ra C, 7500–Ra D, 7500–U B, 7500–Cs B, 7500–I B, 7500–I C, 7500–I D, 7500–Sr B, 7500–3H B are in the 17th, 18th, 19th and 20th editions. Method 7110 C is in the 18th, 19th and 20th editions. Method 7500–U C Fluorometric Uranium is only in the 17th Edition, and 7500–U C Alpha spectrometry is only in the 18th, 19th and 20th editions. Method 7120 is only in the 19th and 20th editions. Methods 302, 303, 304, 305 and 306 are only in the 13th edition.

[6] *Annual Book of ASTM Standards*, Vol. 11.01 and 11.02, 1999; ASTM International any year containing the cited version of the method may be used. Copies may be obtained from ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

[7] "Methods for Determination of Radioactive Substances in Water and Fluvial Sediments", Chapter A5 in Book 5 of Techniques of Water-Resources Investigations of the United States Geological Survey, 1977. Available at U.S. Geological Survey (USGS) Information Services, Box 25286, Federal Center, Denver, CO 80225–0425.

[8] "EML Procedures Manual", 28th (1997) or 27th (1990) Editions, Volumes 1 and 2; either edition may be used. In the 27th Edition Method Ra–04 is listed as Ra–05 and Method Ga–01–R is listed as Sect. 4.5.2.3. Available at the Environmental Measurements Laboratory, U.S. Department of Energy (DOE), 376 Hudson Street, New York, NY 10014–3621.

[9] "Determination of Ra–226 and Ra–228 (Ra–02)", January 1980, Revised June 1982. Available at Radiological Sciences Institute for Laboratories and Research, New York State Department of Health, Empire State Plaza, Albany, NY 12201.

[10] "Determination of Radium 228 in Drinking Water", August 1980. Available at State of New Jersey, Department of Environmental Protection, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625.

[11] Natural uranium and thorium-230 are approved as gross alpha calibration standards for gross alpha with co-precipitation and evaporation methods; americium-241 is approved with co-precipitation methods.

[12] In uranium (U) is determined by mass, a 0.67 pCi/μg of uranium conversion factor must be used. This conversion factor is based on the 1:1 activity ration of U–234 and U–238 that is characteristic of naturally occurring uranium.

(b) When the identification and measurement of radionuclides other than those listed in paragraph (a) of this section is required, the following references are to be used, except in cases where alternative methods have been approved in accordance with §141.27.

(1) *Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions*, H. L. Krieger and S. Gold, EPA–R4–73–014. USEPA, Cincinnati, Ohio, May 1973.

(2) *HASL Procedure Manual*, Edited by John H. Harley. HASL 300, ERDA Health and Safety Laboratory, New York, NY., 1973.

(c) For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit shall be that concentration which can be counted with a precision of plus or minus 100 percent at the 95 percent confidence level (1.96σ where σ is the standard deviation of the net counting rate of the sample).

(1) To determine compliance with §141.66(b), (c), and (e) the detection limit shall not exceed the concentrations in Table B to this paragraph.

TABLE B.—DETECTION LIMITS FOR GROSS ALPHA PARTICLE ACTIVITY, RADIUM 226, RADIUM 228, AND URANIUM

Contaminant	Detection limit
Gross alpha particle activity	3 pCi/L.
Radium 226	1 pCi/L.
Radium 228	1 pCi/L.
Uranium	Reserve

(2) To determine compliance with §141.66(d) the detection limits shall not exceed the concentrations listed in Table C to this paragraph.

TABLE C—DETECTION LIMITS FOR MAN-MADE BETA PARTICLE AND PHOTON EMITTERS

Radionuclide	Detection limit
Tritium	1,000 pCi/1.
Strontium–89	10 pCi/1.
Strontium–90	2 pCi/1.
Iodine–131	1 pCi/1.
Cesium–134	10 pCi/1.
Gross beta	4 pCi/1.
Other radionuclides	1/10 of the applicable limit.

(d) To judge compliance with the maximum contaminant levels listed in §141.66, averages of data shall be used and shall be rounded to the same number of significant figures as the maximum contaminant level for the substance in question.

(e) The State has the authority to determine compliance or initiate enforcement action based upon analytical results or other information compiled by their sanctioned representatives and agencies.

[41 FR 28404, July 9, 1976, as amended at 45 FR 57345, Aug. 27, 1980; 62 FR 10173, Mar. 5, 1997; 65 FR 76745, Dec. 7, 2000; 67 FR 65250, Oct. 23, 2002]

EFFECTIVE DATE NOTE 1: At 69 FR 31012, June 2, 2004, §141.25 was amended in the table in paragraph (a) by revising the entry for uranium, revising footnotes 1, 2, 3, 5, 6, 8, and 12, and adding footnote 13, effective Aug. 31, 2004. For the convenience of the user, the revised and added text is set forth as follows:

§ 141.25 Analytical methods for radioactivity.

(a) * * *

Contaminant	Methodology	Reference (method or page number)							
		EPA[1]	EPA[2]	EPA[3]	EPA[4]	SM[5]	ASTM[6]	USGS[7]	DOE[8]
*	*	*	*	*	*	*	*		
Uranium[12]	Radiochemical	908.0				7500–U B			
	Fluorometric	908.1				7500–U C (17th Ed.)	D 2907–97	R–1180–76, R–1181–76	U–04
	ICP–MS	[13] 200.8				3125	D5673–03		
	Alpha spectrometry			00–07	p–33	7500–U C (18th, 19th or 20th Ed.)	D3972–97	R–1182–76	U–02
	Laser Phosphorimetry						D5174–97		

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The procedures shall be done in accordance with the documents listed below. The incorporation by reference of documents 1 through 10 and 13 was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed below. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, EPA West, 1301 Constitution Avenue, NW, Room B135, Washington, DC (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[1] "Prescribed Procedures for the Measurement of Radioactivity in Drinking Water", EPA 600/4–80–032, August 1980. Available at the U.S. Department of Commerce, National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161 (Telephone 800–553–6847), PB 80–224744, except Method 200.8, "Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma-Mass Spectrometry," Revision 5.4, which is published in "Methods for the Determination of Metals in Environmental Samples—Supplement I," EPA 600–R–94–111, May 1994. Available at NTIS, PB95–125472.

[2] "Interim Radiochemical Methodology for Drinking Water", EPA 600/4–75–008(revised), March 1976. Available at NTIS, ibid. PB 253258.

[3] "Radiochemistry Procedures Manual", EPA 520/5–84–006, December, 1987. Available at NTIS, ibid. PB 84–215581.

[4] "Radiochemical Analytical Procedures for Analysis of Environmental Samples", March 1979. Available at NTIS, ibid. EMSL LV 053917.

[5] "Standard Methods for the Examination of Water and Wastewater", 13th, 17th, 18th, 19th Editions, or 20th edition, 1971, 1989, 1992, 1995, 1998. Available at American Public Health Association, 1015 Fifteenth Street NW., Washington, DC 20005. Methods 302, 303, 304, 305 and 306 are only in the 13th edition. Methods 7110B, 7500–Ra B, 7500–Ra C, 7500–Ra D, 7500–U B, 7500–Cs B, 7500–I B, 7500–I C, 7500–I D, 7500–Sr B, 7500–3H B are in the 17th, 18th, 19th and 20th editions. Method 7110 C is in the 18th, 19th and 20th editions. Method 7500–U C Fluorometric Uranium is only in the 17th Edition, and 7500–U C Alpha spectrometry is only in the 18th, 19th and 20th editions. Method 7120 is only in the 19th and 20th editions. Methods 302, 303, 304, 305 and 306 are only in the 13th edition. Method 3125 is only in the 20th edition.

[6] *Annual Book of ASTM Standards,* Vol. 11.01 and 11.02, 1999; ASTM International any year containing the cited version of the method may be used. Copies of these two volumes and the 2003 version of D 5673–03 may be obtained from ASTM International. 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA, 19428–2959.

[7] "Methods for Determination of Radioactive Substances in Water and Fluvial Sediments", Chapter A5 in Book 5 of *Techniques of Water-Resources Investigations of the United States Geological Survey,* 1977. Available at U.S. Geological Survey (USGS) Information Services, Box 25286, Federal Center, Denver, CO 80225–0425.

[8] "EML Procedures Manual", 28th (1997) or 27th (1990) Editions, Volumes 1 and 2; either edition may be used. In the 27th Edition Method Ra–04 is listed as Ra–05 and Method Ga–01–R is listed as Sect. 4.5.2.3. Available at the Environmental Measurements Laboratory, U.S. Department of Energy (DOE), 376 Hudson Street, New York, NY 10014–3621.

* * * * * * *

[12] If uranium (U) is determined by mass, a 0.67 pCi/μg of uranium conversion factor must be used. This conversion factor is based on the 1:1 activity ratio of U–234 and U–238 that is characteristic of naturally occurring uranium.

[13] "Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma-Mass Spectrometry," Revision 5.4, which is published in "Methods for the Determination of Metals in Environmental Samples—Supplement I," EPA 600–R–94–111, May 1994. Available at NTIS, PB 95–125472.

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EFFECTIVE DATE NOTE 2: At 69 FR 38855, June 29, 2004, §141.25 was amended in paragraph (c)(1) in the entry for uranium in the second column of Table B by removing the word "reserve" and adding in its place "1 μg/L", effective July 29, 2004.

§ 141.26 Monitoring frequency and compliance requirements for radionuclides in community water systems.

(a) *Monitoring and compliance requirements for gross alpha particle activity, radium-226, radium-228, and uranium.* (1) Community water systems (CWSs) must conduct initial monitoring to determine compliance with §141.66(b), (c), and (e) by December 31, 2007. For the purposes of monitoring for gross alpha particle activity, radium-226, radium-228, uranium, and beta particle and photon radioactivity in drinking water, "detection limit" is defined as in §141.25(c).

(i) *Applicability and sampling location for existing community water systems or sources.* All existing CWSs using ground water, surface water or systems using both ground and surface water (for the purpose of this section hereafter referred to as systems) must sample at every entry point to the distribution system that is representative of all sources being used (hereafter called a sampling point) under normal operating conditions. The system must take each sample at the same sampling point unless conditions make another sampling point more representative of each source or the State has designated a distribution system location, in accordance with paragraph (a)(2)(ii)(C) of this section.

(ii) *Applicability and sampling location for new community water systems or sources.* All new CWSs or CWSs that use a new source of water must begin to conduct initial monitoring for the new source within the first quarter after initiating use of the source. CWSs must conduct more frequent monitoring when ordered by the State in the event of possible contamination or when changes in the distribution system or treatment processes occur which may increase the concentration of radioactivity in finished water.

(2) *Initial monitoring:* Systems must conduct initial monitoring for gross alpha particle activity, radium-226, radium-228, and uranium as follows:

(i) Systems without acceptable historical data, as defined below, must collect four consecutive quarterly samples at all sampling points before December 31, 2007.

(ii) *Grandfathering of data:* States may allow historical monitoring data collected at a sampling point to satisfy the initial monitoring requirements for that sampling point, for the following situations.

(A) To satisfy initial monitoring requirements, a community water system having only one entry point to the distribution system may use the monitoring data from the last compliance monitoring period that began between June 2000 and December 8, 2003.

(B) To satisfy initial monitoring requirements, a community water system with multiple entry points and having appropriate historical monitoring data for each entry point to the distribution system may use the monitoring data from the last compliance monitoring period that began between June 2000 and December 8, 2003.

(C) To satisfy initial monitoring requirements, a community water system with appropriate historical data for a representative point in the distribution system may use the monitoring data from the last compliance monitoring period that began between June 2000 and December 8, 2003, provided that the State finds that the historical data satisfactorily demonstrate that each entry point to the distribution system is expected to be in compliance based upon the historical data and reasonable assumptions about the variability of contaminant levels between entry points. The State must make a written finding indicating how the data conforms to the these requirements.

(iii) For gross alpha particle activity, uranium, radium-226, and radium-228 monitoring, the State may waive the final two quarters of initial monitoring for a sampling point if the results of the samples from the previous two quarters are below the detection limit.

(iv) If the average of the initial monitoring results for a sampling point is above the MCL, the system must collect and analyze quarterly samples at

that sampling point until the system has results from four consecutive quarters that are at or below the MCL, unless the system enters into another schedule as part of a formal compliance agreement with the State.

(3) *Reduced monitoring:* States may allow community water systems to reduce the future frequency of monitoring from once every three years to once every six or nine years at each sampling point, based on the following criteria.

(i) If the average of the initial monitoring results for each contaminant (*i.e.*, gross alpha particle activity, uranium, radium-226, or radium-228) is below the detection limit specified in Table B, in §141.25(c)(1), the system must collect and analyze for that contaminant using at least one sample at that sampling point every nine years.

(ii) For gross alpha particle activity and uranium, if the average of the initial monitoring results for each contaminant is at or above the detection limit but at or below ½ the MCL, the system must collect and analyze for that contaminant using at least one sample at that sampling point every six years. For combined radium-226 and radium-228, the analytical results must be combined. If the average of the combined initial monitoring results for radium-226 and radium-228 is at or above the detection limit but at or below ½ the MCL, the system must collect and analyze for that contaminant using at least one sample at that sampling point every six years.

(iii) For gross alpha particle activity and uranium, if the average of the initial monitoring results for each contaminant is above ½ the MCL but at or below the MCL, the system must collect and analyze at least one sample at that sampling point every three years. For combined radium-226 and radium-228, the analytical results must be combined. If the average of the combined initial monitoring results for radium-226 and radium-228 is above ½ the MCL but at or below the MCL, the system must collect and analyze at least one sample at that sampling point every three years.

(iv) Systems must use the samples collected during the reduced monitoring period to determine the monitoring frequency for subsequent monitoring periods (e.g., if a system's sampling point is on a nine year monitoring period, and the sample result is above ½ MCL, then the next monitoring period for that sampling point is three years).

(v) If a system has a monitoring result that exceeds the MCL while on reduced monitoring, the system must collect and analyze quarterly samples at that sampling point until the system has results from four consecutive quarters that are below the MCL, unless the system enters into another schedule as part of a formal compliance agreement with the State.

(4) *Compositing:* To fulfill quarterly monitoring requirements for gross alpha particle activity, radium-226, radium-228, or uranium, a system may composite up to four consecutive quarterly samples from a single entry point if analysis is done within a year of the first sample. States will treat analytical results from the composited as the average analytical result to determine compliance with the MCLs and the future monitoring frequency. If the analytical result from the composited sample is greater than ½ MCL, the State may direct the system to take additional quarterly samples before allowing the system to sample under a reduced monitoring schedule.

(5) A gross alpha particle activity measurement may be substituted for the required radium-226 measurement provided that the measured gross alpha particle activity does not exceed 5 pCi/l. A gross alpha particle activity measurement may be substituted for the required uranium measurement provided that the measured gross alpha particle activity does not exceed 15 pCi/l. The gross alpha measurement shall have a confidence interval of 95% (1.65σ, where σ is the standard deviation of the net counting rate of the sample) for radium-226 and uranium. When a system uses a gross alpha particle activity measurement in lieu of a radium-226 and/or uranium measurement, the gross alpha particle activity analytical result will be used to determine the future monitoring frequency for radium-226 and/or uranium. If the gross alpha particle activity result is less than detection, ½ the detection limit will be

used to determine compliance and the future monitoring frequency.

(b) *Monitoring and compliance requirements for beta particle and photon radioactivity.* To determine compliance with the maximum contaminant levels in §141.66(d) for beta particle and photon radioactivity, a system must monitor at a frequency as follows:

(1) Community water systems (both surface and ground water) designated by the State as vulnerable must sample for beta particle and photon radioactivity. Systems must collect quarterly samples for beta emitters and annual samples for tritium and strontium-90 at each entry point to the distribution system (hereafter called a sampling point), beginning within one quarter after being notified by the State. Systems already designated by the State must continue to sample until the State reviews and either reaffirms or removes the designation.

(i) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity at a sampling point has a running annual average (computed quarterly) less than or equal to 50 pCi/L (screening level), the State may reduce the frequency of monitoring at that sampling point to once every 3 years. Systems must collect all samples required in paragraph (b)(1) of this section during the reduced monitoring period.

(ii) For systems in the vicinity of a nuclear facility, the State may allow the CWS to utilize environmental surveillance data collected by the nuclear facility in lieu of monitoring at the system's entry point(s), where the State determines if such data is applicable to a particular water system. In the event that there is a release from a nuclear facility, systems which are using surveillance data must begin monitoring at the community water system's entry point(s) in accordance with paragraph (b)(1) of this section.

(2) Community water systems (both surface and ground water) designated by the State as utilizing waters contaminated by effluents from nuclear facilities must sample for beta particle and photon radioactivity. Systems must collect quarterly samples for beta emitters and iodine-131 and annual samples for tritium and strontium-90 at each entry point to the distribution system (hereafter called a sampling point), beginning within one quarter after being notified by the State. Systems already designated by the State as systems using waters contaminated by effluents from nuclear facilities must continue to sample until the State reviews and either reaffirms or removes the designation.

(i) Quarterly monitoring for gross beta particle activity shall be based on the analysis of monthly samples or the analysis of a composite of three monthly samples. The former is recommended.

(ii) For iodine-131, a composite of five consecutive daily samples shall be analyzed once each quarter. As ordered by the State, more frequent monitoring shall be conducted when iodine-131 is identified in the finished water.

(iii) Annual monitoring for strontium-90 and tritium shall be conducted by means of the analysis of a composite of four consecutive quarterly samples or analysis of four quarterly samples. The latter procedure is recommended.

(iv) If the gross beta particle activity beta minus the naturally occurring potassium-40 beta particle activity at a sampling point has a running annual average (computed quarterly) less than or equal to 15 pCi/L, the State may reduce the frequency of monitoring at that sampling point to every 3 years. Systems must collect all samples required in paragraph (b)(2) of this section during the reduced monitoring period.

(v) For systems in the vicinity of a nuclear facility, the State may allow the CWS to utilize environmental surveillance data collected by the nuclear facility in lieu of monitoring at the system's entry point(s), where the State determines if such data is applicable to a particular water system. In the event that there is a release from a nuclear facility, systems which are using surveillance data must begin monitoring at the community water system's entry point(s) in accordance with paragraph (b)(2) of this section.

(3) Community water systems designated by the State to monitor for beta particle and photon radioactivity can not apply to the State for a waiver

from the monitoring frequencies specified in paragraph (b)(1) or (b)(2) of this section.

(4) Community water systems may analyze for naturally occurring potassium-40 beta particle activity from the same or equivalent sample used for the gross beta particle activity analysis. Systems are allowed to subtract the potassium-40 beta particle activity value from the total gross beta particle activity value to determine if the screening level is exceeded. The potassium-40 beta particle activity must be calculated by multiplying elemental potassium concentrations (in mg/L) by a factor of 0.82.

(5) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity exceeds the screening level, an analysis of the sample must be performed to identify the major radioactive constituents present in the sample and the appropriate doses must be calculated and summed to determine compliance with §141.66(d)(1), using the formula in §141.66(d)(2). Doses must also be calculated and combined for measured levels of tritium and strontium to determine compliance.

(6) Systems must monitor monthly at the sampling point(s) which exceed the maximum contaminant level in §141.66(d) beginning the month after the exceedance occurs. Systems must continue monthly monitoring until the system has established, by a rolling average of 3 monthly samples, that the MCL is being met. Systems who establish that the MCL is being met must return to quarterly monitoring until they meet the requirements set forth in paragraph (b)(1)(ii) or (b)(2)(i) of this section.

(c) *General monitoring and compliance requirements for radionuclides.* (1) The State may require more frequent monitoring than specified in paragraphs (a) and (b) of this section, or may require confirmation samples at its discretion. The results of the initial and confirmation samples will be averaged for use in compliance determinations.

(2) Each public water systems shall monitor at the time designated by the State during each compliance period.

(3) *Compliance:* Compliance with §141.66 (b) through (e) will be determined based on the analytical result(s) obtained at each sampling point. If one sampling point is in violation of an MCL, the system is in violation of the MCL.

(i) For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average at each sampling point. If the average of any sampling point is greater than the MCL, then the system is out of compliance with the MCL.

(ii) For systems monitoring more than once per year, if any sample result will cause the running average to exceed the MCL at any sample point, the system is out of compliance with the MCL immediately.

(iii) Systems must include all samples taken and analyzed under the provisions of this section in determining compliance, even if that number is greater than the minimum required.

(iv) If a system does not collect all required samples when compliance is based on a running annual average of quarterly samples, compliance will be based on the running average of the samples collected.

(v) If a sample result is less than the detection limit, zero will be used to calculate the annual average, unless a gross alpha particle activity is being used in lieu of radium-226 and/or uranium. If the gross alpha particle activity result is less than detection, ½ the detection limit will be used to calculate the annual average.

(4) States have the discretion to delete results of obvious sampling or analytic errors.

(5) If the MCL for radioactivity set forth in §141.66 (b) through (e) is exceeded, the operator of a community water system must give notice to the State pursuant to §141.31 and to the public as required by subpart Q of this part.

[65 FR 76745, Dec. 7, 2000]

EFFECTIVE DATE NOTE: At 69 FR 38855, June 29, 2004, §141.26 was amended by revising paragraphs (b)(2)(iv) and (b)(5) and in paragraph (b)(6) by removing the citation "(b)(1)(ii)" and adding in its place "(b)(1)(i)" and by removing the citation "(b)(2)(i)" and adding in its place "(b)(2)(iv)", effective July 29, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 141.26 Monitoring frequency and compliance requirements for radionuclides in community water systems.

* * * * *

(b) * * *

(2) * * *

(iv) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity at a sampling point has a running annual average (computed quarterly) less than or equal to 15 pCi/L (screening level), the State may reduce the frequency of monitoring at that sampling point to every 3 years. Systems must collect the same type of samples required in paragraph (b)(2) of this section during the reduced monitoring period.

* * * * *

(5) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity exceeds the appropriate screening level, an analysis of the sample must be performed to identify the major radioactive constituents present in the sample and the appropriate doses must be calculated and summed to determine compliance with §141.66(d)(1), using the formula in §141.66(d)(2). Doses must also be calculated and combined for measured levels of tritium and strontium to determine compliance.

* * * * *

§ 141.27 Alternate analytical techniques.

(a) With the written permission of the State, concurred in by the Administrator of the U.S. EPA, an alternate analytical technique may be employed. An alternate technique shall be accepted only if it is substantially equivalent to the prescribed test in both precision and accuracy as it relates to the determination of compliance with any MCL. The use of the alternate analytical technique shall not decrease the frequency of monitoring required by this part.

[45 FR 57345, Aug. 27, 1980]

§ 141.28 Certified laboratories.

(a) For the purpose of determining compliance with §§141.21 through 141.27, 141.30, 141.40, 141.74 and 141.89, samples may be considered only if they have been analyzed by a laboratory certified by the State except that measurements for alkalinity, calcium, conductivity, disinfectant residual, orthophosphate, pH, silica, temperature and turbidity may be performed by any person acceptable to the State.

(b) Nothing in this part shall be construed to preclude the State or any duly designated representative of the State from taking samples or from using the results from such samples to determine compliance by a supplier of water with the applicable requirements of this part.

[45 FR 57345, Aug. 27, 1980; 47 FR 10999, Mar. 12, 1982, as amended at 59 FR 34323, July 1, 1994; 64 FR 67465, Dec. 1, 1999]

§ 141.29 Monitoring of consecutive public water systems.

When a public water system supplies water to one or more other public water systems, the State may modify the monitoring requirements imposed by this part to the extent that the interconnection of the systems justifies treating them as a single system for monitoring purposes. Any modified monitoring shall be conducted pursuant to a schedule specified by the State and concurred in by the Administrator of the U.S. Environmental Protection Agency.

§ 141.30 Total trihalomethanes sampling, analytical and other requirements.

(a) Community water system which serve a population of 10,000 or more individuals and which add a disinfectant (oxidant) to the water in any part of the drinking water treatment process shall analyze for total trihalomethanes in accordance with this section. For systems serving 75,000 or more individuals, sampling and analyses shall begin not later than 1 year after the date of promulgation of this regulation. For systems serving 10,000 to 74,999 individuals, sampling and analyses shall begin not later than 3 years after the date of promulgation of this regulation. For the purpose of this section, the minimum number of samples required to be taken by the system shall be based on the number of treatment plants used by the system, except that multiple wells drawing raw water from a single aquifer may, with the State approval, be considered one treatment plant for determining the minimum number of

samples. All samples taken within an established frequency shall be collected within a 24-hour period.

(b)(1) For all community water systems utilizing surface water sources in whole or in part, and for all community water systems utilizing only ground water sources that have not been determined by the State to qualify for the monitoring requirements of paragraph (c) of this section, analyses for total trihalomethanes shall be performed at quarterly intervals on at least four water samples for each treatment plant used by the system. At least 25 percent of the samples shall be taken at locations within the distribution system reflecting the maximum residence time of the water in the system. The remaining 75 percent shall be taken at representative locations in the distribution system, taking into account number of persons served, different sources of water and different treatment methods employed. The results of all analyses per quarter shall be arithmetically averaged and reported to the State within 30 days of the system's receipt of such results. Results shall also be reported to EPA until such monitoring requirements have been adopted by the State. All samples collected shall be used in the computation of the average, unless the analytical results are invalidated for technical reasons. Sampling and analyses shall be conducted in accordance with the methods listed in paragraph (e) of this section.

(2) Upon the written request of a community water system, the monitoring frequency required by paragraph (b)(1) of this section may be reduced by the State to a minimum of one sample analyzed for TTHMs per quarter taken at a point in the distribution system reflecting the maximum residence time of the water in the system, upon a written determination by the State that the data from at least 1 year of monitoring in accordance with paragraph (b)(1) of this section and local conditions demonstrate that total trihalomethane concentrations will be consistently below the maximum contaminant level.

(3) If at any time during which the reduced monitoring frequency prescribed under this paragraph applies, the results from any analysis exceed 0.10 mg/l of TTHMs and such results are confirmed by at least one check sample taken promptly after such results are received, or if the system makes any significant change to its source of water or treatment program, the system shall immediately begin monitoring in accordance with the requirements of paragraph (b)(1) of this section, which monitoring shall continue for at least 1 year before the frequency may be reduced again. At the option of the State, a system's monitoring frequency may and should be increased above the minimum in those cases where it is necessary to detect variations of TTHM levels within the distribution system.

(c)(1) Upon written request to the State, a community water system utilizing only ground water sources may seek to have the monitoring frequency required by paragraph (b)(1) of this section reduced to a minimum of one sample for maximum TTHM potential per year for each treatment plant used by the system taken at a point in the distribution system reflecting maximum residence time of the water in the system. The system shall submit the results of at least one sample for maximum TTHM potential using the procedure specified in paragraph (g) of this section. A sample must be analyzed from each treatment plant used by the system and be taken at a point in the distribution system reflecting the maximum residence time of the water in the system. The system's monitoring frequency may only be reduced upon a written determination by the State that, based upon the data submitted by the system, the system has a maximum TTHM potential of less than 0.10 mg/l and that, based upon an assessment of the local conditions of the system, the system is not likely to approach or exceed the maximum contaminant level for total TTHMs. The results of all analyses shall be reported to the State within 30 days of the system's receipt of such results. Results shall also be reported to EPA until such monitoring requirements have been adopted by the State. All samples collected shall be used for determining whether the system must comply with the monitoring requirements of paragraph (b) of this

section, unless the analytical results are invalidated for technical reasons. Sampling and analyses shall be conducted in accordance with the methods listed in paragraph (e) of this section.

(2) If at any time during which the reduced monitoring frequency prescribed under paragraph (c)(1) of this section applies, the results from any analysis taken by the system for maximum TTHM potential are equal to or greater than 0.10 mg/l, and such results are confirmed by at least one check sample taken promptly after such results are received, the system shall immediately begin monitoring in accordance with the requirements of paragraph (b) of this section and such monitoring shall continue for at least one year before the frequency may be reduced again. In the event of any significant change to the system's raw water or treatment program, the system shall immediately analyze an additional sample for maximum TTHM potential taken at a point in the distribution system reflecting maximum residence time of the water in the system for the purpose of determining whether the system must comply with the monitoring requirements of paragraph (b) of this section. At the option of the State, monitoring frequencies may and should be increased above the minimum in those cases where this is necessary to detect variation of TTHM levels within the distribution system.

(d) Compliance with §141.12 shall be determined based on a running annual average of quarterly samples collected by the system as prescribed in paragraph (b)(1) or (2) of this section. If the average of samples covering any 12 month period exceeds the Maximum Contaminant Level, the supplier of water shall report to the State pursuant to §141.31 and notify the public pursuant to subpart Q. Monitoring after public notification shall be at a frequency designated by the State and shall continue until a monitoring schedule as a condition to a variance, exemption or enforcement action shall become effective.

(e) Sampling and analyses made pursuant to this section shall be conducted by one of the total trihalomethanes methods as directed in §141.24(e), and the *Technical Notes on Drinking Water Methods*, EPA–600/R–94–173, October 1994, which is available from NTIS, PB–104766, or in §141.131(b). Samples for TTHM shall be dechlorinated upon collection to prevent further production of trihalomethanes, according to the procedures described in the methods, except acidification is not required if only THMs or TTHMs are to be determined. Samples for maximum TTHM potential should not be dechlorinated or acidified, and should be held for seven days at 25 °C (or above) prior to analysis.

(f) Before a community water system makes any significant modifications to its existing treatment process for the purposes of achieving compliance with §141.12, such system must submit and obtain State approval of a detailed plan setting forth its proposed modification and those safeguards that it will implement to ensure that the bacteriological quality of the drinking water served by such system will not be adversely affected by such modification. Each system shall comply with the provisions set forth in the State-approved plan. At a minimum, a State approved plan shall require the system modifying its disinfection practice to:

(1) Evaluate the water system for sanitary defects and evaluate the source water for biological quality;

(2) Evaluate its existing treatment practices and consider improvements that will minimize disinfectant demand and optimize finished water quality throughout the distribution system;

(3) Provide baseline water quality survey data of the distribution system. Such data should include the results from monitoring for coliform and fecal coliform bacteria, fecal streptococci, standard plate counts at 35 °C and 20 °C, phosphate, ammonia nitrogen and total organic carbon. Virus studies should be required where source waters are heavily contaminated with sewage effluent;

(4) Conduct additional monitoring to assure continued maintenance of optimal biological quality in finished water, for example, when chloramines are introduced as disinfectants or when pre-chlorination is being discontinued. Additional monitoring should also be

required by the State for chlorate, chlorite and chlorine dioxide when chlorine dioxide is used. Standard plate count analyses should also be required by the State as appropriate before and after any modifications;

(5) Consider inclusion in the plan of provisions to maintain an active disinfectant residual throughout the distribution system at all times during and after the modification.

(g) The water sample for determination of maximum total trihalomethane potential is taken from a point in the distribution system that reflects maximum residence time. Procedures for sample collection and handling are given in the methods. No reducing agent is added to "quench" the chemical reaction producing THMs at the time of sample collection. The intent is to permit the level of THM precursors to be depleted and the concentration of THMs to be maximized for the supply being tested. Four experimental parameters affecting maximum THM production are pH, temperature, reaction time and the presence of a disinfectant residual. These parameters are dealt with as follows: Measure the disinfectant residual at the selected sampling point. Proceed only if a measurable disinfectant residual is present. Collect triplicate 40 ml water samples at the pH prevailing at the time of sampling, and prepare a method blank according to the methods. Seal and store these samples together for seven days at 25 °C or above. After this time period, open one of the sample containers and check for disinfectant residual. Absence of a disinfectant residual invalidates the sample for further analysis. Once a disinfectant residual has been demonstrated, open another of the sealed samples and determine total THM concentration using an approved analytical method.

(h) The requirements in paragraphs (a) through (g) of this section apply to subpart H community water systems which serve a population of 10,000 or more until December 31, 2001. The requirements in paragraphs (a) through (g) of this section apply to community water systems which use only ground water not under the direct influence of surface water that add a disinfectant (oxidant) in any part of the treatment process and serve a population of 10,000 or more until December 31, 2003. After December 31, 2003, this section is no longer applicable.

[44 FR 68641, Nov. 29, 1979, as amended at 45 FR 15545, 15547, Mar. 11, 1980; 58 FR 41345, Aug. 3, 1993; 59 FR 62469, Dec. 5, 1994; 60 FR 34085, June 29, 1995; 63 FR 69464, Dec. 16, 1998; 65 FR 26022, May 4, 2000; 66 FR 3776, Jan. 16, 2001]

Subpart D—Reporting and Recordkeeping

§ 141.31 Reporting requirements.

(a) Except where a shorter period is specified in this part, the supplier of water shall report to the State the results of any test measurement or analysis required by this part within (1) The first ten days following the month in which the result is received, or (2) the first ten days following the end of the required monitoring period as stipulated by the State, whichever of these is shortest.

(b) Except where a different reporting period is specified in this part, the supplier of water must report to the State within 48 hours the failure to comply with any national primary drinking water regulation (including failure to comply with monitoring requirements) set forth in this part.

(c) The supplier of water is not required to report analytical results to the State in cases where a State laboratory performs the analysis and reports the results to the State office which would normally receive such notification from the supplier.

(d) 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 the persons served by the system and to the media.

(e) The water supply system shall submit to the State within the time stated in the request copies of any records required to be maintained

under §141.33 hereof or copies of any documents then in existence which the State or the Administrator is entitled to inspect pursuant to the authority of section 1445 of the Safe Drinking Water Act or the equivalent provisions of State law.

[40 FR 59570, Dec. 24, 1975, as amended at 45 FR 57345, Aug. 27, 1980; 65 FR 26022, May 4, 2000]

§ 141.32 Public notification.

The requirements in this section apply until the requirements of Subpart Q of this part are applicable. Public water systems where EPA directly implements the public water system supervision program must comply with the requirements in Subpart Q of this part on October 31, 2000. All other public water systems must comply with the requirements in Subpart Q of this part on May 6, 2002 or on the date the State-adopted rule becomes effective, whichever comes first.

(a) *Maximum contaminant levels (MCLs), maximum residual disinfectant levels (MRDLs).* The owner or operator of a public water system which fails to comply with an applicable MCL or treatment technique established by this part or which fails to comply with the requirements of any schedule prescribed pursuant to a variance or exemption, shall notify persons served by the system as follows:

(1) Except as provided in paragraph (a)(3) of this section, the owner or operator of a public water system must give notice:

(i) By publication in a daily newspaper of general circulation in the area served by the system as soon as possible, but in no case later than 14 days after the violation or failure. If the area served by a public water system is not served by a daily newspaper of general circulation, notice shall instead be given by publication in a weekly newspaper of general circulation serving the area; and

(ii) By mail delivery (by direct mail or with the water bill), or by hand delivery, not later than 45 days after the violation or failure. The State may waive mail or hand delivery if it determines that the owner or operator of the public water system in violation has corrected the violation or failure within the 45-day period. The State must make the waiver in writing and within the 45-day period; and

(iii) For violations of the MCLs of contaminants or MRDLs of disinfectants that may pose an acute risk to human health, by furnishing a copy of the notice to the radio and television stations serving the area served by the public water system as soon as possible but in no case later than 72 hours after the violation. The following violations are acute violations:

(A) Any violations specified by the State as posing an acute risk to human health.

(B) Violation of the MCL for nitrate or nitrite as defined in §141.62 and determined according to §141.23(i)(3).

(C) Violation of the MCL for total coliforms, when fecal coliforms or *E. coli* are present in the water distribution system, as specified in §141.63(b).

(D) Occurrence of a waterborne disease outbreak, as defined in §141.2, in an unfiltered system subject to the requirements of subpart H of this part, after December 30, 1991 (see §141.71(b)(4)).

(E) Violation of the MRDL for chlorine dioxide as defined in §141.65 and determined according to §141.133(c)(2).

(2) Except as provided in paragraph (a)(3) of this section, following the initial notice given under paragraph (a)(1) of this section, the owner or operator of the public water system must give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation or failure exists.

(3)(i) In lieu of the requirements of paragraphs (a) (1) and (2) of this section, the owner or operator of a community water system in an area that is not served by a daily or weekly newspaper of general circulation must give notice by hand delivery or by continuous posting in conspicuous places within the area served by the system. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in paragraph (a)(1)(iii) of this section), or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the

violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

(ii) In lieu of the requirements of paragraphs (a) (1) and (2) of this section, the owner or operator of a non-community water system may give notice by hand delivery or by continuous posting in conspicuous places within the area served by the system. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in paragraph (a)(1)(iii) of this section), or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

(b) *Other violations, variances, exemptions.* The owner or operator of a public water system which fails to perform monitoring required by section 1445(a) of the Act (including monitoring required by the National Primary Drinking Water Regulations (NPDWRs) of this part), fails to comply with a testing procedure established by this part, is subject to a variance granted under section 1415(a)(1)(A) or 1415(a)(2) of the Act, or is subject to an exemption under section 1416 of the Act, shall notify persons served by the system as follows:

(1) Except as provided in paragraph (b)(3) or (b)(4) of this section, the owner or operator of a public water system must give notice within three months of the violation or granting of a variance or exemption by publication in a daily newspaper of general circulation in the area served by the system. If the area served by a public water system is not served by a daily newspaper of general circulation, notice shall instead be given by publication in a weekly newspaper of general circulation serving the area.

(2) Except as provided in paragraph (b)(3) or (b)(4) of this section, following the initial notice given under paragraph (b)(1) of this section, the owner or operator of the public water system must give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation exists. Repeat notice of the existence of a variance or exemption must be given every three months for as long as the variance or exemption remains in effect.

(3)(i) In lieu of the requirements of paragraphs (b)(1) and (b)(2) of this section, the owner or operator of a community water system in an area that is not served by a daily or weekly newspaper of general circulation must give notice, within three months of the violation or granting of the variance or exemption, by hand delivery or by continuous posting in conspicuous places with the area served by the system. Posting must continue for as long as the violation exists or a variance or exemption remains in effect. Notice by hand delivery must be repeated at least every three months for as long as the violation exists or a variance or exemption remains in effect.

(ii) In lieu of the requirements of paragraphs (b)(1) and (b)(2) of this section, the owner or operator of a non-community water system may give notice, within three months of the violation or the granting of the variance or exemption, by hand delivery or by continuous posting in conspicuous places within the area served by the system. Posting must continue for as long as the violation exists, or a variance or exemption remains in effect. Notice by hand delivery must be repeated at least every three months for as long as the violation exists or a variance or exemption remains in effect.

(4) In lieu of the requirements of paragraphs (b)(1), (b)(2), and (b)(3) of this section, the owner or operator of a public water system, at the discretion of the State, may provide less frequent notice for minor monitoring violations as defined by the State, if EPA has approved the State's application for a program revision under §142.16. Notice of such violations must be given no less frequently than annually.

(c) *Notice to new billing units.* The owner or operator of a community water system must give a copy of the most recent public notice for any outstanding violation of any maximum contaminant level, or any maximum residual disinfectant level, or any

treatment technique requirement, or any variance or exemption schedule to all new billing units or new hookups prior to or at the time service begins.

(d) *General content of public notice.* Each notice required by this section must provide a clear and readily understandable explanation of the violation, any potential adverse health effects, the population at risk, the steps that the public water system is taking to correct such violation, the necessity for seeking alternative water supplies, if any, and any preventive measures the consumer should take until the violation is corrected. Each notice shall be conspicuous and shall not contain unduly technical language, unduly small print, or similar problems that frustrate the purpose of the notice. Each notice shall include the telephone number of the owner, operator, or designee of the public water system as a source of additional information concerning the notice. Where appropriate, the notice shall be multi-lingual.

(e) *Mandatory health effects language.* When providing the information on potential adverse health effects required by paragraph (d) of this section in notices of violations of maximum contaminant levels or treatment technique requirements, or notices of the granting or the continued existence of exemptions or variances, or notices of failure to comply with a variance or exemption schedule, the owner or operator of a public water system shall include the language specified below for each contaminant. (If language for a particular contaminant is not specified below at the time notice is required, this paragraph does not apply.)

(1) *Trichloroethylene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that trichloroethylene is a health concern at certain levels of exposure. This chemical is a common metal cleaning and dry cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. EPA has set forth the enforceable drinking water standard for trichloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(2) *Carbon tetrachloride.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that carbon tetrachloride is a health concern at certain levels of exposure. This chemical was once a popular household cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of of time. EPA has set the enforceable drinking water standard for carbon tetrachloride at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(3) *1,2-Dichloroethane.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that 1,2-dichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaning fluid for fats, oils, waxes, and resins. It generally gets into drinking water from improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. EPA has set the enforceable drinking water standard for 1,2-dichloroethane at 0.005 parts per million (ppm) to reduce the

risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(4) *Vinyl chloride.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that vinyl chloride is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been associated with significantly increased risks of cancer among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. EPA has set the enforceable drinking water standard for vinyl chloride at 0.002 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(5) *Benzene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that benzene is a health concern at certain levels of exposure. This chemical is used as a solvent and degreaser of metals. It is also a major component of gasoline. Drinking water contamination generally results from leaking undergound gasoline and petroleum tanks or improper waste disposal. This chemical has been associated with significantly increased risks of leukemia among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. EPA has set the enforceable drinking water standard for benzene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(6) *1,1-Dichloroethylene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that 1,1-dichloroethylene is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. EPA has set the enforceable drinking water standard for 1,1-dichloroethylene at 0.007 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(7) *Para-dichlorobenzene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that para-dichlorobenzene is a health concern at certain levels of exposure. This chemical is a component of deodorizers, moth balls, and pesticides. It generally gets into drinking water by improper waste disposal. This chemical

has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed to high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. EPA has set the enforceable drinking water standard for para-dichlorobenzene at 0.075 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(8) *1,1,1-Trichloroethane.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that the 1,1,1-trichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaner and degreaser of metals. It generally gets into drinking water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the liver, nervous system, and circulatory system. Chemicals which cause adverse effects among exposed industrial workers and in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. EPA has set the enforceable drinking water standard for 1,1,1-trichloroethane at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

(9) *Fluoride.*

[NOTE: EPA is not specifying language that must be included in a public notice for a violation of the fluoride maximum contaminant level in this section because §143.5 of this part includes the necessary information. See paragraph (f) of this section.]

(10) *Microbiological contaminants* (for use when there is a violation of the treatment technique requirements for filtration and disinfection in subpart H or subpart P of this part). The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease. Disease symptoms may include diarrhea, cramps, nausea, and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. EPA has set enforceable requirements for treating drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. Drinking water which is treated to meet EPA requirements is associated with little to none of this risk and should be considered safe.

(11) *Total coliforms* (To be used when there is a violation of §141.63(a), and not a violation of §141.63(b)). The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliforms are common in the environment and are generally not harmful themselves. The presence of these bacteria in drinking water, however, generally is a result of a problem with water treatment or the pipes which distribute the water, and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea, and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. EPA has set an enforceable drinking water standard for total coliforms to reduce the risk of these adverse health effects. Under this

standard, no more than 5.0 percent of the samples collected during a month can contain these bacteria, except that systems collecting fewer than 40 samples/month that have one total coliform-positive sample per month are not violating the standard. Drinking water which meets this standard is usually not associated with a health risk from disease-causing bacteria and should be considered safe.

(12) *Fecal Coliforms/E. coli* (To be used when there is a violation of §141.63(b) or both §141.63 (a) and (b)). The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that the presence of fecal coliforms or *E. coli* is a serious health concern. Fecal coliforms and *E. coli* are generally not harmful themselves, but their presence in drinking water is serious because they usually are associated with sewage or animal wastes. The presence of these bacteria in drinking water is generally a result of a problem with water treatment or the pipes which distribute the water, and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea, and possibly jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. EPA has set an enforceable drinking water standard for fecal coliforms and *E. coli* to reduce the risk of these adverse health effects. Under this standard all drinking water samples must be free of these bacteria. Drinking water which meets this standard is associated with little or none of this risk and should be considered safe. State and local health authorities recommend that consumers take the following precautions: [To be inserted by the public water system, according to instructions from State or local authorities].

(13) *Lead*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that lead is a health concern at certain exposure levels. Materials that contain lead have frequently been used in the construction of water supply distribution systems, and plumbing systems in private homes and other buildings. The most commonly found materials include service lines, pipes, brass and bronze fixtures, and solders and fluxes. Lead in these materials can contaminate drinking water as a result of the corrosion that takes place when water comes into contact with those materials. Lead can cause a variety of adverse health effects in humans. At relatively low levels of exposure, these effects may include interference with red blood cell chemistry, delays in normal physical and mental development in babies and young children, slight deficits in the attention span, hearing, and learning abilities of children, and slight increases in the blood pressure of some adults. EPA's national primary drinking water regulation requires all public water systems to optimize corrosion control to minimize lead contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have lead concentrations below 15 parts per billion (ppb) in more than 90% of tap water samples (the EPA "action level") have optimized their corrosion control treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove lead in source water is needed. Any water system that continues to exceed the action level after installation of corrosion control and/or source water treatment must eventually replace all lead service lines contributing in excess of 15 (ppb) of lead to drinking water. Any water system that exceeds the action level must also undertake a public education program to inform consumers of ways they can reduce their exposure to potentially high levels of lead in drinking water.

(14) *Copper*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that copper is a health concern at certain exposure levels. Copper, a reddish-brown metal, is often used to plumb residential and commercial structures that are connected to water distribution systems. Copper contaminating drinking water as a corrosion byproduct occurs as the result of the corrosion of copper pipes that remain

in contact with water for a prolonged period of time. Copper is an essential nutrient, but at high doses it has been shown to cause stomach and intestinal distress, liver and kidney damage, and anemia. Persons with Wilson's disease may be at a higher risk of health effects due to copper than the general public. EPA's national primary drinking water regulation requires all public water systems to install optimal corrosion control to minimize copper contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have copper concentrations below 1.3 parts per million (ppm) in more than 90% of tap water samples (the EPA "action level") are not required to install or improve their treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove copper in source water is needed.

(15) *Asbestos.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that asbestos fibers greater than 10 micrometers in length are a health concern at certain levels of exposure. Asbestos is a naturally occurring mineral. Most asbestos fibers in drinking water are less than 10 micrometers in length and occur in drinking water from natural sources and from corroded asbestos-cement pipes in the distribution system. The major uses of asbestos were in the production of cements, floor tiles, paper products, paint, and caulking; in transportation-related applications; and in the production of textiles and plastics. Asbestos was once a popular insulating and fire retardent material. Inhalation studies have shown that various forms of asbestos have produced lung tumors in laboratory animals. The available information on the risk of developing gastrointestinal tract cancer associated with the ingestion of asbestos from drinking water is limited. Ingestion of intermediate-range chrysotile asbestos fibers greater than 10 micrometers in length is associated with causing benign tumors in male rats. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for asbestos at 7 million long fibers per liter to reduce the potential risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to asbestos.

(16) *Barium.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that barium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in some aquifers that serve as sources of ground water. It is also used in oil and gas drilling muds, automotive paints, bricks, tiles and jet fuels. It generally gets into drinking water after dissolving from naturally occurring minerals in the ground. This chemical may damage the heart and cardiovascular system, and is associated with high blood pressure in laboratory animals such as rats exposed to high levels during their lifetimes. In humans, EPA believes that effects from barium on blood pressure should not occur below 2 parts per million (ppm) in drinking water. EPA has set the drinking water standard for barium at 2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to barium.

(17) *Cadmium.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that cadmium is a health concern at certain levels of exposure. Food and the smoking of tobacco are common sources of general exposure. This inorganic metal is a contaminant in the metals used to galvanize pipe. It generally gets into water by corrosion of galvanized pipes or by improper waste disposal. This chemical has been shown to damage the kidney in animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage

to the kidney. EPA has set the drinking water standard for cadmium at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to cadmium.

(18) *Chromium.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that chromium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in the ground and is often used in the electroplating of metals. It generally gets into water from runoff from old mining operations and improper waste disposal from plating operations. This chemical has been shown to damage the kidney, nervous system, and the circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels. Some humans who were exposed to high levels of this chemical suffered liver and kidney damage, dermatitis and respiratory problems. EPA has set the drinking water standard for chromium at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to chromium.

(19) *Mercury.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that mercury is a health concern at certain levels of exposure. This inorganic metal is used in electrical equipment and some water pumps. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the kidney of laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. EPA has set the drinking water standard for mercury at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to mercury.

(20) *Nitrate.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that nitrate poses an acute health concern at certain levels of exposure. Nitrate is used in fertilizer and is found in sewage and wastes from human and/or farm animals and generally gets into drinking water from those activities. Excessive levels of nitrate in drinking water have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrate is converted to nitrite in the body. Nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly in infants. In most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. EPA has set the drinking water standard at 10 parts per million (ppm) for nitrate to protect against the risk of these adverse effects. EPA has also set a drinking water standard for nitrite at 1 ppm. To allow for the fact that the toxicity of nitrate and nitrite are additive, EPA has also established a standard for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to nitrate.

(21) *Nitrite.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that nitrite poses an acute health concern at certain levels of exposure. This inorganic chemical is used in fertilizers and is found in sewage and wastes from humans and/or farm animals and generally gets into drinking water as a result of those activities. While excessive levels of nitrite in drinking water have not been observed, other sources of nitrite have caused serious illness and sometimes death in infants under six months of age. The

serious illness in infants is caused because nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly. However, in most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. EPA has set the drinking water standard at 1 part per million (ppm) for nitrite to protect against the risk of these adverse effects. EPA has also set a drinking water standard for nitrate (converted to nitrite in humans) at 10 ppm and for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to nitrite.

(22) *Selenium.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that selenium is a health concern at certain high levels of exposure. Selenium is also an essential nutrient at low levels of exposure. This inorganic chemical is found naturally in food and soils and is used in electronics, photocopy operations, the manufacture of glass, chemicals, drugs, and as a fungicide and a feed additive. In humans, exposure to high levels of selenium over a long period of time has resulted in a number of adverse health effects, including a loss of feeling and control in the arms and legs. EPA has set the drinking water standard for selenium at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to selenium.

(23) *Acrylamide.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that acrylamide is a health concern at certain levels of exposure. Polymers made from acrylamide are sometimes used to treat water supplies to remove particulate contaminants. Acrylamide has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. Sufficiently large doses of acrylamide are known to cause neurological injury. EPA has set the drinking water standard for acrylamide using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of acrylamide in the polymer and the amount of the polymer which may be added to drinking water to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to acrylamide.

(24) *Alachlor.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that alachlor is a health concern at certain levels of exposure. This organic chemical is a widely used pesticide. When soil and climatic conditions are favorable, alachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for alachlor at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to alachlor.

(25) *Aldicarb.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb is a health

concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb may leach into ground water after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb at 0.003 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb.

(26) *Aldicarb sulfoxide.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb sulfoxide is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfoxide in ground water is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfoxide may leach into ground water after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb sulfoxide at 0.004 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfoxide.

(27) *Aldicarb sulfone.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone is formed from the breakdown of aldicarb and is considered for registration as a pesticide under the name aldoxycarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfone may leach into ground water after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb sulfone at 0.002 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone.

(28) *Atrazine.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that atrazine is a health concern at certain levels of exposure. This organic chemical is a herbicide. When soil and climatic conditions are favorable, atrazine may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to affect offspring of rats and the heart of dogs. EPA has set the drinking water standard for atrazine at 0.003 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to atrazine.

(29) *Carbofuran.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that carbofuran is a health concern at certain levels of exposure. This organic chemical is a pesticide. When soil and climatic conditions are favorable, carbofuran may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the nervous and reproductive systems of laboratory animals such as rats and mice exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the nervous system. Effects on the nervous system are generally rapidly reversible. EPA has set the

drinking water standard for carbofuran at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to carbofuran.

(30) *Chlordane.* The United States Environmental Protection Agency (EPA sets drinking water standards and has determined that chlordane is a health concern at certain levels of exposure. This organic chemical is a pesticide used to control termites. Chlordane is not very mobile in soils. It usually gets into drinking water after application near water supply intakes or wells. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for chlordane at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to chlordane.

(31) *Dibromochloropropane (DBCP).* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, dibromochloropropane may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for DBCP at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to DBCP.

(32) *o-Dichlorobenzene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that o-dichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent in the production of pesticides and dyes. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and the blood cells of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, nervous system, and circulatory system. EPA has set the drinking water standard for o-dichlorobenzene at 0.6 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to o-dichlorobenzene.

(33) *cis-1,2-Dichloroethylene.* The United States Environmental Protection Agency (EPA) establishes drinking water standards and has determined that cis-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. EPA has set the drinking water standard for cis-1,2-dichloroethylene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to cis-1,2-dichloroethylene.

(34) *trans-1,2-Dichloroethylene.* The United States Environmental Protection Agency (EPA) establishes drinking water standards and has determined that trans-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and the circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. EPA has set drinking water standard for trans-1,2-dichloroethylene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to trans-1,2-dichloroethylene.

(35) *1,2-Dichloropropane.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that 1,2-dichloropropane is a health concern at certain levels of exposure. This organic chemical is used as a solvent and pesticide. When soil and climatic conditions are favorable, 1,2-dichloropropane may get into drinking water by runoff into surface water or by leaching into ground water. It may also get into drinking water through improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for 1,2-dichloropropane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to 1,2-dichloropropane.

(36) *2,4–D.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that 2,4–D is a health concern at certain levels of exposure. This organic chemical is used as a herbicide and to control algae in reservoirs. When soil and climatic conditions are favorable, 2,4–D may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. EPA has set the drinking water standard for 2,4–D at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to 2,4–D.

(37) *Epichlorohydrin.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that epichlorohydrin is a health concern at certain levels of exposure. Polymers made from epichlorohydrin are sometimes used in the treatment of water supplies as a flocculent to remove particulates. Epichlorohydrin generally gets into drinking water by improper use of these polymers. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for epichlorohydrin using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of epichlorohydrin in the polymer and the amount of the polymer which may be added to drinking water as a flocculent to remove particulates. Drinking water systems which comply with this treatment technique

have little to no risk and are considered safe with respect to epichlorohydrin.

(38) *Ethylbenzene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined ethylbenzene is a health concern at certain levels of exposure. This organic chemical is a major component of gasoline. It generally gets into water by improper waste disposal or leaking gasoline tanks. This chemical has been shown to damage the kidney, liver, and nervous system of laboratory animals such as rats exposed to high levels during their lifetimes. EPA has set the drinking water standard for ethylbenzene at 0.7 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to ethylbenzene.

(39) *Ethylene dibromide (EDB).* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that EDB is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, EDB may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for EDB at 0.00005 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to EDB.

(40) *Heptachlor.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that heptachlor is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standards for heptachlor at 0.0004 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor.

(41) *Heptachlor epoxide.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that heptachlor epoxide is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor expoxide may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standards for heptachlor epoxide at 0.0002 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor epoxide.

(42) *Lindane.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that lindane is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, lindane may get

into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and immune system of laboratory animals such as rats, mice and dogs exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system and circulatory system. EPA has established the drinking water standard for lindane at 0.0002 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to lindane.

(43) *Methoxychlor.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that methoxychlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, methoxychlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. EPA has set the drinking water standard for methoxychlor at 0.04 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to methoxychlor.

(44) *Monochlorobenzene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that monochlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. EPA has set the drinking water standard for monochlorobenzene at 0.1 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to monochlorobenzene.

(45) *Polychlorinated biphenyls (PCBs).* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that polychlorinated biphenyls (PCBs) are a health concern at certain levels of exposure. These organic chemicals were once widely used in electrical transformers and other industrial equipment. They generally get into drinking water by improper waste disposal or leaking electrical industrial equipment. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for PCBs at 0.0005 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to PCBs.

(46) *Pentachlorophenol.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that pentachlorophenol is a health concern at certain levels of exposure. This organic chemical is used as a wood preservative, herbicide, disinfectant, and defoliant. It generally gets into drinking water by runoff into surface water or leaching into ground water. This chemical has been shown to produce adverse reproductive effects and to damage the liver and kidneys of laboratory animals such as rats exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the liver and kidneys. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels over their lifetimes. Chemicals that cause

cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for pentachlorophenol at 0.001 parts per million (ppm) to protect against the risk of cancer or other adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to pentachlorophenol.

(47) *Styrene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that styrene is a health concern at certain levels of exposure. This organic chemical is commonly used to make plastics and is sometimes a component of resins used for drinking water treatment. Styrene may get into drinking water from improper waste disposal. This chemical has been shown to damage the liver and nervous system in laboratory animals when exposed at high levels during their lifetimes. EPA has set the drinking water standard for styrene at 0.1 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to styrene.

(48) *Tetrachloroethylene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that tetrachloroethylene is a health concern at certain levels of exposure. This organic chemical has been a popular solvent, particularly for dry cleaning. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for tetrachloroethylene at 0.005 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to tetrachloroethylene.

(49) *Toluene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that toluene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and in the manufacture of gasoline for airplanes. It generally gets into water by improper waste disposal or leaking underground storage tanks. This chemical has been shown to damage the kidney, nervous system, and circulatory system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, kidney and nervous system. EPA has set the drinking water standard for toluene at 1 part per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to toluene.

(50) *Toxaphene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that toxaphene is a health concern at certain levels of exposure. This organic chemical was once a pesticide widely used on cotton, corn, soybeans, pineapples and other crops. When soil and climatic conditions are favorable, toxaphene may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for toxaphene at 0.003 part per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to toxaphene.

(51) *2,4,5–TP*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that 2,4,5–TP is a health concern at certain levels of exposure. This organic chemical is used as a herbicide. When soil and climatic conditions are favorable, 2,4,5–TP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the nervous system. EPA has set the drinking water standard for 2,4,5–TP at 0.05 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to 2,4,5–TP.

(52) *Xylenes*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that xylene is a health concern at certain levels of exposure. This organic chemical is used in the manufacture of gasoline for airplanes and as a solvent for pesticides, and as a cleaner and degreaser of metals. It usually gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. EPA has set the drinking water standard for xylene at 10 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to xylene.

(53) *Antimony*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that antimony is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water and surface waters and is often used in the flame retardant industry. It is also used in ceramics, glass, batteries, fireworks and explosives. It may get into drinking water through natural weathering of rock, industrial production, municipal waste disposal or manufacturing processes. This chemical has been shown to decrease longevity, and altered blood levels of cholesterol and glucose in laboratory animals such as rats exposed to high levels during their lifetimes. EPA has set the drinking water standard for antimony at 0.006 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to antimony.

(54) *Beryllium*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that beryllium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in soils, ground water and surface waters and is often used in electrical equipment and electrical components. It generally gets into water from runoff from mining operations, discharge from processing plants and improper waste disposal. Beryllium compounds have been associated with damage to the bones and lungs and induction of cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. There is limited evidence to suggest that beryllium may pose a cancer risk via drinking water exposure. Therefore, EPA based the health assessment on noncancer effects with an extra uncertainty factor to account for possible carcinogenicity. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for beryllium at 0.004 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to beryllium.

(55) *Cyanide.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that cyanide is a health concern at certain levels of exposure. This inorganic chemical is used in electroplating, steel processing, plastics, synthetic fabrics and fertilizer products. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the spleen, brain and liver of humans fatally poisoned with cyanide. EPA has set the drinking water standard for cyanide at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to cyanide.

(56) [Reserved]

(57) *Thallium.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that thallium is a health concern at certain high levels of exposure. This inorganic metal is found naturally in soils and is used in electronics, pharmaceuticals, and the manufacture of glass and alloys. This chemical has been shown to damage the kidney, liver, brain and intestines of laboratory animals when the animals are exposed at high levels over their lifetimes. EPA has set the drinking water standard for thallium at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to thallium.

(58) *Benzo[a]pyrene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that benzo[a]pyrene is a health concern at certain levels of exposure. Cigarette smoke and charbroiled meats are common source of general exposure. The major source of benzo[a]pyrene in drinking water is the leaching from coal tar lining and sealants in water storage tanks. This chemical has been shown to cause cancer in animals such as rats and mice when the animals are exposed at high levels. EPA has set the drinking water standard for benzo[a]pyrene at 0.0002 parts per million (ppm) to protect against the risk of cancer. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to benzo[a]pyrene.

(59) *Dalapon.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that dalapon is a health concern at certain levels of exposure. This organic chemical is a widely used herbicide. It may get into drinking water after application to control grasses in crops, drainage ditches and along railroads. This chemical has been shown to cause damage to the kidney and liver in laboratory animals when the animals are exposed to high levels over their lifetimes. EPA has set the drinking water standard for dalapon at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to dalapon.

(60) *Dichloromethane.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that dichloromethane (methylene chloride) is a health concern at certain levels of exposure. This organic chemical is a widely used solvent. It is used in the manufacture of paint remover, as a metal degreaser and as an aerosol propellant. It generally gets into drinking water after improper discharge of waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for dichloromethane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk

and should be considered safe with respect to dichloromethane.

(61) *Di (2-ethylhexyl)adipate.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that di(2-ethylhexyl)adipate is a health concern at certain levels of exposure. Di(2-ethylhexyl)adipate is a widely used plasticizer in a variety of products, including synthetic rubber, food packaging materials and cosmetics. It may get into drinking water after improper waste disposal. This chemical has been shown to damage liver and testes in laboratory animals such as rats and mice exposed to high levels. EPA has set the drinking water standard for di(2-ethylhexyl)adipate at 0.4 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water which meets the EPA standards is associated with little to none of this risk and should be considered safe with respect to di(2-ethylhexyl)adipate.

(62) *Di(2-ethylhexyl)phthalate.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that di(2-ethylhexyl)phthalate is a health concern at certain levels of exposure. Di(2-ethylhexyl)phthalate is a widely used plasticizer, which is primarily used in the production of polyvinyl chloride (PVC) resins. It may get into drinking water after improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice exposed to high levels over their lifetimes. EPA has set the drinking water standard for di(2-ethylhexyl)phthalate at 0.006 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to di(2-ethylhexyl)phthalate.

(63) *Dinoseb.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that dinoseb is a health concern at certain levels of exposure. Dinoseb is a widely used pesticide and generally gets into drinking water after application on orchards, vineyards and other crops. This chemical has been shown to damage the thyroid and reproductive organs in laboratory animals such as rats exposed to high levels. EPA has set the drinking water standard for dinoseb at 0.007 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to dinoseb.

(64) *Diquat.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that diquat is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney and gastrointestinal tract and causes cataract formation in laboratory animals such as dogs and rats exposed at high levels over their lifetimes. EPA has set the drinking water standard for diquat at 0.02 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to diquat.

(65) *Endothall.* The United States Environmental Protection Agency (EPA) has determined that endothall is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into water by runoff into surface water. This chemical has been shown to damage the liver, kidney, gastrointestinal tract and reproductive system of laboratory animals such as rats and mice exposed at high levels over their lifetimes. EPA has set the drinking water standard for endothall at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to endothall.

(66) *Endrin.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that endrin is a health concern at certain levels of exposure. This

organic chemical is a pesticide no longer registered for use in the United States. However, this chemical is persistent in treated soils and accumulates in sediments and aquatic and terrestrial biota. This chemical has been shown to cause damage to the liver, kidney and heart in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. EPA has set the drinking water standard for endrin at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in laboratory animals. Drinking water that meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to endrin.

(67) *Glyphosate.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that glyphosate is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control grasses and weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to cause damage to the liver and kidneys in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. EPA has set the drinking water standard for glyphosate at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to glyphosate.

(68) *Hexachlorobenzene.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that hexachlorobenzene is a health concern at certain levels of exposure. This organic chemical is produced as an impurity in the manufacture of certain solvents and pesticides. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for hexachlorobenzene at 0.001 parts per million (ppm) to protect against the risk of cancer and other adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to hexachlorobenzene.

(69) *Hexachlorocyclopentadiene.* The United States Environmental Protection Agency (EPA) establishes drinking water standards and has determined that hexachlorocyclopentadiene is a health concern at certain levels of exposure. This organic chemical is used as an intermediate in the manufacture of pesticides and flame retardants. It may get into water by discharge from production facilities. This chemical has been shown to damage the kidney and the stomach of laboratory animals when exposed at high levels over their lifetimes. EPA has set the drinking water standard for hexachlorocyclopentadiene at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to hexachlorocyclopentadiene.

(70) *Oxamyl.* The United States Environmental Protection Agency (EPA) establishes drinking water standards and has determined that oxamyl is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for the control of insects and other pests. It may get into drinking water by runoff into surface water or leaching into ground water. This chemical has been shown to damage the kidneys of laboratory animals such as rats when exposed at high levels over their lifetimes. EPA has set the drinking water standard for oxamyl at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to oxamyl.

(71) *Picloram.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that picloram is a health concern at certain levels of exposure.

This organic chemical is used as a pesticide for broadleaf weed control. It may get into drinking water by runoff into surface water or leaching into ground water as a result of pesticide application and improper waste disposal. This chemical has been shown to cause damage to the kidneys and liver in laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. EPA has set the drinking water standard for picloram at 0.5 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to picloram.

(72) *Simazine*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that simazine is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control annual grasses and broadleaf weeds. It may leach into ground water or runs off into surface water after application. This chemical may cause cancer in laboratory animals such as rats and mice exposed at high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for simazine at 0.004 parts per million (ppm) to reduce the risk of cancer or other adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to simazine.

(73) *1,2,4-Trichlorobenzene*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that 1,2,4-trichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a dye carrier and as a precursor in herbicide manufacture. It generally gets into drinking water by discharges from industrial activities. This chemical has been shown to cause damage to several organs, including the adrenal glands. EPA has set the drinking water standard for 1,2,4-trichlorobenzene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to 1,2,4-trichlorobenzene.

(74) *1,1,2-Trichloroethane*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined 1,1,2-trichloroethane is a health concern at certain levels of exposure. This organic chemical is an intermediate in the production of 1,1-dichloroethylene. It generally gets into water by industrial discharge of wastes. This chemical has been shown to damage the kidney and liver of laboratory animals such as rats exposed to high levels during their lifetimes. EPA has set the drinking water standard for 1,1,2-trichloroethane at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water which meets the EPA standard is associated with little to none of this risk and should be considered safe with respect to 1,1,2-trichloroethane.

(75) *2,3,7,8–TCDD (Dioxin)*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that dioxin is a health concern at certain levels of exposure. This organic chemical is an impurity in the production of some pesticides. It may get into drinking water by industrial discharge of wastes. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. EPA has set the drinking water standard for dioxin at 0.00000003 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe with respect to dioxin.

(76) *Chlorine*. The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that chlorine is a health

concern at certain levels of exposure. Chlorine is added to drinking water as a disinfectant to kill bacteria and other disease-causing microorganisms and is also added to provide continuous disinfection throughout the distribution system. Disinfection is required for surface water systems. However, at high doses for extended periods of time, chlorine has been shown to affect blood and the liver in laboratory animals. EPA has set a drinking water standard for chlorine to protect against the risk of these adverse effects. Drinking water which meets this EPA standard is associated with little to none of this risk and should be considered safe with respect to chlorine.

(77) *Chloramines.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that chloramines are a health concern at certain levels of exposure. Chloramines are added to drinking water as a disinfectant to kill bacteria and other disease-causing microorganisms and are also added to provide continuous disinfection throughout the distribution system. Disinfection is required for surface water systems. However, at high doses for extended periods of time, chloramines have been shown to affect blood and the liver in laboratory animals. EPA has set a drinking water standard for chloramines to protect against the risk of these adverse effects. Drinking water which meets this EPA standard is associated with little to none of this risk and should be considered safe with respect to chloramines.

(78) *Chlorine dioxide.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that chlorine dioxide is a health concern at certain levels of exposure. Chlorine dioxide is used in water treatment to kill bacteria and other disease-causing microorganisms and can be used to control tastes and odors. Disinfection is required for surface water systems. However, at high doses, chlorine dioxide-treated drinking water has been shown to affect blood in laboratory animals. Also, high levels of chlorine dioxide given to laboratory animals in drinking water have been shown to cause neurological effects on the developing nervous system. These neurodevelopmental effects may occur as a result of a short-term excessive chlorine dioxide exposure. To protect against such potentially harmful exposures, EPA requires chlorine dioxide monitoring at the treatment plant, where disinfection occurs, and at representative points in the distribution system serving water users. EPA has set a drinking water standard for chlorine dioxide to protect against the risk of these adverse effects.

NOTE: In addition to the language in this introductory text of paragraph (e)(78), systems must include either the language in paragraph (e)(78)(i) or (e)(78)(ii) of this section. Systems with a violation at the treatment plant, but not in the distribution system, are required to use the language in paragraph (e)(78)(i) of this section and treat the violation as a nonacute violation. Systems with a violation in the distribution system are required to use the language in paragraph (e)(78)(ii) of this section and treat the violation as an acute violation.

(i) The chlorine dioxide violations reported today are the result of exceedances at the treatment facility only, and do not include violations within the distribution system serving users of this water supply. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to present consumers.

(ii) The chlorine dioxide violations reported today include exceedances of the EPA standard within the distribution system serving water users. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including pregnant women, infants, and young children, may be especially susceptible to adverse effects of excessive exposure to chlorine dioxide-treated water. The purpose of this notice is to advise that such persons should consider reducing their risk of adverse effects from these chlorine dioxide violations by seeking alternate sources of water for human consumption until such exceedances are rectified. Local and State health authorities are the best sources for information concerning alternate drinking water.

(79) *Disinfection byproducts and treatment technique for DBPs.* The United States Environmental Protection Agency (EPA) sets drinking water standards and requires the disinfection of drinking water. However, when used in the treatment of drinking water, disinfectants react with naturally-occurring organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). EPA has determined that a number of DBPs are a health concern at certain levels of exposure. Certain DBPs, including some trihalomethanes (THMs) and some haloacetic acids (HAAs), have been shown to cause cancer in laboratory animals. Other DBPs have been shown to affect the liver and the nervous system, and cause reproductive or developmental effects in laboratory animals. Exposure to certain DBPs may produce similar effects in people. EPA has set standards to limit exposure to THMs, HAAs, and other DBPs.

(80) *Bromate.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that bromate is a health concern at certain levels of exposure. Bromate is formed as a byproduct of ozone disinfection of drinking water. Ozone reacts with naturally occurring bromide in the water to form bromate. Bromate has been shown to produce cancer in rats. EPA has set a drinking water standard to limit exposure to bromate.

(81) *Chlorite.* The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that chlorite is a health concern at certain levels of exposure. Chlorite is formed from the breakdown of chlorine dioxide, a drinking water disinfectant. Chlorite in drinking water has been shown to affect blood and the developing nervous system. EPA has set a drinking water standard for chlorite to protect against these effects. Drinking water which meets this standard is associated with little to none of these risks and should be considered safe with respect to chlorite.

(f) *Public notices for fluoride.* Notice of violations of the maximum contaminant level for fluoride, notices of variances and exemptions from the maximum contaminant level for fluoride, and notices of failure to comply with variance and exemption schedules for the maximum contaminant level for fluoride shall consist of the public notice prescribed in §143.5(b), plus a description of any steps which the system is taking to come into compliance.

(g) *Public notification by the State.* The State may give notice to the public required by this section on behalf of the owner or operator of the public water system if the State complies with the requirements of this section. However, the owner or operator of the public water system remains legally responsible for ensuring that the requirements of this section are met.

[52 FR 41546, Oct. 28, 1987, as amended at 54 FR 15188, Apr. 17, 1989; 54 FR 27527, 27566, June 29, 1989; 55 FR 25064, June 19, 1990; 56 FR 3587, Jan. 30, 1991; 56 FR 26548, June 7, 1991; 56 FR 30279, July 1, 1991; 57 FR 31843, July 17, 1992; 59 FR 34323, July 1, 1994; 60 FR 33932, June 29, 1995; 63 FR 69464, 69515, Dec. 16, 1998; 65 FR 26022, May 4, 2000]

§141.33 Record maintenance.

Any owner or operator of a public water system subject to the provisions of this part shall retain on its premises or at a convenient location near its premises the following records:

(a) Records of bacteriological analyses made pursuant to this part shall be kept for not less than 5 years. Records of chemical analyses made pursuant to this part shall be kept for not less than 10 years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:

(1) The date, place, and time of sampling, and the name of the person who collected the sample;

(2) Identification of the sample as to whether it was a routine distribution system sample, check sample, raw or process water sample or other special purpose sample;

(3) Date of analysis;

(4) Laboratory and person responsible for performing analysis;

(5) The analytical technique/method used; and

(6) The results of the analysis.

(b) Records of action taken by the system to correct violations of primary drinking water regulations shall be kept for a period not less than 3 years

after the last action taken with respect to the particular violation involved.

(c) Copies of any written reports, summaries or communications relating to sanitary surveys of the system conducted by the system itself, by a private consultant, or by any local, State or Federal agency, shall be kept for a period not less than 10 years after completion of the sanitary survey involved.

(d) Records concerning a variance or exemption granted to the system shall be kept for a period ending not less than 5 years following the expiration of such variance or exemption.

(e) Copies of public notices issued pursuant to Subpart Q of this part and certifications made to the primacy agency pursuant to §141.31 must be kept for three years after issuance.

[40 FR 59570, Dec. 24, 1975, as amended at 65 FR 26022, May 4, 2000]

§ 141.34 [Reserved]

§ 141.35 Reporting of unregulated contaminant monitoring results.

(a) *Does this reporting apply to me?* (1) This section applies to any owner or operator of a public water system required to monitor for unregulated contaminants under §141.40. This section requires you to report the results of this monitoring.

(2) *Exception*. You do not need to report results if you are a system serving a population of 10,000 or less, since EPA will arrange for testing and reporting of the results. However, you will still need to comply with consumer confidence reporting and public notification requirements for these results.

(b) *To whom must I report?* You must report the results of unregulated contaminant monitoring to EPA and provide a copy to the State. You must also notify the public of the monitoring results as provided in Subpart O (Consumer Confidence Reports) and Subpart Q (Public Notification) of this part.

(c) *When must I report monitoring results?* You must report the results of unregulated contaminant monitoring within thirty (30) days following the month in which you received the results from the laboratory. EPA will conduct its quality control review of the data for sixty (60) days after you report the data, which will also allow for quality control review by systems and States. After the quality control review, EPA will place the data in the national drinking water contaminant occurrence database at the time of the next database update. Exception: Reporting to EPA of monitoring results received by public water systems prior to May 13, 2002, must occur by August 9, 2002.

(d) *What information must I report?* (1) You must provide the following "point of contact" information: name, mailing address, phone number, and e-mail address for:

(i) PWS Technical Contact, the person at your PWS that is responsible for the technical aspects of your unregulated contaminant monitoring regulation (UCMR) activities, such as details concerning sampling and reporting;

(ii) PWS Official, the person at your PWS that is able to function as the official spokesperson for your UCMR activities; and

(iii) Laboratory Contact Person, the person at your laboratory that is able to address questions concerning the analysis that they provided for you.

(2) You must update this information if it changes during the course of UCMR implementation.

(3) You must report the information specified for data elements 1 through 16 in the following table for each sample.

TABLE 1—UNREGULATED CONTAMINANT MONITORING REPORTING REQUIREMENTS

Data Element	Definition
1. Public Water System (PWS) Identification Number.	The code used to identify each PWS. The code begins with the standard two-character postal State abbreviation; the remaining seven characters are unique to each PWS.
2. Public Water System Facility Identification Number—Sampling Point Identification Number and Sampling Point Type Identification.	The Sampling point identification number and sampling point type identification must either be static or traceable to previous numbers and type identifications throughout the period of unregulated contaminant monitoring. The Sampling point identification number is a three-part alphanumeric designation, made up of:

TABLE 1—UNREGULATED CONTAMINANT MONITORING REPORTING REQUIREMENTS—Continued

Data Element	Definition
	a. The Public Water System Facility Identification Number is an identification number established by the State, or at the State's discretion the PWS, that is unique to the PWS for an intake for each source of water, a treatment plant, a distribution system, or any other facility associated with water treatment or delivery and provides for the relationship of facilities to each other to be maintained; b. The Sampling Point Identification Number is an identification number established by the State, or at the State's discretion the PWS, that is unique to each PWS facility that identifies the specific sampling point and allows the relationship of the sampling point to other facilities to be maintained; and c. Sampling Point Type Identification is one of following: SR—Untreated water collected at the source of the water system facility. EP—Entry point to the distribution system. MD—midpoint in the distribution system where the disinfectant residual would be expected to be typical for the system such as the location for sampling coliform indicator bacteria as described in 40 CFR 141.21. MR—point of maximum retention is the point located the furthest from the entry point to the distribution system which is approved by the State for trihalomethane (THM) (disinfectant byproducts (DBP)) and/or total coliform sampling. LD—location in the distribution system where the disinfectant residual is the lowest which is approved by the State for THM (DBP) and/or total coliform sampling.
3. Sample Collection Date	The date the sample is collected reported as 4-digit year, 2-digit month, and 2-digit day.
4. Sample Identification Number	An alphanumeric value of up to 15 characters assigned by the laboratory to uniquely identify containers or groups of containers containing water samples collected at the same time and sampling point.
5. Contaminant/Parameter	The unregulated contaminant or water quality parameter for which the sample is being analyzed.
6. Analytical Results—Sign	An alphanumeric value indicating whether the sample analysis result was: a. (<) "less than" means the contaminant was not detected or was detected at a level "less than" the MRL. b. (=) "equal to" means the contaminant was detected at a level "equal to" the value reported in "Analytical Result—Value."
7. Analytical Result—Value	The actual numeric value of the analysis for chemical and microbiological results, or the minimum reporting level (MRL) if the analytical result is less than the contaminant's MRL.
8. Analytical Result—Unit of Measure	The unit of measurement for the analytical results reported. [e.g., micrograms per liter, (μg/L); colony-forming units per 100 milliliters, (CFU/100 mL), etc.]
9. Analytical Method Number	The identification number of the analytical method used.
10. Sample Analysis Type	The type of sample collected. Permitted values include: a. RFS—Raw field sample—untreated sample collected and submitted for analysis under this rule. b. RDS—Raw duplicate field sample—untreated field sample duplicate collected at the same time and place as the raw field sample and submitted for analysis under this rule. c. TFS—Treated field sample—treated sample collected and submitted for analysis under this rule. d. TDS—Treated duplicate field sample—treated field sample duplicate collected at the same time and place as the treated field sample and submitted for analysis under this rule.
11. Sample Batch Identification Number	The sample batch identification number consists of three parts: a. Up to a 10-character laboratory identification code assigned by EPA. b. Up to a 15-character code assigned by the laboratory to uniquely identify each extraction or analysis batch. c. The date that the samples contained in each extraction batch extracted or in an analysis batch were analyzed, reported as an 8-digit number in the form 4-digit year, 2-digit month, and 2-digit day.
12. Minimum Reporting Level	Minimum Reporting Level (MRL) refers to the lowest concentration of an analyte that may be reported. Unregulated contaminant monitoring (UCM) MRLs are established in § 141.40 monitoring requirements for unregulated contaminants.
13. Minimum Reporting Level Unit of Measure.	The unit of measure to express the concentration, count, or other value of a contaminant level for the Minimum Reporting Level reported. (e.g., μg/L, colony forming units/100 mL (CFU/100 mL), etc.).
14. Analytical Precision	Precision is the degree of agreement between two repeated measurements and is monitored through the use of duplicate spiked samples. For purposes of the Unregulated Contaminant Monitoring Regulation (UCMR), Analytical Precision is defined as the relative percent difference (RPD) between spiked matrix duplicates. The RPD for the spiked matrix duplicates analyzed in the same batch of samples as the analytical result being reported is to be entered in this field. Precision is calculated as Relative Percent Difference (RPD) of spiked matrix duplicates from the mean using: RPD = absolute value of $[(X_1—X_2) /(X_1 +X_2)/2] \times 100\%$. where:

TABLE 1—UNREGULATED CONTAMINANT MONITORING REPORTING REQUIREMENTS—Continued

Data Element	Definition
	X_1 is the concentration observed in spiked field sample minus the concentration observed in unspiked field sample.
	X_2 is the concentration observed in duplicate spiked field sample minus the concentration observed in unspiked field sample.
15. Analytical Accuracy	Accuracy describes how close a result is to the true value measured through the use of spiked field samples. For purposes of unregulated contaminant monitoring, accuracy is defined as the percent recovery of the contaminant in the spiked matrix sample analyzed in the same analytical batch as the sample result being reported and calculated using:
	% recovery = [(amt. found in spiked sample—amt. found in sample)/amt. spiked] × 100%.
16. Spiking Concentration	The concentration of method analyte(s) added to a sample to be analyzed for calculating analytical precision and accuracy where the value reported use the same unit of measure reported for Analytical Results.
17. Presence/Absence	Reserved.

(e) *How must I report this information?* (1) You must report results from monitoring under this rule using EPA's electronic reporting system. For quality control purposes, you must instruct the organization(s) responsible for the analysis of unregulated contaminant samples taken under §141.40 to *enter* the results into the reporting system, in the format specified by EPA. You are responsible for *reviewing* those results and *approving* the reporting (via the electronic system) of the results to EPA. You must also provide a copy of the results to the State, as directed by the State.

(2) If you report more than one set of valid results for the same sampling point and the same sampling event (for example, because you have had more than one organization (e.g., a laboratory) analyze replicate samples collected under §141.40, or because you have collected multiple samples during a single monitoring event at the same sampling point), EPA will use the highest of the reported values as the official result.

(f) *Does the laboratory to which I send samples report the results for me?* While you must instruct the organization conducting unregulated contaminant analysis (e.g., a laboratory) to enter the results into EPA's electronic reporting system, you are responsible for reviewing and approving the submission of the results to EPA. If the analytical organization or laboratory cannot enter these data for you using EPA's electronic reporting system, then you may explain to EPA in writing the reasons why alternate reporting is necessary and must receive EPA's approval to use an alternate reporting procedure.

(g) *Can I report previously collected data to meet the testing and reporting requirements for the contaminants listed in §141.40(a)(3)?* Yes, as long as the data meet the specific requirements of §141.40(a)(3), (4), (5), and Appendix A of §141.40 and you report the data with the information specified in paragraph (d) of this section.

[64 FR 50611, Sept. 17, 1999, as amended at 66 FR 2300, Jan. 11, 2001; 66 FR 27215, May 16, 2001; 67 FR 11046, Mar. 12, 2002]

Subpart E—Special Regulations, Including Monitoring Regulations and Prohibition on Lead Use

§141.40 Monitoring requirements for unregulated contaminants.

(a) *Requirements for owners and operators of public water systems.* (1) *Do I have to monitor for unregulated contaminants?*

(i) *Transient systems.* If you own or operate a transient non-community water system, you do not have to monitor for unregulated contaminants.

(ii) *Large systems not purchasing their entire water supply from another system.* If you own or operate a wholesale or retail public water system (other than a transient system) that serves more than 10,000 persons, as determined by the State, and do not purchase your entire water supply from another public water system, you must monitor as follows:

(A) You must monitor for the unregulated contaminants on List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section.

(B) You must monitor for the unregulated contaminants on List 2 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, if notified by your State or EPA that you are part of the Screening Surveys.

(C) You must monitor for the unregulated contaminants on List 3 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, if notified by your State or EPA that you are part of the Pre-Screen Testing.

(iii) *Large systems purchasing their entire water supply from another system.* If you own or operate a public water system (other than a transient system) that serves more than 10,000 persons and purchase your entire water supply from a wholesale or retail public water system, you must monitor as follows:

(A) You must monitor for the unregulated contaminants on List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, that have a "sampling location" indicated as "distribution system".

(B) You must monitor for the unregulated contaminants on List 2 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, that have a "sampling location" indicated as "distribution system" if notified by your State or EPA that you are part of the Screening Surveys.

(C) You must monitor for the unregulated contaminants on List 3 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, that have a "sampling location" indicated as "distribution system" if notified by your State or EPA that you are part of the Pre-Screen Testing.

(iv) *Small systems not purchasing their entire water supply from another system.* If you own or operate a public water system (other than a transient system) that serves 10,000 or fewer persons and do not purchase your entire water supply from another public water system, you must monitor as follows:

(A) You must monitor for the unregulated contaminants on List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, if you are notified by your State or EPA that you are part of the State Monitoring Plan for small systems.

(B) You must monitor for the unregulated contaminants on List 2 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, if you are notified by your State or EPA that you are part of the Screening Surveys.

(C) You must monitor for the unregulated contaminants on List 3 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, if you are notified by your State or EPA that you are part of the Pre-Screen Testing.

(v) *Small systems purchasing their entire water supply from another system.* If you own or operate a public water system (other than a transient system) that serves 10,000 or fewer persons and purchase your entire water supply from another public water system, you must monitor as follows:

(A) You must monitor for the unregulated contaminants on List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, that have a "sampling location" indicated as "distribution system" if you are notified by your State or EPA that you are part of the State Monitoring Plan for small systems.

(B) You must monitor for the unregulated contaminants on List 2 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, that have a "sampling location" indicated as "distribution system" if you are notified by your State or EPA that you are part of the Screening Surveys.

(C) You must monitor for the unregulated contaminants on List 3 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, that have a "sampling location" indicated as "distribution system" if you are notified by

your State or EPA that you are part of the Pre-Screen Testing.

(2) *How would I be selected for the monitoring under the State Monitoring Plan, the Screening Surveys, or the Pre-Screen Testing?* (i) State Monitoring Plan. Only a representative sample of small systems must monitor for unregulated contaminants. EPA will select a national representative sample of small public water systems in each State through the use of a random number generator. Selection will be weighted by population served within each system water source type (surface or ground water) and system size category (systems serving 25–500, 501–3,300, and 3,301–10,000 persons). EPA may allocate additional systems to water source types or system size categories to increase the statistical inferential ability for those categories. EPA will also select a small group of systems to be "Index systems." Systems selected as Index systems are required to provide information about their site and operation that will serve to allow extrapolation of their results to other systems of similar size, rather than collecting detailed information at every small system. Each State will have the opportunity to make some modifications to the list of small systems that EPA selects. You will be notified by the State or EPA if your system is part of the final State Monitoring Plan.

(ii) *Screening Surveys.* The purpose of the Screening Surveys is to determine the occurrence of contaminants in drinking water or sources of drinking water for which analytical methods have recently been developed for unregulated contaminant monitoring. EPA will select up to 300 systems to participate in each survey by using a random number generator. You will be notified by the State or EPA if your system is selected for monitoring under the Screening Surveys.

(iii) *Pre-screen Testing.* The purpose of Pre-Screen Testing is to determine the occurrence of contaminants for which EPA needs to evaluate new analytical methods in locations where the contaminants are most likely to be found. EPA will select up to 200 systems to participate in this testing after considering the characteristics of the contaminants, precipitation, system operation, and environmental conditions. You will be notified by the State or EPA that your system has been selected for monitoring under the Pre-Screen Testing program.

(3) *For which contaminants must I monitor?* Lists 1, 2 and 3 of unregulated contaminants are listed in the following table:

TABLE 1—UNREGULATED CONTAMINANT MONITORING REGULATION (1999) LIST

List 1—Assessment Monitoring Chemical Contaminants					
1-Contaminant	2–CAS registry number	3-Analytical methods	4-Minimum reporting level	5-Sampling location	6-Period during which monitoring to be completed
2, 4-dinitrotoluene	121–14–2	EPA Method 525.2 [a]	2 μg/L [e]	EPTDS [f]	2001–2003
2, 6 dinitrotoluene	606–20–2	EPA Method 525.2 [a]	2 μg/L [e]	EPTDS [f]	2001–2003
Acetochlor	34256–82–1	EPA Method 525.2 [a]	2 μg/L [o]	EPTDS [f]	2001–2003
DCPA mono-acid degradate [h]	887–54–7	EPA Method 515.1 [a], EPA Method 515.2 [a], EPA Method 515.3 [i,j], EPA Method 515.4 [k], D5317–93 [b], AOAC 992.32 [c]	1 μg/L [e]	EPTDS [f]	2001–2003

TABLE 1—UNREGULATED CONTAMINANT MONITORING REGULATION (1999) LIST—Continued

List 1—Assessment Monitoring Chemical Contaminants					
1-Contaminant	2–CAS registry number	3-Analytical methods	4-Minimum reporting level	5-Sampling location	6-Period during which monitoring to be completed
DCPA di-acid degradate [h]	2136–79–0	EPA Method 515.1 [a], EPA Method 515.2 [a], EPA Method 515.3 [i,j], EPA Method 515.4 [k], D5317–93 [b], AOAC 992.32 [c]	1 μg/L [e]	EPTDS [f]	2001–2003
4,4′-DDE	72–55–9	EPA Method 508 [a], EPA Method 508.1 [a], EPA Method 525.2 [a], D5812–96 [b], AOAC 990.06 [c]	0.8 μg/L [e]	EPTDS [f]	2001–2003
EPTC	759–94–4	EPA Method 507 [a], EPA Method 525.2 [a], D5475–93 [b], AOAC 991.07 [c]	1 μg/L [e]	EPTDS [f]	2001–2003
Molinate	2212–67–1	EPA Method 507 [a], EPA Method 525.2 [a], D5475–93 [b], AOAC 991.07 [c]	0.9 μg/L [e]	EPTDS [f]	2001–2003
MTBE	1634–04–4	EPA Method 502.2 [a,n], SM 6200C [d,n], EPA Method 524.2 [a], D5790–95 [b], SM 6210D [d], SM 6200B [d]	5 μg/L [g]	EPTDS [f]	2001–2003
Nitrobenzene	98–95–3	EPA Method 524.2 [a], D5790–95 [b], SM6210D [d], SM6200B [d]	10 μg/L [g]	EPTDS [f]	2001–2003
Perchlorate	14797–73–0	EPA Method 314.0 [l]	4 μg/L [m]	EPTDS [f]	2001–2003
Terbacil	5902–51–2	EPA Method 507 [a], EPA Method 525.2 [a], D5475–93 [b], AOAC 991.07 [c]	2 μg/L [e]	EPTDS [f]	2001–2003

Column headings are:

[1]—Chemical or microbiological contaminant: the name of the contaminants to be analyzed.

[2]—CAS (Chemical Abstract Service Number) Registry No. or Identification Number: a unique number identifying the chemical contaminants.

[3]—Analytical Methods: method numbers identifying the methods that must be used to test the contaminants.

[4]—Minimum Reporting Level: the value and unit of measure at or above which the concentration or density of the contaminant must be measured using the Approved Analytical Methods.

[5]—Sampling Location: the locations within a PWS at which samples must be collected.

[6]—Years During Which Monitoring to be Completed: The years during which the sampling and testing are to occur for the indicated contaminant.

The procedures shall be done in accordance with the documents listed next in these footnotes. The incorporation by reference of the following documents listed in footnotes b-d, i, k and l was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the following sources. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, 401 M Street, SW., Washington, DC 20460 (Telephone: 202–260–3027); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[a] The version of the EPA methods which you must follow for this Rule are listed at § 141.24 (e).

[b] Annual Book of ASTM Standards, 1996, 1998 and 1999, Vol. 11.02, American Society for Testing and Materials. Method D5812–96, "Standard Test Method for Determination of Organochlorine Pesticides in Water by Capillary Column Gas Chromatography", is located in the Annual Book of ASTM Standards, 1998 and 1999, Vol. 11.02. Methods D5790–95, "Standard Test Method for Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry"; D5475–93, "Standard Test Method for Nitrogen- and Phosphorus-Containing Pesticides in Water by Gas Chromatography with a Nitrogen-Phosphorus Detector"; and D5317–93, "Standard Test Method for Determination of Chlorinated Organic Acid Compounds in Water by Gas Chromatography with an Electron Capture Detector" are located in the Annual Book of ASTM Standards, 1996 and 1998, Vol 11.02. Copies may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

[c] Official Methods of Analysis of AOAC (Association of Official Analytical Chemist) International, Sixteenth Edition, 4th Revision, 1998, Volume I, AOAC International, First Union National Bank Lockbox, PO Box 75198, Baltimore, MD 21275–5198. 800–379–2622.

[d] SM 6210 D is only found in the 18th and 19th editions of Standard Methods for the Examination of Water and Wastewater, 1992 and 1995, American Public Health Association; either edition may be used. SM 6200 B and 6200 C are only found in the 20th edition of Standard Methods for the Examination of Water and Wastewater, 1998. Copies may be obtained from the American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005.

[e] Minimum Reporting Level determined by multiplying by 10 the least sensitive method's detection limit (detection limit =standard deviation times the Student's t value for 99% confidence level with n-1 degrees of freedom), or when available, multiplying by 5 the least sensitive method's estimated detection limit (where the estimated detection limit equals the concentration of compound yielding approximately a 5 to 1 signal to noise ratio or the calculated detection limit, whichever is greater).

[f] Entry Points to the Distribution System (EPTDS), after treatment, representing each non-emergency water source in use over the twelve-month period of monitoring: this only includes entry points for sources in operation during the months in which sampling is to occur. Sampling must occur at the EPTDS, unless the State has specified other sampling points that are used for compliance monitoring under 40 CFR 141.24 (f)(1), (2), and (3). See 40 CFR 141.40(a)(5)(ii)(C) for a complete explanation of requirements, including the use of source (raw) water sampling points.

[g] Minimum Reporting Levels (MRL) for Volatile Organic Compounds (VOC) determined by multiplying either the published detection limit or 0.5 µg/L times 10, whichever is greater. The detection limit of 0.5 µg/L (0.0005 mg/L) was selected to conform to VOC detection limit requirements of 40 CFR 141.24(f)(17)(E).

[h] The approved methods do not allow for the identification and quantitation of the individual acids. The single analytical result obtained should be reported as total DCPA mono- and di-acid degradates.

[i] EPA Method 515.3, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Extraction, Derivatization and Gas Chromatography with Electron Capture Detection," Revision 1.0 July 1996. EPA 815-R–00–014, "Methods for the Determination of Organic and Inorganic compounds in Drinking Water, Volume 1," August 2000. Available from the National Technical Information Service, NTIS PB2000–106981, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll free number is 800–553–6847. Alternatively, the method can be assessed and downloaded directly on-line at www.epa.gov/safewater/methods/sourcalt.html.

[j] Since EPA Method 515.3 does not include a solvent wash step following hydrolysis, the parent DCPA is not removed prior to analysis, therefore, only non-detect data may be reported using EPA Method 515.3. All samples with results above the MRL must be analyzed by one of the other approved methods.

[k] EPA Method 515.4, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Microextraction, Derivatization and Fast Gas Chromatography with Electron Capture Detection," Revision 1.0, April 2000, EPA #815/B–00/001. Available by requesting a copy from the EPA Safe Drinking Water Hotline within the United States at 800–426–4791 (Hours are Monday through Friday, excluding federal holidays, from 9 a.m. to 5:30 p.m. Eastern Time). Alternatively, the method can be assessed and downloaded directly on-line at www.epa.gov/safewater/methods/sourcalt.html.

[l] EPA Method 314.0, "Determination of Perchlorate in Drinking Water Using Ion Chromatography," Revision 1.0, EPA 815-B–99–003, November 1999. EPA 815-R–00–014, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000. Available from the National Technical Information Service, NTIS PB2000–106981, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll free number is 800–553–6847. Alternatively, the method can be assessed and downloaded directly on-line at www.epa.gov/safewater/methods/sourcalt.html.

[m] MRL was established at a concentration, which is at least ¼th the lowest known adverse health concentration, at which acceptable precision and accuracy has been demonstrated in spiked matrix samples.

[n] Sample preservation techniques and holding times specified in EPA Method 524.2 must be used by laboratories using either EPA Method 502.2 or Standard Methods 6200C.

List 2—Screening Survey Chemical Contaminants

1-Contaminant	2-CAS registry number	3-Analytical methods	4-Minimum reporting level	5-Sampling location	6-Period during which monitoring to be completed
1,2-diphenylhydrazine.	122–66–7	EPA Method 526[a]	0.5 µg/L	EPTDS[e]	2001—Selected Systems serving ≤10,000 persons; 2002—Selected systems serving > 10,000 persons.
2-methyl-phenol	95–48–7	EPA Method 528[b]	1 µg/L[f]	EPTDS[e]	Same as above.
2,4-dichlorophenol	120–83–2	EPA Method 528[b]	1 µg/L[f]	EPTDS[e]	Same as above.
2,4-dinitrophenol	51–28–5	EPA Method 528[b]	5 µg/L[f]	EPTDS[e]	Same as above.
2,4,6-trichlorophenol.	88–06–2	EPA Method 528[b]	1 µg/L[f]	EPTDS[e]	Same as above.
Alachlor ESA	Reserved[d]	Reserved[d]	Reserved[d]	Reserved[d]	Reserved[d]
Diazinon	333–41–5	EPA Method 526[a]	0.5 µg/L[f]	EPTDS[e]	2001—Seleected Systems serving ≤10,000 persons; 2002—Selected systems serving > 10,000 persons.
Disulfoton	298–04–4	EPA Method 526[a]	0.5 µg/L[f]	EPTDS[e]	Same as above.

List 2—Screening Survey Chemical Contaminants

1-Contaminant	2-CAS registry number	3-Analytical methods	4-Minimum reporting level	5-Sampling location	6-Period during which monitoring to be completed
Diuron	330–54–1	EPA Method 532[c]	1 μg/L[f]	EPTDS[e]	Same as above.
Fonofos	944–22–9	EPA Method 526[a]	0.5 μg/L[f]	EPTDS[e]	Same as above.
Linuron	330–55–2	EPA Method 532[c]	1 μg/L[f]	EPTDS[e]	Same as above.
Nitrobenzene	98–95–3	EPA Method 526[a]	0.5 μg/L[f]	EPTDS[e]	Same as above.
Prometon	1610–18–0	EPA Method 526[a]	0.5 μg/L[f]	EPTDS[e]	Same as above.
RDX	121–82–4	Reserved[d]	Reserved[d]	Reserved[d]	Reserved[d].
Terbufos	13071–79-9	EPA Method 526[a]	0.5 μg/L[f]	EPTDS[e]	2001—Selected Systems serving ≤10,000 persons; 2002-Selected systems serving > 10,000 persons.

LIST 2—SCREENING SURVEY MICROBIOLOGICAL CONTAMINANTS TO BE SAMPLED

1—Contaminant	2—Identification number	3—Analytical methods	4—Minimum reporting level	5—Sampling location	6—Period during which monitoring to be completed
Aeromonas	NA	EPA Method 1605[h].	0.2—CFU/100mL[f]	Distribution System[g].	2003

Column headings are:

[1]—Chemical or microbiological contaminant: the name of the contaminants to be analyzed.

[2]—CAS (Chemical Abstract Service Number) Registry No. or Identification Number: a unique number identifying the chemical contaminants.

[3]—Analytical Methods: method numbers identifying the methods that must be used to test the contaminants.

[4]—Minimum Reporting Level: the value and unit of measure at or above which the concentration or density of the contaminant must be measured using the Approved Analytical Methods.

[5]—Sampling Location: the locations within a PWS at which samples must be collected.

[6]—Years During Which Monitoring to be Completed: the years during which the sampling and testing are to occur for the indicated contaminant.

The procedures shall be done in accordance with the documents listed next in these footnotes. The incorporation by reference of the following documents listed in footnotes a–c, was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the following sources. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Copies of the documents may be obtained from the sources listed in these footnotes. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, 401 M Street, SW., Washington, DC 20460 (Telephone: 202–260–3027); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

[a] EPA Method 526, "Determination of Selected Semivolatile Organic Compounds in Drinking Water by Solid Phase Extraction and Capillary Column Gas Chromatography/Mass Spectrometry (GC/MS)," Revision 1.0, June 2000. EPA 815–R–00–014, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000. Available from the National Technical Information Service, NTIS PB2000–106981, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll free number is 800–553–6847. Alternatively, the method can be assessed and downloaded directly on-line at www.epa.gov/safewater/methods/sourcalt.html.

[b] EPA Method 528, "Determination of Phenols in Drinking Water by Solid Phase Extraction and Capillary Column Gas Chromatography/Mass Spectrometry (GC/MS)," Revision 1.0, April 2000. EPA 815–R–00–014, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000. Available from the National Technical Information Service, NTIS PB2000–106981, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll free number is 800–553–6847. Alternatively, the method can be assessed and downloaded directly on-line at www.epa.gov/nerlcwww/ordmeth.htm.

[c] EPA Method 532, "Determination of Phenylurea Compounds in Drinking Water by Solid Phase Extraction and High Performance Liquid Chromatography with UV Detection," Revision 1.0, June 2000. EPA 815–R–00–014, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000. Available from the National Technical Information Service, NTIS PB2000–106981, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll free number is 800–553–6847. Alternatively, the method can be assessed and downloaded directly on-line at www.epa.gov/safewater/methods/sourcalt.html.

[d] To be specified at a later time.

[e] Entry Points to the Distribution System (EPTDS), after treatment, representing each non-emergency water source in use over the twelve-month period of monitoring: this only includes entry points for sources in operation during the months in which sampling is to occur. Sampling must occur at the EPTDS, source water sampling points are not permitted for List 2 contaminant monitoring.

[f] Minimum Reporting Level represents the value of the lowest concentration precision and accuracy determination made during methods development and documented in the method. If method options are permitted, the concentration used was for the least sensitive option.

[g] Three samples must be taken from the distribution system, which is owned or controlled by the selected PWS. The sample locations must include one sample from a point (MD from § 141.35(d)(3), Table 1) where the disinfectant residual is representative of the distribution system. This sample location may be selected from sample locations which have been previously identified for samples to be analyzed for coliform indicator bacteria. Coliform sample locations encompass a variety of sites including midpoint samples which may contain a disinfectant residual that is typical of the system. Coliform sample locations are described in 40 CFR 141.21. This same approach must be used for the *Aeromonas* midpoint sample where the disinfectant residual would not have declined and would be typical for the distribution system. Additionally, two samples must be taken from two different locations: the distal or dead-end location in the distribution system (MR from § 141.35(d)(3), Table 1), avoiding disinfectant booster stations, and from a location where previous determinations have indicated the lowest disinfectant residual in the distribution system (LD from § 141.35(d)(3), Table 1). If these two locations of distal and low disinfectant residual sites coincide, then the second sample must be taken at a location between the MD and MR sites. Locations in the distribution system where the disinfectant residual is expected to be low are similar to TTHM sampling points. Sampling locations for TTHMs are described in 63 FR 69468.

[h] EPA Method 1605 "*Aeromonas* in Finished Water by Membrane Filtration using Ampicillin-Dextrin Agar with Vancomycin (ADA–V)", October 2001, EPA # 821–R–01–034. The method can be accessed and downloaded directly on-line at *www.epa.gov/microbes*.

List 3—Pre-screen Testing Radionuclides To Be Sampled After Notice of Analytical Methods Availability

1-Contaminant	2-CAS registry number	3-Analytical methods	4-Minimum reporting level	5-Sampling location	6-Period during which monitoring to be completed
Lead-210	14255–04–0	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Polonium-210	13981–52–7	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]

List 3—Pre-screen Testing Microorganisms To Be Sampled After Notice of Analytical Methods Availability

1-Contaminant	2-Identification number	3-Analytical methods	4-Minimum reporting level	5-Sampling location	6-Period during which monitoring to be completed
Cyanobacteria (blue-green algae, other freshwater algae and their toxins).	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Echoviruses	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Coxsackieviruses	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Helicobacter pylori	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Microsporidia	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Calciviruses	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]
Adenoviruses	Reserved [a]	Reserved [a]	Reserved [a]	Reserved [a]	Reserved.[a]

Column headings are:
1–Chemical or microbiological contaminant: the name of the contaminants to be analyzed.
2–CAS (Chemical Abstract Service Number) Registry No. or Identification Number: a unique number identifying the chemical contaminants.
3–Analytical Methods: method numbers identifying the methods that must be used to test the contaminants.
4–Minimum Reporting Level: the value and unit of measure at or above which the concentration or density of the contaminant must be measured using the Approved Analytical Methods.
5–Sampling Location: the locations within a PWS at which samples must be collected.
6–Years During Which Monitoring to be Completed: the years during which the sampling and testing are to occur for the indicated contaminant.
[a] To be determined at a later time.

(4) *What general requirements must I follow for monitoring List 1 contaminants?* (i) *All systems.* You must:

(A) Collect samples of the listed contaminants in accordance with paragraph (a)(5) of this section and Appendix A of this section and any other specific instructions provided to you by the State or EPA,

(B) Analyze the additional parameters specified below in Table 2. "Water Quality Parameters to be Monitored with UCMR Contaminants" for each relevant contaminant type. You must analyze the parameters for each sampling event of each sampling point, using the method indicated, and report using the data elements 1 through 10 in Table 1, § 141.35(d), Unregulated Contaminant Monitoring Reporting Requirements;

(C) Review the laboratory testing results to ensure reliability; and

(D) Report the results as specified in § 141.35.

TABLE 2—WATER QUALITY PARAMETERS TO BE MONITORED WITH UCMR CONTAMINANTS

Parameter	Contaminant type	Analytical methods		
		EPA method	Standard methods [1]	Other
pH	Microbiological	EPA Method 150.1[2], EPA Method 150.2[2].	4500–H^+ B	ASTM D1293–84[3], ASTM D1293–95[3].
Turbidity	Microbiological	EPA Method 180.1 [4,5] ..	2130 B [4]	GLI Method 2[4,6].
Temperature	Microbiological		2550.	
Free Disinfectant Residual.	Microbiological		4500–Cl D, 4500–Cl F, 4500–Cl G, 4500–Cl H, 4500–ClO_2 D, 4500–ClO_2 E, 4500–O_3 B.	ASTM 1253–86[3]
Total Disinfectant Residual.	Microbiological		4500–Cl D, 4500–Cl E,[4] 4500–Cl F, 4500–Cl G[4], 4500–Cl I.	ASTM D 1253–86 [3]

The procedures shall be done in accordance with the documents listed in these footnotes. The incorporation by reference of the following documents was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed in these footnotes. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, 401 M Street, SW., Washington, DC 20460 (Telephone: 202–260–3027); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[1] The 18th and 19th Editions of *Standard Methods for the Examination of Water and Wastewater,* 1992 and 1995. Methods 2130 B; 2550; 4500–Cl D, E, F, G, H, I; 4500–ClO_2 D, E; 4500–H^+ B; and 4500–O_3 B in the 20th edition *Standard Methods for the Examination of Water and Wastewater,* 1998, American Public Health Association, 1015 Fifteenth St. NW, Washington D.C., 20005.

[2] EPA Methods 150.1 and 150.2 are available from US EPA, NERL, 26 W. Martin Luther King Dr., Cincinnati, Ohio 45268. The identical methods are also in "Methods for Chemical Analysis of Water and Wastes," EPA–600/4–79–020, March 1983, available from the National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Rd., Springfield, Virginia 22161, PB84–128677. (Note: NTIS toll-free number is 800–553–6847.)

[3] *Annual Book of ASTM Standards,* Editions 1994, 1996, 1998 and 1999, Volumes 11.01, American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428. Version D1293–84, "Standard Test Methods for pH of Water" is located in the *Annual Book of ASTM Standards,* 1994, Volumes 11.01. Version D1293–95, "Standard Test Methods for pH of Water" is located in the Annual Book of ASTM Standards, 1996, 1998 and 1999, Volumes 11.01.

[4] "Technical Notes on Drinking Water," EPA–600/R–94–173, October 1994, Available at NTIS, PB95–104766.

[5] "Methods for the Determination of Inorganic Substances in Environmental Samples," EPA–600/R–93–100, August 1993. Available at NTIS, PB94–121811

[6] GLI Method 2, "Turbidity," November 2, 1992, Great Lakes Instruments Inc., 8855 North 55th St., Milwaukee, Wisconsin 53223.

(ii) *Large systems.* In addition to paragraph (a)(4)(i) of this section, you must arrange for testing of the samples according to the methods specified for each contaminant in Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, and in Appendix A of this section.

(iii) *Small systems.* Unless directed otherwise by the State or EPA, in addition to paragraph (a)(4)(i) of this section , you must:

(A) Properly receive, store, maintain and use the sampling equipment sent to you from the laboratory designated by EPA;

(B) Sample at the times specified by the State or the EPA;

(C) Collect and pack samples in accordance with the instructions sent to you by the laboratory designated by EPA; and

(D) Send the samples to the laboratory designated by EPA.

(5) What specific sampling and quality control requirements must I follow for monitoring of List 1 contaminants? *(i) All systems.* Unless the State or EPA informs you of other sampling arrangements, you must comply with the following requirements:

(A) *Sample collection and shipping time.* If you must ship the samples for testing, you must collect the samples early enough in the day to allow adequate time to send the samples for overnight delivery to the laboratory since some samples must be processed at the laboratory within 30 hours of collection. You must not collect samples on Friday, Saturday or Sunday because sampling on these days would not allow samples to be shipped and received at the laboratory within 30 hours.

(B) *No compositing of samples.* You must not composite (that is, combine, mix or blend) the samples. You must collect, preserve and test each sample separately.

(C) *Review and reporting of results.* After you have received the laboratory results, you must review and confirm the system information and data regarding sample collection and test results. You must report the results as provided in §141.35.

(ii) *Large systems.* In addition to paragraph (a)(5)(i) of this section, you must comply with the following:

(A) *Timeframe.* You must collect the samples in one twelve-month period during the years indicated in column 6 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List.

(B) *Frequency.* You must collect the samples within the timeframe and according to the following frequency specified by contaminant type and water source type:

TABLE 3—MONITORING FREQUENCY BY CONTAMINANT AND WATER SOURCE TYPES

Contaminant type	Water source type	Timeframe	Frequency
Chemical	Surface water	Twelve (12) months	Four quarterly samples taken as follows: Select either the first, second, or third month of a quarter and sample in that same month of each of four (4) consecutive quarters[a] to ensure that one of those sampling events occurs during the vulnerable time.[b]
	Ground water	Twelve (12) months	Two (2) times in a year taken as follows: Sample during one (1) month of the vulnerable time[b] and during one (1) month five (5) to seven (7) months earlier or later.[c]
Microbiological	Surface and ground water.	Twelve (12) months	Six (6) times in a year taken as follows: Select either the first, second, or third month of a quarter and sample in that same month of each of four (4) consecutive quarters, and sample an additional 2 months during the warmest (vulnerable) quarter of the year.[d]

[a] "Select either the first, second, or third month of a quarter and sample in that same month of each of four (4) consecutive quarters" means that you must monitor during each of the four (4) months of either: January, April, July, October; or February, May, August, November; or March, June, September, December.

[b] "Vulnerable time" means May 1 through July 31, unless the State or EPA informs you that it has selected a different time period for sampling as your system's vulnerable time.

[c] "Sample during one (1) month of the vulnerable time and during one (1) month five (5) to seven (7) months earlier or later" means, for example, that if you select May as your "vulnerable time" month to sample, then one (1) month five (5) to seven (7) months earlier would be either October, November or December of the preceding year, and one (1) month five (5) to seven (7) months later would be either, October, November, or December of the same year.

[d] This means that you must monitor during each of the six (6) months of either: January, April, July, August, September, October; or February, May, July, August, September, November; or March, June, July, August, September, December; unless the State or EPA informs you that a different vulnerable quarter has been selected for your system.

(C) *Location.* You must collect samples at the location specified for each listed contaminant in column 5 of the Table 1, UCMR (1999) List, in paragraph (a)(3) of this section. The sampling location for chemical contaminants must be the entry point to the distribution system or the compliance monitoring point specified by the State or EPA under 40 CFR 141.24 (f)(1), (2), and (3). Except as provided in this paragraph (a)(5)(ii)(C), if the compliance monitoring point as specified by the State is for source (raw) water and any of the contaminants in paragraph (a)(3) of this section are detected, then you must complete the source water monitoring for the indicated timeframe and also sample at the entry point to the distribution system representative of the affected source water only for the contaminant(s) found in the source water over the next twelve month timeframe, beginning in the next required monitoring period as indicated in paragraph (a)(5)(ii)(B), Table 3 of this section, even though monitoring might extend beyond the last year indicated in column 6, Period during which monitoring to be completed, in Table 1 of paragraph (a)(3). Exception: If the State or EPA determines that sampling at the entry point to the distribution system is unnecessary because no treatment was instituted between the source water and the distribution system that would affect measurement of the contaminants listed in paragraph (a)(3) of this section, then you do not have to sample at the entry point to the distribution system. Note: The sampling for List 2 chemical contaminants must be at the entry point to the

distribution system, as specified in Table 1, List 2.

(D) *Sampling instructions.* You must follow the sampling procedure for the method specified in column 3 of List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, for each contaminant.

(E) *Testing and analytical methods.* For each listed contaminant, you must use the analytical method specified in column 3 of List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, the minimum reporting levels in column 4 of List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, and the quality control procedures specified in Appendix A of this section.

(F) *Sampling deviations.* If you do not collect a sample according to the procedures specified for a listed contaminant, you must resample within 14 days of observing the occurrence of the error (which may include notification from the laboratory that you must resample) following the procedures specified for the method. (This resampling is not for confirmation sampling but to correct the sampling error.)

(G) *Testing.* (*1*) Except as provided in paragraph (a)(5)(ii)(G)(*2*) and (*3*) of this section, you must arrange for the testing of the contaminants identified in List 1 of Table 1 by a laboratory certified under §141.28 for compliance analysis using any of the analytical methods listed in column 3 for each contaminant in List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, whether you use the EPA analytical methods or non-EPA methods listed in List 1 of Table 1. Laboratories are automatically certified for the analysis of UCMR contaminants in List 1 of Table 1 if they are already certified to conduct compliance monitoring for a contaminant included in the same method being approved for UCMR analysis. Laboratories certified under §141.28 for compliance analysis using EPA Method 515.3 are automatically approved to conduct UCMR analysis using EPA Method 515.4.

(*2*) You must arrange for the testing of Perchlorate as identified in List 1 of Table 1 by a laboratory certified under §141.28 for compliance analysis using an approved ion chromatographic method as listed in §141.28 and that has analyzed and successfully passed the Performance Testing (PT) Program administered by EPA.

(*3*) You must arrange for the testing of the chemical contaminants identified in List 2 of Table 1 by a laboratory certified under §141.28 for compliance analysis using EPA Method 525.2 if performing UCMR analysis using EPA Methods 526 or 528, or a laboratory certified under §141.28 for compliance analysis using EPA Methods 549.1 or 549.2 if performing UCMR analysis using EPA Method 532. You must arrange for the testing for *Aeromonas* using the approved method as identified in List 2 of Table 1 by a laboratory which is both certified under §141.28 for compliance analysis for coliform indicator bacteria using an EPA approved membrane filtration procedure and which also has been granted approval for UCMR monitoring of *Aeromonas* by successfully passing the *Aeromonas* Performance Testing (PT) Program administered by EPA.

(iii) *Small systems that are part of the State Monitoring Plan.* Unless directed otherwise by the State or EPA, in addition to paragraph (a)(5)(i) of this section, you must comply with the following:

(A) *Timeframe and frequency.* You must collect samples at the times specified for you by the State or EPA, within the timeframe specified in paragraph (a)(5)(ii)(A) of this section and according to the frequency specified in paragraph (a)(5)(ii)(B) of this section for the contaminant type and water source type.

(B) *Location.* You must collect samples at the locations specified for you by the State or EPA.

(C) *Sampling deviations.* If you do not collect a sample according to the instructions provided to you for a listed contaminant, then you must report the deviation on the sample reporting form that you send to the laboratory with the samples. You must resample following instructions that you will be

sent from EPA's designated laboratory or the State.

(D) *Sample kits.* You must store and maintain the sample collection kits sent to you by EPA's designated laboratory in a secure place until used for sampling. You should read the instructions for each kit when you receive it. If indicated in the kit's instructions, you must freeze the cold packs. The sample kit will include all necessary containers, packing materials and cold packs, instructions for collecting the sample and sample treatment (such as dechlorination or preservation), report forms for each sample, contact name and telephone number for the laboratory, and a prepaid return shipping docket and return address label. If any of the materials listed in the kit's instructions are not included or arrive damaged, you must notify EPA's designated laboratory which sent you the sample collection kits.

(E) *Sampling instructions.* You must comply with the instructions sent to you by the State or EPA concerning the use of containers, collection (how to fill the sample bottle), dechlorination and/or preservation, and sealing and preparing the sample and shipping containers for shipment. You must also comply with the instructions sent to you by EPA's designated laboratory concerning the handling of sample containers for specific contaminants.

(F) *Duplicate samples.* EPA will select systems in the State Monitoring Plan that must collect duplicate samples for quality control. If your system is selected, you will receive two sample kits that you must use. You must use the same sampling protocols for both sets of samples, following the instructions in the duplicate sample kit.

(G) *Sampling forms.* You must completely fill out the sampling forms sent to you by the laboratory, including the data elements 1 through 4 listed in §141.35(d) for each sample. If EPA requests that you conduct field analysis of water quality parameters specified in paragraph (a)(4)(i)(B) of this section, you must also complete the sampling form to include the information for data elements 5 through 10 listed in §141.35(d) for each sample. You must sign and date the sampling forms.

(H) *Sample submission.* Once you have collected the samples and completely filled in the sampling forms, you must send the samples and the sampling forms to the laboratory designated in your instructions.

(6) *What additional requirements must I follow if my system is selected as an Index system?* If your system is selected as an Index system in the State Monitoring Plan, you must assist the State or EPA in identifying appropriate sampling locations and provide information on which wells and intakes are in use at the time of sampling, well casing and screen depths (if known) for those wells, and the pumping rate of each well or intake at the time of sampling.

(7) *What must I do if my system is selected for the Screening Surveys or Pre-Screen Testing?* (i) *All systems.* You must:

(A) Analyze the additional parameters specified in paragraph §141.40(a)(4)(i), Table 2, "Water Quality Parameters to be Monitored with UCMR Contaminants" for each relevant contaminant type. You must analyze the parameters for each sampling event of each sampling point, using the method indicated, and report the results using the data elements 1 through 10 in Table 1, §141.35(d), Unregulated Contaminant Monitoring Reporting requirements;

(B) Review the laboratory results to ensure reliability; and

(C) Report the results as specified in §141.35.

(ii) *Large systems.* If your system serves over 10,000 persons, you must collect and arrange for testing of the contaminants in List 2 and List 3 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, in accordance with the requirements set out in paragraphs (a)(4) and (5) of this section, with one exception: you must sample only at sampling locations specified in Table 1. You must send the samples to one of the laboratories approved under paragraph (G), this section. You are also responsible for reporting these results as required in §141.35.

(iii) *Small systems.* If your system serves 10,000 or fewer persons, you must collect samples in accordance with the

instructions sent to you by the EPA or State, or, if informed by the EPA or State that the EPA or State will collect the sample, you must assist the State or EPA in identifying the appropriate sampling locations and in taking the samples. EPA will report the results to you and the State.

(8) *What is a violation of this Rule?* (i) Any failure to monitor in accordance with §141.40(a)(3) through (7) and Appendix A is a monitoring violation. (ii) Any failure to report in accordance with §141.35 is a reporting violation.

(b) *Requirements for State and Tribal Participation.* (1) How can I, as the director of a State or Tribal drinking water program, participate in unregulated contaminant monitoring, including Assessment Monitoring (which includes the State Monitoring Plan for small systems), the Screening Surveys, and Pre-Screen Testing of all systems? You can enter into a Memorandum of Agreement (MOA) with the EPA that describes your State's or Tribe's activities to:

(i) *Accept or modify the initial plan.* EPA will first specify the systems serving 10,000 or fewer persons by water source and size in an initial State Monitoring Plan for each State using a random number generator. EPA will also generate a replacement list of systems for systems that may not have been correctly specified on the initial plan. This initial State Monitoring Plan will also indicate the year and day, plus or minus two (2) weeks from the day, that each system must monitor for the contaminants in List 1 of Table 1 of this section, Unregulated Contaminant Monitoring Regulation (1999) List. EPA will provide you with the initial monitoring plan for your State or Tribe, including systems to be Index systems and those systems to be part of the Screening Surveys. Within sixty (60) days of receiving your State's initial plan, you may notify EPA that you either accept it as your State Monitoring Plan or request to modify the initial plan by removing systems that have closed, merged or are purchasing water from another system and replacing them with other systems. Any purchased water system associated with a non-purchased water system must be added to the State Monitoring Plan if the State determines that its distribution system is the location of the maximum residence time or lowest disinfectant residual of the combined distribution system. In this case, the purchased water system must monitor for the contaminants for which the "distribution system" is identified as the point of "maximum residence time" or "lowest disinfectant residual," depending on the contaminant, and not the community water system selling water to it. You must replace any systems you removed from the initial plan with systems from the replacement list in the order they are listed. Your request to modify the initial plan must include the modified plan and the reasons for the removal and replacement of systems. If you believe that there are reasons other than those previously listed for removing and replacing one or more other systems from the initial plan, you may include those systems and their replacement systems in your request to modify the initial plan. EPA will review your request to modify your State's initial plan. Please note that information about the actual or potential occurrence or non-occurrence of contaminants at a system or a system's vulnerability to contamination is not a basis for removal from or addition to the plan.

(ii) *Determine an alternate vulnerable time.* Within 60 days of receiving the initial State Monitoring Plan, you may also determine that the most vulnerable time of the year for any or all of the systems in the plan, and for any of the large systems that must monitor, is some period other than May 1 through July 31. If you make this determination, you must modify the initial plan to indicate the alternate vulnerable time and to which systems the alternate vulnerable time applies. EPA will review these determinations when you submit your request to modify your State's initial monitoring plan to the EPA. You must notify the small system(s) in your final State Monitoring Plan and the large system(s) of the most vulnerable time(s) of the year that you have specified for them to sample for one of their sampling events. You must notify them at least 90 days before their first unregulated contaminant sampling is to occur. You

may need to consider the timing of monitoring in paragraph (b)(1)(iii) of this section.

(iii) *Modify the timing of monitoring.* Within sixty (60) days of receiving the initial plan, you may also modify the plan by selecting an alternative year and day, plus or minus two (2) weeks, within the years specified in column 6, List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, for monitoring for each system in the initial plan as long as approximately one-third of the systems in the State Plan monitor in each of the three (3) years listed. This monitoring may be coordinated with regulated contaminant compliance monitoring at your discretion. You must send the modified plan to EPA.

(iv) *Identify alternate sampling points for small systems in the State Monitoring Plan.* All systems are required to monitor for the contaminants at the sampling locations specified in column 5, List 1 of Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, unless the State specifies an alternate compliance sampling point as the sampling location. If the compliance sampling points for the small systems in the State Monitoring Plan are different than those specified in paragraph (a)(3) of this section, then you must indicate these sampling points in the plan. These alternative sampling points must allow proper sampling and testing for the unregulated contaminants.

(v) *Notify small and large systems of their monitoring responsibilities.* You must provide notification to systems in the plan and, where appropriate, the large systems, at least ninety (90) days before sampling must occur.

(vi) *Provide instructions to systems that are part of the final State Monitoring Plan.* You must send a monitoring schedule to each system listed in the State Monitoring Plan and instructions on location, frequency, timing of sampling, use of sampling equipment, and handling and shipment of samples based on these regulations. EPA will provide you with guidance for these instructions. If you perform the sampling or make alternative arrangements for the sampling at the systems in the plan, you must inform EPA at least six (6) months before the first monitoring is to occur and address the alternative monitoring arrangements in the MOA.

(vii) *Participate in monitoring for the Screening Surveys for small and large systems.* Within 120 days prior to sampling, EPA will notify you which systems have been selected to participate in the Screening Surveys, the sampling dates, the designated laboratory for testing, and instructions for sampling. You must review the small systems that EPA selected for the State Monitoring Plan to ensure that the systems are not closed, merged or purchasing water from another system (unless the system is to conduct monitoring for a contaminant with the sampling location specified as "distribution system"), and then make any replacements in the plan, as described in paragraph (b)(1)(i) of this section. You must notify the selected systems in your State of these Screening Surveys requirements. You must provide the necessary Screening Surveys information to the selected systems at least ninety (90) days prior to the sampling date.

(viii) *Participate in monitoring for Pre-Screen Testing for small and large systems.* You can participate in Pre-Screen Testing in two ways.

(A) First, within ninety (90) days of EPA's letter to you concerning initiation of Pre-Screen Testing for specific contaminants, you can identify from five (5) up to twenty-five (25) systems in your State that you determine to be representative of the most vulnerable systems to these contaminants, modify your State Monitoring Plan to include these most vulnerable systems if any serve 10,000 or fewer persons, and notify EPA of the addition of these systems to the State Plan. These systems must be selected from all community and non-transient noncommunity water systems. EPA will use the State-identified vulnerable systems to select up to 200 systems nationally to be monitored considering the characteristics of the contaminants, precipitation, system operation, and environmental conditions.

(B) Second, within 120 days prior to sampling, EPA will notify you which systems have been selected, sampling dates, the designated laboratory for

testing of samples for systems serving 10,000 or fewer persons and approved laboratories for systems serving more than 10,000 persons, and instructions for sampling. You must notify the owners or operators of the selected systems in your State of these Pre-Screen Testing requirements. At least ninety (90) days prior to the sampling date, you must provide the necessary Pre-Screen Testing information to the owners or operators of the selected systems and then inform EPA that you took this action to allow sufficient time for EPA to ensure laboratory readiness.

(ix) *Revise system's treatment plant location(s) to include latitude and longitude.* For reporting to the Safe Drinking Water Information System, EPA already requires reporting of either the latitude and longitude or the street address for the treatment plant location. If the State enters into an MOA, the State must report each system's treatment plant location(s) as latitude and longitude (in addition to street address, if previously reported) by the time of the system's reporting of Assessment Monitoring results to the National Drinking Water Contaminant Occurrence Database. The State may use the latitude and longitude of facilities related to the public water system on the same site, or closely adjacent to the same site as the treatment plant, such as the latitude and longitude of the intake or wellhead/field or the entry point to the distribution system, if such measurements are available.

(2) What if I decide not to participate in an MOA? If you decide not to enter into an MOA with EPA to develop the State Monitoring Plan for small systems, the initial monitoring plan that EPA sent you will become the final State Monitoring Plan for your State or Tribe. In that case, you may still notify each public water system of its selection for the plan and instructions for monitoring as long as you notify EPA that you will be undertaking this responsibility at least six (6) months prior to the first unregulated contaminant monitoring.

(3) Can I add contaminants to the Unregulated Contaminant Monitoring List? Yes, the SDWA allows Governors of seven (7) or more States to petition the EPA Administrator to add one or more contaminants to the Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section. The petition must clearly identify the reason(s) for adding the contaminant(s) to the monitoring list in paragraph (a)(3) of this section, including the potential risk to public health, particularly any information that might be available regarding disproportional risks to the health and safety of children, the expected occurrence documented by any available data, any analytical methods known or proposed to be used to test for the contaminant(s), and any other information that could assist the Administrator in determining which contaminants present the greatest public health concern and should, therefore, be included on the Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section.

(4) Can I waive monitoring requirements? Only with EPA approval and under very limited conditions. Conditions and procedures for obtaining the only type of waiver available under these regulations are as follows:

(i) Application. You may apply to EPA for a State-wide waiver from the unregulated contaminant monitoring requirements for public water systems serving more than 10,000 persons. To apply for such a waiver, you must submit an application to EPA that includes the following information:

(A) the list of contaminants on the Unregulated Contaminant Monitoring List for which you request a waiver, and

(B) documentation for each contaminant in your request demonstrating that the contaminants have not been used, applied, stored, disposed of, released, naturally present or detected in the source waters or distribution systems in your State during the past 15 years, and that it does not occur naturally in your State.

(ii) Approval. EPA will notify you if EPA agrees to waive monitoring requirements.

APPENDIX A TO §141.40—QUALITY CONTROL REQUIREMENTS FOR TESTING ALL SAMPLES COLLECTED

Your system must ensure that the quality control requirements listed below for testing

of samples collected and submitted under §141.40 are followed:

(1) Sample Collection/Preservation. Follow the sample collection and preservation requirements for the specified method for each of the contaminants in Table 1, UCMR (1999) List, in paragraph (a)(3) of this section. These requirements specify sample containers, collection, dechlorination, preservation, storage, sample holding time, and extract storage and/or holding time that the laboratory must follow.

(2) Detection Limit. Calculate the laboratory detection limit for each contaminant in Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, of paragraph (a)(3) of this section using the appropriate procedure in the specified method with the exception that the contaminant concentration used to fortify reagent water must be less than or equal to the minimum reporting level (MRL) for the contaminants as specified in column 4, Table 1, UCMR (1999) List, in paragraph (a)(3) of this section. The calculated detection limit is equal to the standard deviation times the Student's t value for 99% confidence level with n-1 degrees of freedom. (The detection limit must be less than or equal to one-half of the MRL.)

(3) Calibration. Follow the initial calibration requirements as specified in the method utilized. Calibration must be verified initially with a low-level standard at a concentration at or below the MRL for each contaminant. Perform a continuing calibration verification following every 10th sample. The calibration verification must be performed by alternating low-level and mid-level calibration standards. The low-level standard is defined as a concentration at or below the MRL with an acceptance range of ±40%. The mid-level standard is in the middle of the calibration range with an acceptance range of ±20%.

(4) Reagent Blank Analysis. Analyze one laboratory reagent (method) blank per sample set/batch that is treated exactly as a sample. The maximum allowable background concentration is one-half of the MRL for all contaminants. A field reagent blank is required only for EPA Method 524.2 (or equivalent listed methods, D5790.95, SM6210D, and SM6200B).

(5) Quality Control Sample. Obtain a quality control sample from an external source to check laboratory performance at least once each quarter.

(6) Matrix Spike and Duplicate. Prepare and analyze the sample matrix spike (SMS) for accuracy and matrix spike duplicate (MSD) samples for precision to determine method accuracy and precision for all contaminants in Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section. SMS/MSD samples must be prepared and analyzed at a frequency of 5% (or one SMS/MSD set per every 20 samples) or with each sample batch whichever is more frequent. In addition, the SMS/MSD spike concentrations must be alternated between a low-level spike and mid-level spike approximately 50% of the time. (For example: a set of 40 samples will require preparation and analysis of two SMS/MSD sets. The first set must be spiked at either the low-level or mid level, and the second set must be spiked with the other standard, either the low-level or mid-level, whichever was not used for the initial SMS/MSD set). The low-level SMS/MSD spike concentration must be within ±20% of the MRL for each contaminant. The mid-level SMS/MSD spike concentration must be within ±20% of the mid-level calibration standard for each contaminant, and should represent, where possible, an approximate average concentration observed in previous analyses of that analyte. The spiking concentrations must be reported in the same units of measure as the analytical results.

(7) Internal Standard Calibration. As appropriate to a method's requirements to be used, test and obtain an internal standard for the methods for each chemical contaminant in Table 1, Unregulated Contaminant Monitoring Regulation (1999) List, in paragraph (a)(3) of this section, a pure contaminant of known concentration, for calibration and quantitation purposes. The methods specify the percent recovery or response that you must obtain for acceptance.

(8) Method Performance Test. As appropriate to a method's requirements, test for surrogate compounds, a pure contaminant unlikely to be found in any sample, to be used to monitor method performance. The methods specify the percent recovery that you must obtain for acceptance.

(9) Detection Confirmation. Confirm any chemical contaminant analyzed using a gas chromatographic method and detected above the MRL, by gas chromatographic/mass spectrometric (GC/MS) methods. If testing resulted in first analyzing the sample extracts via specified gas chromatographic methods, an initial confirmation by a second column dissimilar to the primary column may be performed. If the contaminant detection is confirmed by the secondary column, then the contaminant must be reconfirmed by GC/MS using three (3) specified ion peaks for contaminant identification. Use one of the following confirming techniques: perform single point calibration of the GC/MS system for confirmation purposes only as long as the calibration standard is at a concentration within ± 50% of the concentration determined by the initial analysis; or perform a three (3) point calibration with single point daily calibration verification of the GC/MS system regardless of whether that verification standard concentration is within ± 50% of sample response. If GC/MS analysis confirms the initial contaminant detection,

report results determined from the initial analysis.

(10) Reporting. Report the analytical results and other data, with the required data listed in 40 CFR 141.35, Table 1. Report this data electronically to EPA, unless EPA specifies otherwise, and provide a copy to the State. Systems must coordinate with their laboratories for electronic reporting to EPA to ensure proper formatting and timely data submission.

(11) Method Defined Quality Control. As appropriate to the method's requirements, perform analysis of Laboratory Fortified Blanks and Laboratory Performance Checks as specified in the method. Each method specifies acceptance criteria for these quality control checks.

[64 FR 50612, Sept. 17, 1999, as amended at 65 FR 11382, Mar. 2, 2000; 66 FR 2302, Jan. 11, 2001; 66 FR 27215, May 16, 2001; 66 FR 46225, Sept. 4, 2002; 67 FR 65900, Oct. 29, 2002]

§ 141.41 Special monitoring for sodium.

(a) Suppliers of water for community public water systems shall collect and analyze one sample per plant at the entry point of the distribution system for the determination of sodium concentration levels; samples must be collected and analyzed annually for systems utilizing surface water sources in whole or in part, and at least every three years for systems utilizing solely ground water sources. The minimum number of samples required to be taken by the system shall be based on the number of treatment plants used by the system, except that multiple wells drawing raw water from a single aquifer may, with the State approval, be considered one treatment plant for determining the minimum number of samples. The supplier of water may be required by the State to collect and analyze water samples for sodium more frequently in locations where the sodium content is variable.

(b) The supplier of water shall report to EPA and/or the State the results of the analyses for sodium within the first 10 days of the month following the month in which the sample results were received or within the first 10 days following the end of the required monitoring period as stipulated by the State, whichever of these is first. If more than annual sampling is required the supplier shall report the average sodium concentration within 10 days of the month following the month in which the analytical results of the last sample used for the annual average was received. The supplier of water shall not be required to report the results to EPA where the State has adopted this regulation and results are reported to the State. The supplier shall report the results to EPA where the State has not adopted this regulation.

(c) The supplier of water shall notify appropriate local and State public health officials of the sodium levels by written notice by direct mail within three months. A copy of each notice required to be provided by this paragraph shall be sent to EPA and/or the State within 10 days of its issuance. The supplier of water is not required to notify appropriate local and State public health officials of the sodium levels where the State provides such notices in lieu of the supplier.

(d) Analyses for sodium shall be conducted as directed in §141.23(k)(1).

[45 FR 57345, Aug. 27, 1980, as amended at 59 FR 62470, Dec. 5, 1994]

§ 141.42 Special monitoring for corrosivity characteristics.

(a)–(c) [Reserved]

(d) Community water supply systems shall identify whether the following construction materials are present in their distribution system and report to the State:

Lead from piping, solder, caulking, interior lining of distribution mains, alloys and home plumbing.

Copper from piping and alloys, service lines, and home plumbing.

Galvanized piping, service lines, and home plumbing.

Ferrous piping materials such as cast iron and steel.

Asbestos cement pipe.

In addition, States may require identification and reporting of other materials of construction present in distribution systems that may contribute contaminants to the drinking water, such as:

Vinyl lined asbestos cement pipe.

Coal tar lined pipes and tanks.

[45 FR 57346, Aug. 27, 1980; 47 FR 10999, Mar. 12, 1982, as amended at 59 FR 62470, Dec. 5, 1994]

§ 141.43 Prohibition on use of lead pipes, solder, and flux.

(a) *In general*—(1) *Prohibition*. Any pipe, solder, or flux, which is used after June 19, 1986, in the installation or repair of—

(i) Any public water system, or

(ii) Any plumbing in a residential or nonresidential facility providing water for human consumption which is connected to a public water system shall be lead free as defined by paragraph (d) of this section. This paragraph (a)(1) shall not apply to leaded joints necessary for the repair of cast iron pipes.

(2) [Reserved]

(b) *State enforcement*—(1) *Enforcement of prohibition*. The requirements of paragraph (a)(1) of this section shall be enforced in all States effective June 19, 1988. States shall enforce such requirements through State or local plumbing codes, or such other means of enforcement as the State may determine to be appropriate.

(2) [Reserved]

(c) *Penalties*. If the Administrator determines that a State is not enforcing the requirements of paragraph (a) of this section, as required pursuant to paragraph (b) of this section, the Administrator may withhold up to 5 percent of Federal funds available to that State for State program grants under section 1443(a) of the Act.

(d) *Definition of lead free*. For purposes of this section, the term lead free:

(1) When used with respect to solders and flux refers to solders and flux containing not more than 0.2 percent lead;

(2) When used with respect to pipes and pipe fittings refers to pipes and pipe fittings containing not more than 8.0 percent lead; and

(3) When used with respect to plumbing fittings and fixtures intended by the manufacturer to dispense water for human ingestion refers to fittings and fixtures that are in compliance with standards established in accordance with 42 U.S.C. 300g–6(e).

[52 FR 20674, June 2, 1987, as amended at 65 FR 2003, Jan. 12, 2000]

Subpart F—Maximum Contaminant Level Goals and Maximum Residual Disinfectant Level Goals

§ 141.50 Maximum contaminant level goals for organic contaminants.

(a) MCLGs are zero for the following contaminants:

(1) Benzene
(2) Vinyl chloride
(3) Carbon tetrachloride
(4) 1,2-dichloroethane
(5) Trichloroethylene
(6) Acrylamide
(7) Alachlor
(8) Chlordane
(9) Dibromochloropropane
(10) 1,2-Dichloropropane
(11) Epichlorohydrin
(12) Ethylene dibromide
(13) Heptachlor
(14) Heptachlor epoxide
(15) Pentachlorophenol
(16) Polychlorinated biphenyls (PCBs)
(17) Tetrachloroethylene
(18) Toxaphene
(19) Benzo[a]pyrene
(20) Dichloromethane (methylene chloride)
(21) Di(2-ethylhexyl)phthalate
(22) Hexachlorobenzene
(23) 2,3,7,8-TCDD (Dioxin)

(b) MCLGs for the following contaminants are as indicated:

Contaminant	MCLG in mg/l
(1) 1,1-Dichloroethylene	0.007
(2) 1,1,1-Trichloroethane	0.20
(3) para-Dichlorobenzene	0.075
(4) Aldicarb	0.001
(5) Aldicarb sulfoxide	0.001
(6) Aldicarb sulfone	0.001
(7) Atrazine	0.003
(8) Carbofuran	0.04
(9) o-Dichlorobenzene	0.6
(10) cis-1,2-Dichloroethylene	0.07
(11) trans-1,2-Dichloroethylene	0.1
(12) 2,4-D	0.07
(13) Ethylbenzene	0.7
(14) Lindane	0.0002
(15) Methoxychlor	0.04
(16) Monochlorobenzene	0.1
(17) Styrene	0.1
(18) Toluene	1
(19) 2,4,5-TP	0.05
(20) Xylenes (total)	10
(21) Dalapon	0.2
(22) Di(2-ethylhexyl)adipate	.4
(23) Dinoseb	.007
(24) Diquat	.02
(25) Endothall	.1

Contaminant	MCLG in mg/l
(26) Endrin	.002
(27) Glyphosate	.7
(28) Hexachlorocyclopentadiene	.05
(29) Oxamyl (Vydate)	.2
(30) Picloram	.5
(31) Simazine	.004
(32) 1,2,4-Trichlorobenzene	.07
(33) 1,1,2-Trichloroethane	.003

[50 FR 46901, Nov. 13, 1985, as amended at 52 FR 20674, June 2, 1987; 52 FR 25716, July 8, 1987; 56 FR 3592, Jan. 30, 1991; 56 FR 30280, July 1, 1991; 57 FR 31846, July 17, 1992]

§ 141.51 Maximum contaminant level goals for inorganic contaminants.

(a) [Reserved]

(b) MCLGs for the following contaminants are as indicated:

Contaminant	MCLG (mg/l)
Antimony	0.006
Arsenic	zero [1]
Asbestos	7 Million fibers/liter (longer than 10 μm).
Barium	2
Beryllium	.004
Cadmium	0.005
Chromium	0.1
Copper	1.3
Cyanide (as free Cyanide)	.2
Fluoride	4.0
Lead	zero
Mercury	0.002
Nitrate	10 (as Nitrogen).
Nitrite	1 (as Nitrogen).
Total Nitrate+Nitrite	10 (as Nitrogen).
Selenium	0.05
Thallium	.0005

[1] This value for arsenic is effective January 23, 2006. Until then, there is no MCLG.

[50 FR 47155, Nov. 14, 1985, as amended at 52 FR 20674, June 2, 1987; 56 FR 3593, Jan. 30, 1991; 56 FR 26548, June 7, 1991; 56 FR 30280, July 1, 1991; 57 FR 31846, July 17, 1992; 60 FR 33932, June 29, 1995; 66 FR 7063, Jan. 22, 2001]

§ 141.52 Maximum contaminant level goals for microbiological contaminants.

MCLGs for the following contaminants are as indicated:

Contaminant	MCLG
(1) *Giardia lamblia*	zero
(2) Viruses	zero
(3) *Legionella*	zero
(4) Total coliforms (including fecal coliforms and *Escherichia coli*).	zero.
(5) *Cryptosporidium*	zero.

[54 FR 27527, 27566, June 29, 1989; 55 FR 25064, June 19, 1990; 63 FR 69515, Dec. 16, 1998]

§ 141.53 Maximum contaminant level goals for disinfection byproducts.

MCLGs for the following disinfection byproducts are as indicated:

Disinfection byproduct	MCLG (mg/L)
Bromodichloromethane	Zero
Bromoform	Zero
Bromate	Zero
Dichloroacetic acid	Zero
Trichloroacetic acid	0.3
Chlorite	0.8
Dibromochloromethane	0.06

[63 FR 69465, Dec. 16, 1998, as amended at 65 FR 34405, May 30, 2000]

§ 141.54 Maximum residual disinfectant level goals for disinfectants.

MRDLGs for disinfectants are as follows:

Disinfectant residual	MRDLG(mg/L)
Chlorine	4 (as Cl_2).
Chloramines	4 (as Cl_2).
Chlorine dioxide	0.8 (as ClO_2)

[63 FR 69465, Dec. 16, 1998]

§ 141.55 Maximum contaminant level goals for radionuclides.

MCLGs for radionuclides are as indicated in the following table:

Contaminant	MCLG
1. Combined radium-226 and radium-228	Zero.
2. Gross alpha particle activity (excluding radon and uranium).	Zero.
3. Beta particle and photon radioactivity	Zero.
4. Uranium	Zero.

[65 FR 76748, Dec. 7, 2000]

Subpart G—National Primary Drinking Water Regulations: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels

§ 141.60 Effective dates.

(a) The effective dates for §141.61 are as follows:

(1) The effective date for paragraphs (a)(1) through (a)(8) of §141.61 is January 9, 1989.

(2) The effective date for paragraphs (a)(9) through (a)(18) and (c)(1) through (c)(18) of §141.61 is July 30, 1992.

(3) The effective date for paragraphs (a)(19) through (a)(21), (c)(19) through (c)(25), and (c)(27) through (c)(33) of §141.61 is January 17, 1994. The effective date of §141.61(c)(26) is August 17, 1992.

(b) The effective dates for §141.62 are as follows:

(1) The effective date of paragraph (b)(1) of §141.62 is October 2, 1987.

(2) The effective date for paragraphs (b)(2) and (b)(4) through (b)(10) of §141.62 is July 30, 1992.

(3) The effective date for paragraphs (b)(11) through (b)(15) of §141.62 is January 17, 1994.

(4) The effective date for §141.62(b)(16) is January 23, 2006.

[56 FR 3593, Jan. 30, 1991, as amended at 57 FR 31846, July 17, 1992; 59 FR 34324, July 1, 1994; 66FR 7063, Jan. 22, 2001]

§141.61 Maximum contaminant levels for organic contaminants.

(a) The following maximum contaminant levels for organic contaminants apply to community and non-transient, non-community water systems.

CAS No.	Contaminant	MCL (mg/l)
(1) 75–01–4	Vinyl chloride	0.002
(2) 71–43–2	Benzene	0.005
(3) 56–23–5	Carbon tetrachloride	0.005
(4) 107–06–2	1,2-Dichloroethane	0.005
(5) 79–01–6	Trichloroethylene	0.005
(6) 106–46–7	para-Dichlorobenzene	0.075
(7) 75–35–4	1,1-Dichloroethylene	0.007
(8) 71–55–6	1,1,1-Trichloroethane	0.2
(9) 156–59–2	cis-1,2-Dichloroethylene	0.07
(10) 78–87–5	1,2-Dichloropropane	0.005
(11) 100–41–4	Ethylbenzene	0.7
(12) 108–90–7	Monochlorobenzene	0.1
(13) 95–50–1	o-Dichlorobenzene	0.6
(14) 100–42–5	Styrene	0.1
(15) 127–18–4	Tetrachloroethylene	0.005
(16) 108–88–3	Toluene	1
(17) 156–60–5	trans-1,2-Dichloroethylene	0.1
(18) 1330–20–7	Xylenes (total)	10
(19) 75–09–2	Dichloromethane	0.005
(20) 120–82–1	1,2,4-Trichloro- benzene	.07
(21) 79–00–5	1,1,2-Trichloro- ethane	.005

(b) The Administrator, pursuant to section 1412 of the Act, hereby identifies as indicated in the Table below granular activated carbon (GAC), packed tower aeration (PTA), or oxidation (OX) as the best technology treatment technique, or other means available for achieving compliance with the maximum contaminant level for organic contaminants identified in paragraphs (a) and (c) of this section:

BAT FOR ORGANIC CONTAMINANTS LISTED IN §141.61 (a) AND (c)

CAS No.	Contaminant	GAC	PTA	OX
15972–60–8	Alachlor	X	.....	.....
116–06–3	Aldicarb	X	.....	.....
1646–88–4	Aldicarb sulfone	X	.....	.....
1646–87–3	Aldicarb sulfoxide	X	.....	.....
1912–24–9	Atrazine	X	.....	.....
71–43–2	Benzene	X	X	.....
50–32–8	Benzo[a]pyrene	X	.....	.....
1563–66–2	Carbofuran	X	.....	.....
56–23–5	Carbon tetrachloride	X	X	.....
57–74–9	Chlordane	X	.....	.....
75–99–0	Dalapon	X	.....	.....
94–75–7	2,4-D	X	.....	.....
103–23–1	Di (2-ethylhexyl) adipate	X	X	.....
117–81–7	Di (2-ethylhexyl) phthalate	X	.....	.....
96–12–8	Dibromochloropropane (DBCP)	X	X	.....
95–50–1	o-Dichlorobenzene	X	X	.....
106–46–7	para-Dichlorobenzene	X	X	.....

BAT FOR ORGANIC CONTAMINANTS LISTED IN § 141.61 (a) AND (c)—Continued

CAS No.	Contaminant	GAC	PTA	OX
107–06–2	1,2-Dichloroethane	X	X	
75–35–4	1,1-Dichloroethylene	X	X	
156–59–2	cis-1,2-Dichloroethylene	X	X	
156–60–5	trans-1,2-Dichloroethylene	X	X	
75–09–2	Dichloromethane		X	
78–87–5	1,2-Dichloropropane	X	X	
88–85–7	Dinoseb	X		
85–00–7	Diquat	X		
145–73–3	Endothall	X		
72–20–8	Endrin	X		
100–41–4	Ethylbenzene	X	X	
106–93–4	Ethylene Dibromide (EDB)	X	X	
1071–83–6	Gylphosate			X
76–44–8	Heptachlor	X		
1024–57–3	Heptachlor epoxide	X		
118–74–1	Hexachlorobenzene	X		
77–47–3	Hexachlorocyclopentadiene	X	X	
58–89–9	Lindane	X		
72–43–5	Methoxychlor	X		
108–90–7	Monochlorobenzene	X	X	
23135–22–0	Oxamyl (Vydate)	X		
87–86–5	Pentachlorophenol	X		
1918–02–1	Picloram	X		
1336–36–3	Polychlorinated biphenyls (PCB)	X		
122–34–9	Simazine	X		
100–42–5	Styrene	X	X	
1746–01–6	2,3,7,8-TCDD (Dioxin)	X		
127–18–4	Tetrachloroethylene	X	X	
108–88–3	Toluene	X	X	
8001–35–2	Toxaphene	X		
93–72–1	2,4,5-TP (Silvex)	X		
120–82–1	1,2,4-Trichlorobenzene	X	X	
71–55–6	1,1,1-Trichloroethane	X	X	
79–00–5	1,1,2-Trichloroethane	X	X	
79–01–6	Trichloroethylene	X	X	
75–01–4	Vinyl chloride		X	
1330–20–7	Xylene	X	X	

(c) The following maximum contaminant levels for synthetic organic contaminants apply to community water systems and non-transient, non-community water systems:

CAS No.	Contaminant	MCL (mg/l)
(1) 15972–60–8	Alachlor	0.002
(2) 116–06–3	Aldicarb	0.003
(3) 1646–87–3	Aldicarb sulfoxide	0.004
(4) 1646–87–4	Aldicarb sulfone	0.002
(5) 1912–24–9	Atrazine	0.003
(6) 1563–66–2	Carbofuran	0.04
(7) 57–74–9	Chlordane	0.002
(8) 96–12–8	Dibromochloropropane	0.0002
(9) 94–75–7	2,4-D	0.07
(10) 106–93–4	Ethylene dibromide	0.00005
(11) 76–44–8	Heptachlor	0.0004
(12) 1024–57–3	Heptachlor epoxide	0.0002
(13) 58–89–9	Lindane	0.0002
(14) 72–43–5	Methoxychlor	0.04
(15) 1336–36–3	Polychlorinated biphenyls	0.0005
(16) 87–86–5	Pentachlorophenol	0.001
(17) 8001–35–2	Toxaphene	0.003
(18) 93–72–1	2,4,5-TP	0.05
(19) 50–32–8	Benzo[a]pyrene	0.0002
(20) 75–99–0	Dalapon	0.2
(21) 103–23–1	Di(2-ethylhexyl) adipate	0.4
(22) 117–81–7	Di(2-ethylhexyl) phthalate	0.006
(23) 88–85–7	Dinoseb	0.007
(24) 85–00–7	Diquat	0.02
(25) 145–73–3	Endothall	0.1

CAS No.	Contaminant	MCL (mg/l)
(26) 72–20–8	Endrin	0.002
(27) 1071–53–6	Glyphosate	0.7
(28) 118–74–1	Hexacholorbenzene	0.001
(29) 77–47–4	Hexachlorocyclopentadiene	0.05
(30) 23135–22–0	Oxamyl (Vydate)	0.2
(31) 1918–02–1	Picloram	0.5
(32) 122–34–9	Simazine	0.004
(33) 1746–01–6	2,3,7,8-TCDD (Dioxin)	3×10^{-8}

[56 FR 3593, Jan. 30, 1991, as amended at 56 FR 30280, July 1, 1991; 57 FR 31846, July 17, 1992; 59 FR 34324, July 1, 1994]

§ 141.62 Maximum contaminant levels for inorganic contaminants.

(a) [Reserved]

(b) The maximum contaminant levels for inorganic contaminants specified in paragraphs (b) (2)–(6), (b)(10), and (b) (11)–(16) of this section apply to community water systems and non-transient, non-community water systems. The maximum contaminant level specified in paragraph (b)(1) of this section only applies to community water systems. The maximum contaminant levels specified in (b)(7), (b)(8), and (b)(9) of this section apply to community water systems; non-transient, non-community water systems; and transient non-community water systems.

Contaminant	MCL (mg/l)
(1) Fluoride	4.0
(2) Asbestos	7 Million Fibers/liter (longer than 10 μm).
(3) Barium	2
(4) Cadmium	0.005
(5) Chromium	0.1
(6) Mercury	0.002
(7) Nitrate	10 (as Nitrogen)
(8) Nitrite	1 (as Nitrogen)
(9) Total Nitrate and Nitrite	10 (as Nitrogen)
(10) Selenium	0.05
(11) Antimony	0.006
(12) Beryllium	0.004
(13) Cyanide (as free Cyanide).	0.2
(14) [Reserved].	
(15) Thallium	0.002
(16) Arsenic	0.010

(c) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment technique, or other means available for achieving compliance with the maximum contaminant levels for inorganic contaminants identified in paragraph (b) of this section, except fluoride:

BAT FOR INORGANIC COMPOUNDS LISTED IN SECTION 141.62(b)

Chemical Name	BAT(s)
Antimony	2,7
Arsenic[4]	1, 2, 5, 6, 7, 9, 12[5]
Asbestos	2,3,8
Barium	5,6,7,9
Beryllium	1,2,5,6,7
Cadmium	2,5,6,7
Chromium	2,5,6[2],7
Cyanide	5,7,10
Mercury	2[1],4,6[1],7[1]
Nickel	5,6,7
Nitrate	5,7,9
Nitrite	5,7
Selenium	1,2[3],6,7,9
Thallium	1,5

[1] BAT only if influent Hg concentrations ≤10μg/1.
[2] BAT for Chromium III only.
[3] BAT for Selenium IV only.
[4] BATs for Arsenic V. Pre-oxidation may be required to convert Arsenic III to Arsenic V.
[5] To obtain high removals, iron to arsenic ratio must be at least 20:1.

Key to BATS in Table

1=Activated Alumina
2 = Coagulation/Filtration (not BAT for systems < 500 service connections)
2=Coagulation/Filtration
3=Direct and Diatomite Filtration
4=Granular Activated Carbon
5=Ion Exchange
6 = Lime Softening (not BAT for systems < 500 service connections)
7=Reverse Osmosis
8=Corrosion Control
9=Electrodialysis
10=Chlorine
11=Ultraviolet
12 = Oxidation/Filtration

(d) The Administrator, pursuant to section 1412 of the Act, hereby identifies in the following table the affordable technology, treatment technique, or other means available to systems serving 10,000 persons or fewer for achieving compliance with the maximum contaminant level for arsenic:

SMALL SYSTEM COMPLIANCE TECHNOLOGIES (SSCTS) [1] FOR ARSENIC [2]

Small system compliance technology	Affordable for listed small system categories [3]
Activated Alumina (centralized).	All size categories.
Activated Alumina (Point-of-Use) [4].	All size categories.
Coagulation/Filtration [5]	501–3,300, 3,301–10,000.
Coagulation-assisted Microfiltration.	501–3,300, 3,301–10,000.
Electrodialysis reversal [6]	501–3,300, 3,301–10,000.
Enhanced coagulation/filtration.	All size categories
Enhanced lime softening (pH> 10.5).	All size categories.
Ion Exchange	All size categories.
Lime Softening [5]	501–3,300, 3,301–10,000.
Oxidation/Filtration [7]	All size categories.
Reverse Osmosis (centralized) [6].	501–3,300, 3,301–10,000.
Reverse Osmosis (Point-of-Use) [4].	All size categories.

[1] Section 1412(b)(4)(E)(ii) of SDWA specifies that SSCTs must be affordable and technically feasible for small systems.
[2] SSCTs for Arsenic V. Pre-oxidation may be required to convert Arsenic III to Arsenic V.
[3] The Act (ibid.) specifies three categories of small systems: (i) those serving 25 or more, but fewer than 501, (ii) those serving more than 500, but fewer than 3,301, and (iii) those serving more than 3,300, but fewer than 10,001.
[4] When POU or POE devices are used for compliance, programs to ensure proper long-term operation, maintenance, and monitoring must be provided by the water system to ensure adequate performance.
[5] Unlikely to be installed solely for arsenic removal. May require pH adjustment to optimal range if high removals are needed.
[6] Technologies reject a large volume of water—may not be appropriate for areas where water quantity may be an issue.
[7] To obtain high removals, iron to arsenic ratio must be at least 20:1.

[56 FR 3594, Jan. 30, 1991, as amended at 56 FR 30280, July 1, 1991; 57 FR 31847, July 17, 1992; 59 FR 34325, July 1, 1994; 60 FR 33932, June 29, 1995; 66 FR 7063, Jan. 22, 2001; 68 FR 14506, Mar. 25, 2003]

EFFECTIVE DATE NOTE: At 69 FR 38855, June 29, 2004, §141.62(c) was amended in the Table "BAT FOR INORGANIC COMPOUNDS LISTED IN SECTION 141.62(b)" in the entry for "cyanide" by replacing the "10" with "13"; and in the list "Key to BATS in Table", by adding to the end of the list, "13 = Alkaline Chlorination (pH ≥ 8.5)", effective July 29, 2004.

§ 141.63 Maximum contaminant levels (MCLs) for microbiological contaminants.

(a) The MCL is based on the presence or absence of total coliforms in a sample, rather than coliform density.

(1) For a system which collects at least 40 samples per month, if no more than 5.0 percent of the samples collected during a month are total coliform-positive, the system is in compliance with the MCL for total coliforms.

(2) For a system which collects fewer than 40 samples/month, if no more than one sample collected during a month is total coliform-positive, the system is in compliance with the MCL for total coliforms.

(b) Any fecal coliform-positive repeat sample or *E. coli*-positive repeat sample, or any total coliform-positive repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample constitutes a violation of the MCL for total coliforms. For purposes of the public notification requirements in subpart Q, this is a violation that may pose an acute risk to health.

(c) A public water system must determine compliance with the MCL for total coliforms in paragraphs (a) and (b) of this section for each month in which it is required to monitor for total coliforms.

(d) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant level for total coliforms in paragraphs (a) and (b) of this section:

(1) Protection of wells from contamination by coliforms by appropriate placement and construction;

(2) Maintenance of a disinfectant residual throughout the distribution system;

(3) Proper maintenance of the distribution system including appropriate pipe replacement and repair procedures, main flushing programs, proper operation and maintenance of storage tanks and reservoirs, and continual maintenance of positive water pressure in all parts of the distribution system;

(4) Filtration and/or disinfection of surface water, as described in subpart H, or disinfection of ground water using strong oxidants such as chlorine, chlorine dioxide, or ozone; and

(5) For systems using ground water, compliance with the requirements of an EPA-approved State Wellhead Protection Program developed and implemented under section 1428 of the SDWA.

[54 FR 27566, June 29, 1989; 55 FR 25064, June 19, 1990, as amended at 65 FR 26022, May 4, 2000]

§ 141.64 Maximum contaminant levels for disinfection byproducts.

(a) The maximum contaminant levels (MCLs) for disinfection byproducts are as follows:

Disinfection byproduct	MCL (mg/L)
Total trihalomethanes (TTHM)	0.080
Haloacetic acids (five) (HAA5)	0.060
Bromate	0.010
Chlorite	1.0

(b) *Compliance dates.* (1) *CWSs and NTNCWSs.* Subpart H systems serving 10,000 or more persons must comply with this section beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with this section beginning January 1, 2004.

(2) A system that is installing GAC or membrane technology to comply with this section may apply to the State for an extension of up to 24 months past the dates in paragraphs (b)(1) of this section, but not beyond December 31, 2003. In granting the extension, States must set a schedule for compliance and may specify any interim measures that the system must take. Failure to meet the schedule or interim treatment requirements constitutes a violation of a National Primary Drinking Water Regulation.

(c) The Administrator, pursuant to Section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for disinfection byproducts identified in paragraph (a) of this section:

Disinfection byproduct	Best available technology
TTHM	Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant
HAA5	Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant.
Bromate	Control of ozone treatment process to reduce production of bromate.
Chlorite	Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.

[63 FR 69465, Dec. 16, 1998, as amended at 66 FR 3776, Jan. 16, 2001]

§ 141.65 Maximum residual disinfectant levels.

(a) Maximum residual disinfectant levels (MRDLs) are as follows:

Disinfectant residual	MRDL (mg/L)
Chlorine	4.0 (as Cl_2).
Chloramines	4.0 (as Cl_2).
Chlorine dioxide	0.8 (as ClO_2).

(b) *Compliance dates.* (1) *CWSs and NTNCWSs.* Subpart H systems serving 10,000 or more persons must comply with this section beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with this subpart beginning January 1, 2004.

(2) Transient NCWSs. Subpart H 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 systems serving fewer than 10,000 persons and using chlorine dioxide as a disinfectant or oxidant 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.

(c) The Administrator, pursuant to Section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum residual disinfectant levels identified in paragraph (a) of this section: control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.

[63 FR 69465, Dec. 16, 1998, as amended at 66 FR 3776, Jan. 16, 2001]

§ 141.66 Maximum contaminant levels for radionuclides.

(a) [Reserved]

(b) *MCL for combined radium-226 and -228.* The maximum contaminant level for combined radium-226 and radium-228 is 5 pCi/L. The combined radium-226 and radium-228 value is determined by

the addition of the results of the analysis for radium-226 and the analysis for radium-228.

(c) *MCL for gross alpha particle activity (excluding radon and uranium).* The maximum contaminant level for gross alpha particle activity (including radium-226 but excluding radon and uranium) is 15 pCi/L.

(d) *MCL for beta particle and photon radioactivity.* (1) The average annual concentration of beta particle and photon radioactivity from man-made radionuclides in drinking water must not produce an annual dose equivalent to the total body or any internal organ greater than 4 millirem/year (mrem/year).

(2) Except for the radionuclides listed in table A, the concentration of man-made radionuclides causing 4 mrem total body or organ dose equivalents must be calculated on the basis of 2 liter per day drinking water intake using the 168 hour data list in "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," NBS (National Bureau of Standards) Handbook 69 as amended August 1963, U.S. Department of Commerce. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of this document are available from the National Technical Information Service, NTIS ADA 280 282, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. The toll-free number is 800–553–6847. Copies may be inspected at EPA's Drinking Water Docket, 401 M Street, SW., Washington, DC 20460; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.* If two or more radionuclides are present, the sum of their annual dose equivalent to the total body or to any organ shall not exceed 4 mrem/year.

TABLE A—AVERAGE ANNUAL CONCENTRATIONS ASSUMED TO PRODUCE: A TOTAL BODY OR ORGAN DOSE OF 4 MREM/YR

1. Radionuclide	Critical organ	pCi per liter
2. Tritium	Total body	20,000
3. Strontium-90	Bone Marrow	8

(e) *MCL for uranium.* The maximum contaminant level for uranium is 30 μg/L.

(f) *Compliance dates.* (1) Compliance dates for combined radium-226 and -228, gross alpha particle activity, gross beta particle and photon radioactivity, and uranium: Community water systems must comply with the MCLs listed in paragraphs (b), (c), (d), and (e) of this section beginning December 8, 2003 and compliance shall be determined in accordance with the requirements of §§ 141.25 and 141.26. Compliance with reporting requirements for the radionuclides under appendix A to subpart O and appendices A and B to subpart Q is required on December 8, 2003.

(2) [Reserved]

(g) *Best available technologies (BATs) for radionuclides.* The Administrator, pursuant to section 1412 of the Act, hereby identifies as indicated in the following table the best technology available for achieving compliance with the maximum contaminant levels for combined radium-226 and -228, uranium, gross alpha particle activity, and beta particle and photon radioactivity.

TABLE B—BAT FOR COMBINED RADIUM-226 AND RADIUM-228, URANIUM, GROSS ALPHA PARTICLE ACTIVITY, AND BETA PARTICLE AND PHOTON RADIOACTIVITY

Contaminant	BAT
1. Combined radium-226 and radium-228	Ion exchange, reverse osmosis, lime softening.
2. Uranium	Ion exchange, reverse osmosis, lime softening, coagulation/filtration.
3. Gross alpha particle activity (excluding Radon and Uranium)	Reverse osmosis.
4. Beta particle and photon radioactivity	Ion exchange, reverse osmosis.

(h) *Small systems compliance technologies list for radionuclides.*

TABLE C—LIST OF SMALL SYSTEMS COMPLIANCE TECHNOLOGIES FOR RADIONUCLIDES AND LIMITATIONS TO USE

Unit technologies	Limitations (see footnotes)	Operator skill level required [1]	Raw water quality range and considerations. [1]
1. Ion exchange (IE)	[a]	Intermediate	All ground waters.
2. Point of use (POU [2]) IE	[b]	Basic	All ground waters.
3. Reverse osmosis (RO)	[c]	Advanced	Surface waters usually require pre-filtration.
4. POU[2] RO	[b]	Basic	Surface waters usually require pre-filtration.
5. Lime softening	[d]	Advanced	All waters.
6. Green sand filtration	[e]	Basic.	
7. Co-precipitation with Barium sulfate	[f]	Intermediate to Advanced	Ground waters with suitable water quality.
8. Electrodialysis/electrodialysis reversal.		Basic to Intermediate	All ground waters.
9. Pre-formed hydrous Manganese oxide filtration.	[g]	Intermediate	All ground waters.
10. Activated alumina	[a], [h]	Advanced	All ground waters; competing anion concentrations may affect regeneration frequency.
11. Enhanced coagulation/filtration	[i]	Advanced	Can treat a wide range of water qualities.

[1] National Research Council (NRC). Safe Water from Every Tap: Improving Water Service to Small Communities. National Academy Press. Washington, D.C. 1997.

[2] A POU, or "point-of-use" technology is a treatment device installed at a single tap used for the purpose of reducing contaminants in drinking water at that one tap. POU devices are typically installed at the kitchen tap. See the April 21, 2000 NODA for more details.

Limitations Footnotes: Technologies for Radionuclides:

[a] The regeneration solution contains high concentrations of the contaminant ions. Disposal options should be carefully considered before choosing this technology.

[b] When POU devices are used for compliance, programs for long-term operation, maintenance, and monitoring must be provided by water utility to ensure proper performance.

[c] Reject water disposal options should be carefully considered before choosing this technology. See other RO limitations described in the SWTR Compliance Technologies Table.

[d] The combination of variable source water quality and the complexity of the water chemistry involved may make this technology too complex for small surface water systems.

[e] Removal efficiencies can vary depending on water quality.

[f] This technology may be very limited in application to small systems. Since the process requires static mixing, detention basins, and filtration, it is most applicable to systems with sufficiently high sulfate levels that already have a suitable filtration treatment train in place.

[g] This technology is most applicable to small systems that already have filtration in place.

[h] Handling of chemicals required during regeneration and pH adjustment may be too difficult for small systems without an adequately trained operator.

[i] Assumes modification to a coagulation/filtration process already in place.

TABLE D—COMPLIANCE TECHNOLOGIES BY SYSTEM SIZE CATEGORY FOR RADIONUCLIDE NPDWR'S

Contaminant	Compliance technologies [1] for system size categories (population served)		3,300–10,000
	25–500	501–3,300	
1. Combined radium-226 and radium-228	1, 2, 3, 4, 5, 6, 7, 8, 9	1, 2, 3, 4, 5, 6, 7, 8, 9	1, 2, 3, 4, 5, 6, 7. 8, 9.
2. Gross alpha particle activity	3, 4	3, 4	3, 4.
3. Beta particle activity and photon activity	1, 2, 3, 4	1, 2, 3, 4	1, 2, 3, 4.
4. Uranium	1, 2, 4, 10, 11	1, 2, 3, 4, 5, 10, 11	1, 2, 3, 4, 5, 10, 11.

Note: [1] Numbers correspond to those technologies found listed in the table C of 141.66(h).

[65 FR 76748, Dec. 7, 2000]

Subpart H—Filtration and Disinfection

SOURCE: 54 FR 27527, June 29, 1989, unless otherwise noted.

§ 141.70 General requirements.

(a) The requirements of this subpart H constitute national primary drinking water regulations. These regulations establish criteria under which filtration is required as a treatment technique for 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. In addition, these regulations establish treatment technique requirements in lieu of maximum contaminant levels for the following contaminants: *Giardia lamblia*, viruses, heterotrophic plate count bacteria, *Legionella*, and turbidity. Each public water system with a surface water source or a ground water source under the direct influence of surface water must provide treatment of that source water that complies with these treatment technique requirements. The treatment technique requirements consist of installing and properly operating water treatment processes which reliably achieve:

(1) At least 99.9 percent (3-log) removal and/or inactivation of *Giardia lamblia* cysts between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer; and

(2) At least 99.99 percent (4-log) removal and/or inactivation of viruses between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer.

(b) A public water system using a surface water source or a ground water source under the direct influence of surface water is considered to be in compliance with the requirements of paragraph (a) of this section if:

(1) It meets the requirements for avoiding filtration in §141.71 and the disinfection requirements in §141.72(a); or

(2) It meets the filtration requirements in §141.73 and the disinfection requirements in §141.72(b).

(c) Each public water system using a surface water source or a ground water source under the direct influence of surface water must be operated by qualified personnel who meet the requirements specified by the State.

(d) *Additional requirements for systems serving at least 10,000 people.* In addition to complying with requirements in this subpart, systems serving at least 10,000 people must also comply with the requirements in subpart P of this part.

(e) *Additional requirements for systems serving fewer than 10,000 people.* In addition to complying with requirements in this subpart, systems serving fewer than 10,000 people must also comply with the requirements in subpart T of this part.

[54 FR 27527, June 29, 1989, as amended at 63 FR 69516, Dec. 16, 1998; 67 FR 1836, Jan. 14, 2002]

§141.71 Criteria for avoiding filtration.

A public water system that uses a surface water source must meet all of the conditions of paragraphs (a) and (b) of this section, and is subject to paragraph (c) of this section, beginning December 30, 1991, unless the State has determined, in writing pursuant to §1412(b)(7)(C)(iii), that filtration is required. A public water system that uses a ground water source under the direct influence of surface water must meet all of the conditions of paragraphs (a) and (b) of this section and is subject to paragraph (c) of this section, beginning 18 months after the State determines that it is under the direct influence of surface water, or December 30, 1991, whichever is later, unless the State has determined, in writing pursuant to §1412(b)(7)(C)(iii), that filtration is required. If the State determines in writing pursuant to §1412(b)(7)(C)(iii) before December 30, 1991, that filtration is required, the system must have installed filtration and meet the criteria for filtered systems specified in §§141.72(b) and 141.73 by June 29, 1993. Within 18 months of the failure of a system using surface water or a ground water source under the direct influence of surface water to meet any one of the requirements of paragraphs (a) and (b) of this section or after June 29, 1993, whichever is later, the system must have installed filtration and meet the criteria for filtered systems specified in §§141.72(b) and 141.73.

(a) *Source water quality conditions.* (1) The fecal coliform concentration must be equal to or less than 20/100 ml, or the total coliform concentration must be equal to or less than 100/100 ml (measured as specified in §141.74 (a) (1) and (2) and (b)(1)), in representative samples of the source water immediately prior to the first or only point of disinfectant application in at least 90 percent of the measurements made for the

6 previous months that the system served water to the public on an ongoing basis. If a system measures both fecal and total coliforms, the fecal coliform criterion, but not the total coliform criterion, in this paragraph must be met.

(2) The turbidity level cannot exceed 5 NTU (measured as specified in §141.74 (a)(4) and (b)(2)) in representative samples of the source water immediately prior to the first or only point of disinfectant application unless: (i) the State determines that any such event was caused by circumstances that were unusual and unpredictable; and (ii) as a result of any such event, there have not been more than two events in the past 12 months the system served water to the public, or more than five events in the past 120 months the system served water to the public, in which the turbidity level exceeded 5 NTU. An "event" is a series of consecutive days during which at least one turbidity measurement each day exceeds 5 NTU.

(b) *Site-specific conditions.* (1)(i) The public water system must meet the requirements of §141.72(a)(1) at least 11 of the 12 previous months that the system served water to the public, on an ongoing basis, unless the system fails to meet the requirements during 2 of the 12 previous months that the system served water to the public, and the State determines that at least one of these failures was caused by circumstances that were unusual and unpredictable.

(ii) The public water system must meet the requirements of §141.72(a)(2) at all times the system serves water to the public.

(iii) The public water system must meet the requirements of §141.72(a)(3) at all times the system serves water to the public unless the State determines that any such failure was caused by circumstances that were unusual and unpredictable.

(iv) The public water system must meet the requirements of §141.72(a)(4) on an ongoing basis unless the State determines that failure to meet these requirements was not caused by a deficiency in treatment of the source water.

(2) The public water system must maintain a watershed control program which minimizes the potential for contamination by *Giardia lamblia* cysts and viruses in the source water. The State must determine whether the watershed control program is adequate to meet this goal. The adequacy of a program to limit potential contamination by *Giardia lamblia* cysts and viruses must be based on: the comprehensiveness of the watershed review; the effectiveness of the system's program to monitor and control detrimental activities occurring in the watershed; and the extent to which the water system has maximized land ownership and/or controlled land use within the watershed. At a minimum, the watershed control program must:

(i) Characterize the watershed hydrology and land ownership;

(ii) Identify watershed characteristics and activities which may have an adverse effect on source water quality; and

(iii) Monitor the occurrence of activities which may have an adverse effect on source water quality.

The public water system must demonstrate through ownership and/or written agreements with landowners within the watershed that it can control all human activities which may have an adverse impact on the microbiological quality of the source water. The public water system must submit an annual report to the State that identifies any special concerns about the watershed and how they are being handled; describes activities in the watershed that affect water quality; and projects what adverse activities are expected to occur in the future and describes how the public water system expects to address them. For systems using a ground water source under the direct influence of surface water, an approved wellhead protection program developed under section 1428 of the Safe Drinking Water Act may be used, if the State deems it appropriate, to meet these requirements.

(3) The public water system must be subject to an annual on-site inspection to assess the watershed control program and disinfection treatment process. Either the State or a party approved by the State must conduct the

on-site inspection. The inspection must be conducted by competent individuals such as sanitary and civil engineers, sanitarians, or technicians who have experience and knowledge about the operation and maintenance of a public water system, and who have a sound understanding of public health principles and waterborne diseases. A report of the on-site inspection summarizing all findings must be prepared every year. The on-site inspection must indicate to the State's satisfaction that the watershed control program and disinfection treatment process are adequately designed and maintained. The on-site inspection must include:

(i) A review of the effectiveness of the watershed control program;

(ii) A review of the physical condition of the source intake and how well it is protected;

(iii) A review of the system's equipment maintenance program to ensure there is low probability for failure of the disinfection process;

(iv) An inspection of the disinfection equipment for physical deterioration;

(v) A review of operating procedures;

(vi) A review of data records to ensure that all required tests are being conducted and recorded and disinfection is effectively practiced; and

(vii) Identification of any improvements which are needed in the equipment, system maintenance and operation, or data collection.

(4) The public water system must not have been identified as a source of a waterborne disease outbreak, or if it has been so identified, the system must have been modified sufficiently to prevent another such occurrence, as determined by the State.

(5) The public water system must comply with the maximum contaminant level (MCL) for total coliforms in §141.63 at least 11 months of the 12 previous months that the system served water to the public, on an ongoing basis, unless the State determines that failure to meet this requirement was not caused by a deficiency in treatment of the source water.

(6) The public water system must comply with the requirements for trihalomethanes in §§141.12 and 141.30 until December 31, 2001. After December 31, 2001, the system must comply with the requirements for total trihalomethanes, haloacetic acids (five), bromate, chlorite, chlorine, chloramines, and chlorine dioxide in subpart L of this part.

(c) *Treatment technique violations.* (1) A system that (i) fails to meet any one of the criteria in paragraphs (a) and (b) of this section and/or which the State has determined that filtration is required, in writing pursuant to §1412(b)(7)(C)(iii), and (ii) fails to install filtration by the date specified in the introductory paragraph of this section is in violation of a treatment technique requirement.

(2) A system that has not installed filtration is in violation of a treatment technique requirement if:

(i) The turbidity level (measured as specified in §141.74(a)(4) and (b)(2)) in a representative sample of the source water immediately prior to the first or only point of disinfection application exceeds 5 NTU; or

(ii) The system is identified as a source of a waterborne disease outbreak.

[54 FR 27527, June 29, 1989, as amended at 63 FR 69516, Dec. 16, 1998; 66 FR 3776, Jan. 16, 2001]

EFFECTIVE DATE NOTE: At 69 FR 38855, June 29, 2004, §141.71 was amended in paragraph (a)(2) introductory text by removing the citation "§141.74(a)(4)" and adding in its place "§141.74(a)(1)" and in paragraph (c)(2)(i) by removing the citation "§141.74(a)(4)" and adding in its place "§141.74(a)(1)", effective July 29, 2004.

§141.72 Disinfection.

A public water system that uses a surface water source and does not provide filtration treatment must provide the disinfection treatment specified in paragraph (a) of this section beginning December 30, 1991, unless the State determines that filtration is required in writing pursuant to §1412 (b)(7)(C)(iii). A public water system that uses a ground water source under the direct influence of surface water and does not provide filtration treatment must provide disinfection treatment specified in paragraph (a) of this section beginning December 30, 1991, or 18 months after the State determines that the ground water source is under the influence of

surface water, whichever is later, unless the State has determined that filtration is required in writing pursuant to §1412(b)(7)(C)(iii). If the State has determined that filtration is required, the system must comply with any interim disinfection requirements the State deems necessary before filtration is installed. A system that uses a surface water source that provides filtration treatment must provide the disinfection treatment specified in paragraph (b) of this section beginnng June 29, 1993, or beginning when filtration is installed, whichever is later. A system that uses a ground water source under the direct influence of surface water and provides filtration treatment must provide disinfection treatment as specified in paragraph (b) of this section by June 29, 1993, or beginning when filtration is installed, whichever is later. Failure to meet any requirement of this section after the applicable date specified in this introductory paragraph is a treatment technique violation.

(a) *Disinfection requirements for public water systems that do not provide filtration*. Each public water system that does not provide filtration treatment must provide disinfection treatment as follows:

(1) The disinfection treatment must be sufficient to ensure at least 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts and 99.99 percent (4-log) inactivation of viruses, every day the system serves water to the public, except any one day each month. Each day a system serves water to the public, the public water system must calculate the CT value(s) from the system's treatment parameters, using the procedure specified in §141.74(b)(3), and determine whether this value(s) is sufficient to achieve the specified inactivation rates for *Giardia lamblia* cysts and viruses. If a system uses a disinfectant other than chlorine, the system may demonstrate to the State, through the use of a State-approved protocol for on-site disinfection challenge studies or other information satisfactory to the State, that $CT_{99.9}$ values other than those specified in tables 2.1 and 3.1 in §141.74(b)(3) or other operational parameters are adequate to demonstrate that the system is achieving minimum inactivation rates required by paragraph (a)(1) of this section.

(2) The disinfection system must have either (i) redundant components, including an auxiliary power supply with automatic start-up and alarm to ensure that disinfectant application is maintained continuously while water is being delivered to the distribution system, or (ii) automatic shut-off of delivery of water to the distribution system whenever there is less than 0.2 mg/l of residual disinfectant concentration in the water. If the State determines that automatic shut-off would cause unreasonable risk to health or interfere with fire protection, the system must comply with paragraph (a)(2)(i) of this section.

(3) The residual disinfectant concentration in the water entering the distribution system, measured as specified in §141.74 (a)(5) and (b)(5), cannot be less than 0.2 mg/l for more than 4 hours.

(4)(i) The residual disinfectant concentration in the distribution system, measured as total chlorine, combined chlorine, or chlorine dioxide, as specified in §141.74 (a)(5) and (b)(6), cannot be undetectable in more than 5 percent of the samples each month, for any two consecutive months that the system serves water to the public. Water in the distribution system with a heterotrophic bacteria concentration less than or equal to 500/ml, measured as heterotrophic plate count (HPC) as specified in §141.74(a)(3), is deemed to have a detectable disinfectant residual for purposes of determining compliance with this requirement. Thus, the value "V" in the following formula cannot exceed 5 percent in one month, for any two consecutive months.

$$V = \frac{c + d + e}{a + b} \times 100$$

where:

a=number of instances where the residual disinfectant concentration is measured;

b=number of instances where the residual disinfectant concentration is not measured but heterotrophic bacteria plate count (HPC) is measured;

c=number of instances where the residual disinfectant concentration is measured but not detected and no HPC is measured;

d=number of instances where the residual disinfectant concentration is measured but

not detected and where the HPC is >500/ml; and

e=number of instances where the residual disinfectant concentration is not measured and HPC is >500/ml.

(ii) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by §141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (a)(4)(i) of this section do not apply to that system.

(b) *Disinfection requirements for public water systems which provide filtration.* Each public water system that provides filtration treatment must provide disinfection treatment as follows.

(1) The disinfection treatment must be sufficient to ensure that the total treatment processes of that system achieve at least 99.9 percent (3-log) inactivation and/or removal of *Giardia lamblia* cysts and at least 99.99 percent (4-log) inactivation and/or removal of viruses, as determined by the State.

(2) The residual disinfectant concentration in the water entering the distribution system, measured as specified in §141.74 (a)(5) and (c)(2), cannot be less than 0.2 mg/l for more than 4 hours.

(3)(i) The residual disinfectant concentration in the distribution system, measured as total chlorine, combined chlorine, or chlorine dioxide, as specified in §141.74 (a)(5) and (c)(3), cannot be undetectable in more than 5 percent of the samples each month, for any two consecutive months that the system serves water to the public. Water in the distribution system with a heterotrophic bacteria concentration less than or equal to 500/ml, measured as heterotrophic plate count (HPC) as specified in §141.74(a)(3), is deemed to have a detectable disinfectant residual for purposes of determining compliance with this requirement. Thus, the value "V" in the following formula cannot exceed 5 percent in one month, for any two consecutive months.

$$V = \frac{c + d + e}{a + b} \times 100$$

where:

a=number of instances where the residual disinfectant concentration is measured;

b=number of instances where the residual disinfectant concentration is not measured but heterotrophic bacteria plate count (HPC) is measured;

c=number of instances where the residual disinfectant concentration is measured but not detected and no HPC is measured;

d=number of instances where no residual disinfectant concentration is detected and where the HPC is >500/ml; and

e=number of instances where the residual disinfectant concentration is not measured and HPC is >500/ml.

(ii) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified in §141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (b)(3)(i) of this section do not apply.

EFFECTIVE DATE NOTE: At 69 FR 38855, June 29, 2004, §141.72 was amended in paragraph (a)(3) by removing the citation "§141.74(a)(5)" and adding in its place "§141.74(a)(2)"; in paragraph (a)(4)(i) by removing the citation "§141.74(a)(5)" and adding in its place "§141.74(a)(2)" and by removing the citation "§141.74(a)(3)" and adding in its place "§141.74(a)(1)"; in paragraph (a)(4)(ii) by removing the citation "§141.74(a)(3)" and adding in its place "§141.74(a)(1)"; in paragraph (b)(2) by removing the citation "§141.74(a)(5)" and adding in its place "§141.74(a)(2)"; in paragraph (b)(3)(i) by removing the citation "§141.74(a)(5)" and adding in its place "§141.74(a)(2)" and by removing the citation "§141.74(a)(3)" and adding in its place "§141.74(a)(1)"; and in paragraph (b)(3)(ii) by removing the citation "§141.74(a)(3)" and adding in its place "§141.74(a)(1)", effective July 29, 2004.

§141.73 Filtration.

A public water system that uses a surface water source or a ground water source under the direct influence of surface water, and does not meet all of the criteria in §141.71 (a) and (b) for avoiding filtration, must provide treatment consisting of both disinfection, as specified in §141.72(b), and filtration treatment which complies with the requirements of paragraph (a), (b), (c), (d), or (e) of this section by June 29, 1993, or within 18 months of the failure to meet any one of the criteria for

avoiding filtration in §141.71 (a) and (b), whichever is later. Failure to meet any requirement of this section after the date specified in this introductory paragraph is a treatment technique violation.

(a) *Conventional filtration treatment or direct filtration.* (1) For systems using conventional filtration or direct filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.5 NTU in at least 95 percent of the measurements taken each month, measured as specified in §141.74 (a)(4) and (c)(1), except that if the State determines that the system is capable of achieving at least 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts at some turbidity level higher than 0.5 NTU in at least 95 percent of the measurements taken each month, the State may substitute this higher turbidity limit for that system. However, in no case may the State approve a turbidity limit that allows more than 1 NTU in more than 5 percent of the samples taken each month, measured as specified in §141.74 (a)(4) and (c)(1).

(2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU, measured as specified in §141.74 (a)(4) and (c)(1).

(3) Beginning January 1, 2002, systems serving at least 10,000 people must meet the turbidity requirements in §141.173(a).

(4) Beginning January 14, 2005, systems serving fewer than 10,000 people must meet the turbidity requirements in §§141.550 through 141.553.

(b) *Slow sand filtration.* (1) For systems using slow sand filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 1 NTU in at least 95 percent of the measurements taken each month, measured as specified in §141.74 (a)(4) and (c)(1), except that if the State determines there is no significant interference with disinfection at a higher turbidity level, the State may substitute this higher turbidity limit for that system.

(2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU, measured as specified in §141.74 (a)(4) and (c)(1).

(c) *Diatomaceous earth filtration.* (1) For systems using diatomaceous earth filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 1 NTU in at least 95 percent of the measurements taken each month, measured as specified in §141.74 (a)(4) and (c)(1).

(2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU, measured as specified in §141.74 (a)(4) and (c)(1).

(d) *Other filtration technologies.* A public water system may use a filtration technology not listed in paragraphs (a) through (c) of this section if it demonstrates to the State, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of §141.72(b), consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts and 99.99 percent removal and/or inactivation of viruses. For a system that makes this demonstration, the requirements of paragraph (b) of this section apply. Beginning January 1, 2002, systems serving at least 10,000 people must meet the requirements for other filtration technologies in §141.173(b). Beginning January 14, 2005, systems serving fewer than 10,000 people must meet the requirements for other filtration technologies in §141.550 through 141.553.

[54 FR 27527, June 29, 1989, as amended at 63 FR 69516, Dec. 16, 1998; 66 FR 3776, Jan. 16, 2001; 67 FR 1836, Jan. 14, 2002]

EFFECTIVE DATE NOTE: At 69 FR 38855, June 29, 2004, §141.73 was amended in paragraph (a)(1) by removing both citations "§141.74(a)(4)" and adding in their place "§141.74(a)(1)"; in paragraph (a)(2) by removing the citation "§141.74(a)(4)" and adding in its place "§141.74(a)(1)"; in paragraph (a)(4) by removing the date "January 14, 2005" and adding in its place "January 1, 2005"; in paragraph (b)(1) by removing the citation "§141.74(a)(4)" and adding in its place "§141.74(a)(1)"; in paragraph (b)(2) by removing the citation "§141.74(a)(4)" and adding in its place "§141.74(a)(1)"; in paragraph (c)(1) by removing the citation "§141.74(a)(4)" and adding in its place "§141.74(a)(1)"; and in paragraph (c)(2) by removing the citation

"§ 141.74(a)(4)" and adding in its place "§ 141.74(a)(1)", effective July 29, 2004.

§ 141.74 Analytical and monitoring requirements.

(a) *Analytical requirements.* Only the analytical method(s) specified in this paragraph, or otherwise approved by EPA, may be used to demonstrate compliance with §§ 141.71, 141.72 and 141.73. Measurements for pH, turbidity, temperature and residual disinfectant concentrations must be conducted by a person approved by the State. Measurement for total coliforms, fecal coliforms and HPC must be conducted by a laboratory certified by the State or EPA to do such analysis. Until laboratory certification criteria are developed for the analysis of fecal coliforms and HPC, any laboratory certified for total coliforms analysis by the State or EPA is deemed certified for fecal coliforms and HPC analysis. The following procedures shall be conducted in accordance with the publications listed in the following section. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the methods published in *Standard Methods for the Examination of Water and Wastewater* may be obtained from the American Public Health Association et al., 1015 Fifteenth Street, NW., Washington, DC 20005; copies of the Minimal Medium ONPG–MUG Method as set forth in the article "National Field Evaluation of a Defined Substrate Method for the Simultaneous Enumeration of Total Coliforms and *Escherichia coli* from Drinking Water: Comparison with the Standard Multiple Tube Fermentation Method" (Edberg et al.), Applied and Environmental Microbiology, Volume 54, pp. 1595–1601, June 1988 (as amended under Erratum, Applied and Environmental Microbiology, Volume 54, p. 3197, December, 1988), may be obtained from the American Water Works Association Research Foundation, 6666 West Quincy Avenue, Denver, Colorado, 80235; and copies of the Indigo Method as set forth in the article "Determination of Ozone in Water by the Indigo Method" (Bader and Hoigne), may be obtained from Ozone Science & Engineering, Pergamon Press Ltd., Fairview Park, Elmsford, New York 10523. Copies may be inspected at the U.S. Environmental Protection Agency, Room EB15, 401 M St., SW., Washington, DC 20460 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html.*

(1) Public water systems must conduct analysis of pH and temperature in accordance with one of the methods listed at § 141.23(k)(1). Public water systems must conduct analysis of total coliforms, fecal coliforms, heterotrophic bacteria, and turbidity in accordance with one of the following analytical methods and by using analytical test procedures contained in *Technical Notes on Drinking Water Methods,* EPA–600/R–94–173, October 1994, which is available at NTIS PB95–104766.

Organism	Methodology	Citation [1]
Total Coliform [2]	Total Coliform Fermentation Technique [3 4 5].	9221 A, B, C
	Total Coliform Membrane Filter Technique [6].	9222 A, B, C
	ONPG-MUG Test [7]	9223
Fecal Coliforms [2] ...	Fecal Coliform Procedure [8].	9221 E
	Fecal Coliform Filter Procedure.	9222 D
Heterotrophic bacteria [2].	Pour Plate Method	9215 B
	SimPlate [11].	
Turbidity	Nephelometric Method.	2130 B
	Nephelometric Method.	180.1 [9]
	Great Lakes Instruments.	Method 2 [10]
	Hach FilterTrak	10133 [12]

The procedures shall be done in accordance with the documents listed below. The incorporation by reference of the following documents listed in footnotes 1, 6, 7 and 9–12 was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed below. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, 1301 Constitution Avenue, NW., EPA West, Room B102, Washington DC 20460 (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html.*

[1] Except where noted, all methods refer to *Standard Methods for the Examination of Water and Wastewater,* 18th edition (1992), 19th edition (1995), or 20th edition (1998), American Public Health Association, 1015 Fifteenth Street, NW., Washington, DC 20005. The cited methods published in any of these three editions may be used.

[2] The time from sample collection to initiation of analysis may not exceed 8 hours. Systems must hold samples below 10 deg. C during transit.

[3] Lactose broth, as commercially available, may be used in lieu of lauryl tryptose broth, if the system conducts at least 25 parallel tests between this medium and lauryl tryptose broth using the water normally tested, and this comparison demonstrates that the false-positive rate and false-negative rate for total coliform, using lactose broth, is less than 10 percent.

[4] Media should cover inverted tubes at least one-half to two-thirds after the sample is added.

[5] No requirement exists to run the completed phase on 10 percent of all total coliform-positive confirmed tubes.

[6] MI agar also may be used. Preparation and use of MI agar is set forth in the article, "New medium for the simultaneous detection of total coliform and *Escherichia coli* in water" by Brenner, K.P., et. al., 1993, Appl. Environ. Microbiol. 59:3534–3544. Also available from the Office of Water Resource Center (RC–4100T), 1200 Pennsylvania Avenue, NW., Washington DC 20460, EPA/600/J–99/225. Verification of colonies is not required.

[7] The ONPG–MUG Test is also known as the Autoanalysis Colilert System.

[8] A–1 Broth may be held up to three months in a tightly closed screw cap tube at 4 deg. C.

[9] "Methods for the Determination of Inorganic Substances in Environmental Samples", EPA/600/R–93/100, August 1993. Available at NTIS, PB94–121811.

[10] GLI Method 2, "Turbidity", November 2, 1992, Great Lakes Instruments, Inc., 8855 North 55th Street, Milwaukee, Wisconsin 53223.

[11] A description of the SimPlate method, "IDEXX SimPlate TM HPC Test Method for Heterotrophs in Water", November 2000, can be obtained from IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092, telephone (800) 321–0207.

[12] A description of the Hach FilterTrak Method 10133, "Determination of Turbidity by Laser Nephelometry", January 2000, Revision 2.0, can be obtained from; Hach Co., P.O. Box 389, Loveland, Colorado 80539–0389. Phone: 800–227–4224.

(2) Public water systems must measure residual disinfectant concentrations with one of the analytical methods in the following table. Except for the method for ozone residuals, the disinfectant residual methods are contained in the 18th, 19th, and 20th editions of Standard Methods for the Examination of Water and Wastewater, 1992, 1995, and 1998; the cited methods published in any of these three editions may be used. The ozone method, 4500–O_3 B, is contained in both the 18th and 19th editions of Standard Methods for the Examination of Water and Wastewater, 1992, 1995; either edition may be used. If approved by the State, residual disinfectant concentrations for free chlorine and combined chlorine also may be measured by using DPD colorimetric test kits. Free and total chlorine residuals may be measured continuously by adapting a specified chlorine residual method for use with a continuous monitoring instrument provided the chemistry, accuracy, and precision remain same. Instruments used for continuous monitoring must be calibrated with a grab sample measurement at least every five days, or with a protocol approved by the State.

Residual	Methodology	Methods
Free Chlorine.	Amperometric Titration	4500–Cl D
	DPD Ferrous Titrimetric.	4500–Cl F
	DPD Colorimetric	4500–Cl G
	Syringaldazine (FACTS).	4500–Cl H
Total Chlorine.	Amperometric Titration	4500–Cl D
	Amperometric Titration (low level measurement).	4500–Cl E
	DPD Ferrous Titrimetric.	4500–Cl F
	DPD Colorimetric	4500–Cl G
	Iodometric Electrode ...	4500–Cl I
Chlorine Dioxide.	Amperometric Titration	4500–ClO_2 C
	DPD Method	4500–ClO_2 D
	Amperometric Titration	4500–ClO_2 E
Ozone	Indigo Method	4500–O_3 B

(b) *Monitoring requirements for systems that do not provide filtration.* A public water system that uses a surface water source and does not provide filtration treatment must begin monitoring, as specified in this paragraph (b), beginning December 31, 1990, unless the State has determined that filtration is required in writing pursuant to §1412(b)(7)(C)(iii), in which case the State may specify alternative monitoring requirements, as appropriate, until filtration is in place. A public water system that uses a ground water source under the direct influence of surface water and does not provide filtration treatment must begin monitoring as specified in this paragraph (b) beginning December 31, 1990, or 6 months after the State determines that the ground water source is under the direct influence of surface water, whichever is later, unless the State has determined that filtration is required in writing pursuant to §1412(b)(7)(C)(iii), in which case the State may specify alternative monitoring requirements, as appropriate, until filtration is in place.

(1) Fecal coliform or total coliform density measurements as required by §141.71(a)(1) must be performed on representative source water samples immediately prior to the first or only point of disinfectant application. The system must sample for fecal or total coliforms at the following minimum frequency each week the system serves water to the public:

System size (persons served)	Samples/ week[1]
≦500	1
501 to 3,300	2
3,301 to 10,000	3
10,001 to 25,000	4
>25,000	5

[1] Must be taken on separate days.

Also, one fecal or total coliform density measurement must be made every day the system serves water to the public and the turbidity of the source water exceeds 1 NTU (these samples count towards the weekly coliform sampling requirement) unless the State determines that the system, for logistical reasons outside the system's control, cannot have the sample analyzed within 30 hours of collection.

(2) Turbidity measurements as required by §141.71(a)(2) must be performed on representative grab samples of source water immediately prior to the first or only point of disinfectant application every four hours (or more frequently) that the system serves water to the public. A public water system may substitute continuous turbidity monitoring for grab sample monitoring if it validates the continuous measurement for accuracy on a regular basis using a protocol approved by the State.

(3) The total inactivation ratio for each day that the system is in operation must be determined based on the $CT_{99.9}$ values in tables 1.1–1.6, 2.1, and 3.1 of this section, as appropriate. The parameters necessary to determine the total inactivation ratio must be monitored as follows:

(i) The temperature of the disinfected water must be measured at least once per day at each residual disinfectant concentration sampling point.

(ii) If the system uses chlorine, the pH of the disinfected water must be measured at least once per day at each chlorine residual disinfectant concentration sampling point.

(iii) The disinfectant contact time(s) ("T") must be determined for each day during peak hourly flow.

(iv) The residual disinfectant concentration(s) ("C") of the water before or at the first customer must be measured each day during peak hourly flow.

(v) If a system uses a disinfectant other than chlorine, the system may demonstrate to the State, through the use of a State-approved protocol for on-site disinfection challenge studies or other information satisfactory to the State, that $CT_{99.9}$ values other than those specified in tables 2.1 and 3.1 in this section other operational parameters are adequate to demonstrate that the system is achieving the minimum inactivation rates required by §141.72(a)(1).

TABLE 1.1—CT VALUES ($CT_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY FREE CHLORINE AT 0.5 °C OR LOWER [1]

Residual (mg/l)	pH						
	≦6.0	6.5	7.0	7.5	8.0	8.5	≦9.0
≦0.4 ..	137	163	195	237	277	329	390
0.6	141	168	200	239	286	342	407
0.8	145	172	205	246	295	354	422
1.0	148	176	210	253	304	365	437
1.2	152	180	215	259	313	376	451
1.4	155	184	221	266	321	387	464
1.6	157	189	226	273	329	397	477
1.8	162	193	231	279	338	407	489
2.0	165	197	236	286	346	417	500
2.2	169	201	242	297	353	426	511
2.4	172	205	247	298	361	435	522
2.6	175	209	252	304	368	444	533
2.8	178	213	257	310	375	452	543
3.0	181	217	261	316	382	460	552

[1] These CT values achieve greater than a 99.99 percent inactivation of viruses. CT values between the indicated pH values may be determined by linear interpolation. CT values between the indicated temperatures of different tables may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature and at the higher pH.

TABLE 1.2—CT VALUES ($CT_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY FREE CHLORINE AT 5.0 °C[1]

Free residual (mg/l)	pH						
	≦6.0	6.5	7.0	7.5	8.0	8.5	≦9.0
≦0.4 ..	97	117	139	166	198	236	279
0.6 ..	100	120	143	171	204	244	291
0.8 ..	103	122	146	175	210	252	301
1.0 ..	105	125	149	179	216	260	312
1.2 ..	107	127	152	183	221	267	320
1.4 ..	109	130	155	187	227	274	329
1.6 ..	111	132	158	192	232	281	337
1.8 ..	114	135	162	196	238	287	345
2.0 ..	116	138	165	200	243	294	353
2.2 ..	118	140	169	204	248	300	361
2.4 ..	120	143	172	209	253	306	368
2.6 ..	122	146	175	213	258	312	375
2.8 ..	124	148	178	217	263	318	382
3.0 ..	126	151	182	221	268	324	389

[1] These CT values achieve greater than a 99.99 percent inactivation of viruses. CT values between the indicated pH values may be determined by linear interpolation. CT values between the indicated temperatures of different tables may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature, and at the higher pH.

TABLE 1.3—CT VALUES (CT $_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY FREE CHLORINE AT 10.0 °C[1]

Free residual (mg/l)	pH						
	≤6.0	6.5	7.0	7.5	8.0	8.5	≤9.0
≤0.4 ..	73	88	104	125	149	177	209
0.6 ..	75	90	107	128	153	183	218
0.8 ..	78	92	110	131	158	189	226
1.0 ..	79	94	112	134	162	195	234
1.2 ..	80	95	114	137	166	200	240
1.4 ..	82	98	116	140	170	206	247
1.6 ..	83	99	119	144	174	211	253
1.8 ..	86	101	122	147	179	215	259
2.0 ..	87	104	124	150	182	221	265
2.2 ..	89	105	127	153	186	225	271
2.4 ..	90	107	129	157	190	230	276
2.6 ..	92	110	131	160	194	234	281
2.8 ..	93	111	134	163	197	239	287
3.0 ..	95	113	137	166	201	243	292

[1] These CT values achieve greater than a 99.99 percent inactivation of viruses. CT values between the indicated pH values may be determined by linear interpolation. CT values between the indicated temperatures of different tables may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature, and at the higher pH.

TABLE 1.4—CT VALUES (CT $_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY FREE CHLORINE AT 15.0 °C[1]

Free residual (mg/l)	pH						
	≤6.0	6.5	7.0	7.5	8.0	8.5	≤9.0
≤0.4 ..	49	59	70	83	99	118	140
0.6 ..	50	60	72	86	102	122	146
0.8 ..	52	61	73	88	105	126	151
1.0 ..	53	63	75	90	108	130	156
1.2 ..	54	64	76	92	111	134	160
1.4 ..	55	65	78	94	114	137	165
1.6 ..	56	66	79	96	116	141	169
1.8 ..	57	68	81	98	119	144	173
2.0 ..	58	69	83	100	122	147	177
2.2 ..	59	70	85	102	124	150	181
2.4 ..	60	72	86	105	127	153	184
2.6 ..	61	73	88	107	129	156	188
2.8 ..	62	74	89	109	132	159	191
3.0 ..	63	76	91	111	134	162	195

[1] These CT values achieve greater than a 99.99 percent inactivation of viruses. CT values between the indicated pH values may be determined by linear interpolation. CT values between the indicated temperatures of different tables may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature, and at the higher pH.

TABLE 1.5—CT VALUES ($CT_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY FREE CHLORINE AT 20 °C[1]

Free residual (mg/l)	pH						
	≤ 6.0	6.5	7.0	7.5	8.0	8.5	≤ 9.0
≤ 0.4	36	44	52	62	74	89	105
0.6	38	45	54	64	77	92	109
0.8	39	46	55	66	79	95	113
1.0	39	47	56	67	81	98	117
1.2	40	48	57	69	83	100	120
1.4	41	49	58	70	85	103	123
1.6	42	50	59	72	87	105	126
1.8	43	51	61	74	89	108	129
2.0	44	52	62	75	91	110	132
2.2	44	53	63	77	93	113	135
2.4	45	54	65	78	95	115	138
2.6	46	55	66	80	97	117	141
2.8	47	56	67	81	99	119	143
3.0	47	57	68	83	101	122	146

[1] These CT values achieve greater than a 99.99 percent inactivation of viruses. CT values between the indicated pH values may be determined by linear interpolation. CT values between the indicated temperatures of different tables may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature, and at the higher pH.

TABLE 1.6—CT VALUES ($CT_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY FREE CHLORINE AT 25 °C[1] AND HIGHER

Free residual (mg/l)	pH						
	≤ 6.0	6.5	7.0	7.5	8.0	8.5	≤ 9.0
≤ 0.4	24	29	35	42	50	59	70
0.6	25	30	36	43	51	61	73
0.8	26	31	37	44	53	63	75
1.0	26	31	37	45	54	65	78
1.2	27	32	38	46	55	67	80
1.4	27	33	39	47	57	69	82
1.6	28	33	40	48	58	70	84
1.8	29	34	41	49	60	72	86
2.0	29	35	41	50	61	74	88
2.2	30	35	42	51	62	75	90
2.4	30	36	43	52	63	77	92
2.6	31	37	44	53	65	78	94
2.8	31	37	45	54	66	80	96
3.0	32	38	46	55	67	81	97

[1] These CT values achieve greater than a 99.99 percent inactivation of viruses. CT values between the indicated pH values may be determined by linear interpolation. CT values between the indicated temperatures of different tables may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature, and at the higher pH.

TABLE 2.1—CT VALUES ($CT_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY CHLORINE DIOXIDE AND OZONE[1]

	Temperature					
	< 1 °C	5 °C	10 °C	15 °C	20 °C	≥ 25 °C
Chlorine dioxide	63	26	23	19	15	11
Ozone	2.9	1.9	1.4	0.95	0.72	0.48

[1] These CT values achieve greater than 99.99 percent inactivation of viruses. CT values between the indicated temperatures may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature for determining $CT_{99.9}$ values between indicated temperatures.

TABLE 3.1—CT VALUES (CT $_{99.9}$) FOR 99.9 PERCENT INACTIVATION OF GIARDIA LAMBLIA CYSTS BY CHLORAMINES[1]

Temperature					
< 1 °C	5 °C	10 °C	15 °C	20 °C	25 °C
3,800	2,200	1,850	1,500	1,100	750

[1] These values are for pH values of 6 to 9. These CT values may be assumed to achieve greater than 99.99 percent inactivation of viruses only if chlorine is added and mixed in the water prior to the addition of ammonia. If this condition is not met, the system must demonstrate, based on on-site studies or other information, as approved by the State, that the system is achieving at least 99.99 percent inactivation of viruses. CT values between the indicated temperatures may be determined by linear interpolation. If no interpolation is used, use the $CT_{99.9}$ value at the lower temperature for determining $CT_{99.9}$ values between indicated temperatures.

(4) The total inactivation ratio must be calculated as follows:

(i) If the system uses only one point of disinfectant application, the system may determine the total inactivation ratio based on either of the following two methods:

(A) One inactivation ratio (CTcalc/$CT_{99.9}$) is determined before or at the first customer during peak hourly flow and if the CTcalc/$CT_{99.9}$ ≧ 1.0, the 99.9 percent *Giardia lamblia* inactivation requirement has been achieved; or

(B) Successive CTcalc/$CT_{99.9}$ values, representing sequential inactivation ratios, are determined between the point of disinfectant application and a point before or at the first customer during peak hourly flow. Under this alternative, the following method must be used to calculate the total inactivation ratio:

(1) Determine $\frac{\text{CTcalc}}{\text{CT}_{99.9}}$ for each sequence.

(2) Add the $\frac{\text{CTcalc}}{\text{CT}_{99.9}}$ values together $\left(\sum \frac{(\text{CTcalc})}{\text{CT}_{99.9}}\right)$

(3) If $\sum \left(\frac{\text{CTcalc}}{\text{CT}_{99.9}}\right) \geq 1.0$, the 99.9 percent *Giardia lamblia* inactivation requirement has been achieved.

(ii) If the system uses more than one point of disinfectant application before or at the first customer, the system must determine the CT value of each disinfection sequence immediately prior to the next point of disinfectant application during peak hourly flow. The CTcalc/$CT_{99.9}$ value of each sequence and

$$\sum \frac{\text{CTcalc}}{\text{CT}_{99.9}}$$

must be calculated using the method in paragraph (b)(4)(i)(B) of this section to determine if the system is in compliance with §142.72(a).

(iii) Although not required, the total percent inactivation for a system with one or more points of residual disinfectant concentration monitoring may be calculated by solving the following equation:

$$\text{Percent inactivation} = 100 - \frac{100}{10^{z}}$$

$$\text{where } z = 3 \times \sum \left(\frac{\text{CTcalc}}{\text{CT}_{99.9}}\right)$$

(5) The residual disinfectant concentration of the water entering the distribution system must be monitored continuously, and the lowest value must be recorded each day, except that if there is a failure in the continuous monitoring equipment, grab sampling every 4 hours may be conducted in lieu of continuous monitoring, but for no more than 5 working days following the failure of the equipment, and systems serving 3,300 or fewer persons may take grab samples in lieu of providing continuous monitoring on an ongoing

basis at the frequencies prescribed below:

System size by population	Samples/day[1]
<500	1
501 to 1,000	2
1,001 to 2,500	3
2,501 to 3,300	4

[1] The day's samples cannot be taken at the same time. The sampling intervals are subject to State review and approval.

If at any time the residual disinfectant concentration falls below 0.2 mg/l in a system using grab sampling in lieu of continuous monitoring, the system must take a grab sample every 4 hours until the residual concentration is equal to or greater than 0.2 mg/l.

(6)(i) The residual disinfectant concentration must be measured at least at the same points in the distribution system and at the same time as total coliforms are sampled, as specified in §141.21, except that the State may allow a public water system which uses both a surface water source or a ground water source under direct influence of surface water, and a ground water source, to take disinfectant residual samples at points other than the total coliform sampling points if the State determines that such points are more representative of treated (disinfected) water quality within the distribution system. Heterotrophic bacteria, measured as heterotrophic plate count (HPC) as specified in paragraph (a)(3) of this section, may be measured in lieu of residual disinfectant concentration.

(ii) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by paragraph (a)(3) of this section and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (b)(6)(i) of this section do not apply to that system.

(c) *Monitoring requirements for systems using filtration treatment.* A public water system that uses a surface water source or a ground water source under the influence of surface water and provides filtration treatment must monitor in accordance with this paragraph (c) beginning June 29, 1993, or when filtration is installed, whichever is later.

(1) Turbidity measurements as required by §141.73 must be performed on representative samples of the system's filtered water every four hours (or more frequently) that the system serves water to the public. A public water system may substitute continuous turbidity monitoring for grab sample monitoring if it validates the continuous measurement for accuracy on a regular basis using a protocol approved by the State. For any systems using slow sand filtration or filtration treatment other than conventional treatment, direct filtration, or diatomaceous earth filtration, the State may reduce the sampling frequency to once per day if it determines that less frequent monitoring is sufficient to indicate effective filtration performance. For systems serving 500 or fewer persons, the State may reduce the turbidity sampling frequency to once per day, regardless of the type of filtration treatment used, if the State determines that less frequent monitoring is sufficient to indicate effective filtration performance.

(2) The residual disinfectant concentration of the water entering the distribution system must be monitored continuously, and the lowest value must be recorded each day, except that if there is a failure in the continuous monitoring equipment, grab sampling every 4 hours may be conducted in lieu of continuous monitoring, but for no more than 5 working days following the failure of the equipment, and systems serving 3,300 or fewer persons may take grab samples in lieu of providing continuous monitoring on an ongoing basis at the frequencies each day prescribed below:

System size by population	Samples/day[1]
±500	1
501 to 1,000	2
1,001 to 2,500	3
2,501 to 3,300	4

[1] The day's samples cannot be taken at the same time. The sampling intervals are subject to State review and approval.

If at any time the residual disinfectant concentration falls below 0.2 mg/l in a system using grab sampling in lieu of continuous monitoring, the system must take a grab sample every 4 hours

until the residual disinfectant concentration is equal to or greater than 0.2 mg/l.

(3)(i) The residual disinfectant concentration must be measured at least at the same points in the distribution system and at the same time as total coliforms are sampled, as specified in §141.21, except that the State may allow a public water system which uses both a surface water source or a ground water source under direct influence of surface water, and a ground water source to take disinfectant residual samples at points other than the total coliform sampling points if the State determines that such points are more representative of treated (disinfected) water quality within the distribution system. Heterotrophic bacteria, measured as heterotrophic plate count (HPC) as specified in paragraph (a)(3) of this section, may be measured in lieu of residual disinfectant concentration.

(ii) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by paragraph (a)(3) of this section and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (c)(3)(i) of this section do not apply to that system.

[54 FR 27527, June 29, 1989, as amended at 59 FR 62470, Dec. 5, 1994; 60 FR 34086, June 29, 1995; 64 FR 67465, Dec. 1, 1999; 67 FR 65252, Oct. 23, 2002; 67 FR 65901, Oct. 29, 2002]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.74 was amended in paragraph (b)(4)(ii) by removing the citation "§142.72(a)" and adding in its place "§141.72(a)"; in paragraph (b)(6)(ii) by removing the citation "(a)(3)" and adding in its place "(a)(1)"; in paragraph (c)(3)(i) by removing the citation "(a)(3)" and adding in its place "(a)(1)"; and in paragraph (c)(3)(ii) by removing the citation "(a)(3)" and adding in its place "(a)(1)", effective July 29, 2004.

§141.75 Reporting and recordkeeping requirements.

(a) A public water system that uses a surface water source and does not provide filtration treatment must report monthly to the State the information specified in this paragraph (a) beginning December 31, 1990, unless the State has determined that filtration is required in writing pursuant to section 1412(b)(7)(C)(iii), in which case the State may specify alternative reporting requirements, as appropriate, until filtration is in place. A public water system that uses a ground water source under the direct influence of surface water and does not provide filtration treatment must report monthly to the State the information specified in this paragraph (a) beginning December 31, 1990, or 6 months after the State determines that the ground water source is under the direct influence of surface water, whichever is later, unless the State has determined that filtration is required in writing pursuant to §1412(b)(7)(C)(iii), in which case the State may specify alternative reporting requirements, as appropriate, until filtration is in place.

(1) Source water quality information must be reported to the State within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:

(i) The cumulative number of months for which results are reported.

(ii) The number of fecal and/or total coliform samples, whichever are analyzed during the month (if a system monitors for both, only fecal coliforms must be reported), the dates of sample collection, and the dates when the turbidity level exceeded 1 NTU.

(iii) The number of samples during the month that had equal to or less than 20/100 ml fecal coliforms and/or equal to or less than 100/100 ml total coliforms, whichever are analyzed.

(iv) The cumulative number of fecal or total coliform samples, whichever are analyzed, during the previous six months the system served water to the public.

(v) The cumulative number of samples that had equal to or less than 20/100 ml fecal coliforms or equal to or less than 100/100 ml total coliforms, whichever are analyzed, during the previous six months the system served water to the public.

(vi) The percentage of samples that had equal to or less than 20/100 ml fecal coliforms or equal to or less than 100/100 ml total coliforms, whichever are analyzed, during the previous six

months the system served water to the public.

(vii) The maximum turbidity level measured during the month, the date(s) of occurrence for any measurement(s) which exceeded 5 NTU, and the date(s) the occurrence(s) was reported to the State.

(viii) For the first 12 months of recordkeeping, the dates and cumulative number of events during which the turbidity exceeded 5 NTU, and after one year of recordkeeping for turbidity measurements, the dates and cumulative number of events during which the turbidity exceeded 5 NTU in the previous 12 months the system served water to the public.

(ix) For the first 120 months of recordkeeping, the dates and cumulative number of events during which the turbidity exceeded 5 NTU, and after 10 years of recordkeeping for turbidity measurements, the dates and cumulative number of events during which the turbidity exceeded 5 NTU in the previous 120 months the system served water to the public.

(2) Disinfection information specified in §141.74(b) must be reported to the State within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:

(i) For each day, the lowest measurement of residual disinfectant concentration in mg/l in water entering the distribution system.

(ii) The date and duration of each period when the residual disinfectant concentration in water entering the distribution system fell below 0.2 mg/l and when the State was notified of the occurrence.

(iii) The daily residual disinfectant concentration(s) (in mg/l) and disinfectant contact time(s) (in minutes) used for calculating the CT value(s).

(iv) If chlorine is used, the daily measurement(s) of pH of disinfected water following each point of chlorine disinfection.

(v) The daily measurement(s) of water temperature in °C following each point of disinfection.

(vi) The daily CTcalc and CTcalc/$CT_{99.9}$ values for each disinfectant measurement or sequence and the sum of all CTcalc/$CT_{99.9}$ values ((CTcalc/$CT_{99.9}$)) before or at the first customer.

(vii) The daily determination of whether disinfection achieves adequate *Giardia* cyst and virus inactivation, i.e., whether (CTcalc/$CT_{99.9}$) is at least 1.0 or, where disinfectants other than chlorine are used, other indicator conditions that the State determines are appropriate, are met.

(viii) The following information on the samples taken in the distribution system in conjunction with total coliform monitoring pursuant to §141.72:

(A) Number of instances where the residual disinfectant concentration is measured;

(B) Number of instances where the residual disinfectant concentration is not measured but heterotrophic bacteria plate count (HPC) is measured;

(C) Number of instances where the residual disinfectant concentration is measured but not detected and no HPC is measured;

(D) Number of instances where the residual disinfectant concentration is detected and where HPC is >500/ml;

(E) Number of instances where the residual disinfectant concentration is not measured and HPC is >500/ml;

(F) For the current and previous month the system served water to the public, the value of "V" in the following formula:

$$V = \frac{c + d + e}{a + b} \times 100$$

where:

a=the value in paragraph (a)(2)(viii)(A) of this section,

b=the value in paragraph (a)(2)(viii)(B) of this section,

c=the value in paragraph (a)(2)(viii)(C) of this section,

d=the value in paragraph (a)(2)(viii)(D) of this section, and

e=the value in paragraph (a)(2)(viii)(E) of this section.

(G) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by §141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (a)(2)(viii) (A)–(F)

of this section do not apply to that system.

(ix) A system need not report the data listed in paragraphs (a)(2) (i), and (iii)–(vi) of this section if all data listed in paragraphs (a)(2) (i)–(viii) of this section remain on file at the system, and the State determines that:

(A) The system has submitted to the State all the information required by paragraphs (a)(2) (i)–(viii) of this section for at least 12 months; and

(B) The State has determined that the system is not required to provide filtration treatment.

(3) No later than ten days after the end of each Federal fiscal year (September 30), each system must provide to the State a report which summarizes its compliance with all watershed control program requirements specified in §141.71(b)(2).

(4) No later than ten days after the end of each Federal fiscal year (September 30), each system must provide to the State a report on the on-site inspection conducted during that year pursuant to §141.71(b)(3), unless the on-site inspection was conducted by the State. If the inspection was conducted by the State, the State must provide a copy of its report to the public water system.

(5)(i) Each system, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the State as soon as possible, but no later than by the end of the next business day.

(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).

(iii) If at any time the residual falls below 0.2 mg/l in the water entering the distribution system, the system must notify the State as soon as possible, but no later than by the end of the next business day. The system also must notify the State by the end of the next business day whether or not the residual was restored to at least 0.2 mg/l within 4 hours.

(b) A public water system that uses a surface water source or a ground water source under the direct influence of surface water and provides filtration treatment must report monthly to the State the information specified in this paragraph (b) beginning June 29, 1993, or when filtration is installed, whichever is later.

(1) Turbidity measurements as required by §141.74(c)(1) must be reported within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:

(i) The total number of filtered water turbidity measurements taken during the month.

(ii) The number and percentage of filtered water turbidity measurements taken during the month which are less than or equal to the turbidity limits specified in §141.73 for the filtration technology being used.

(iii) The date and value of any turbidity measurements taken during the month which exceed 5 NTU.

(2) Disinfection information specified in §141.74(c) must be reported to the State within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:

(i) For each day, the lowest measurement of residual disinfectant concentration in mg/l in water entering the distribution system.

(ii) The date and duration of each period when the residual disinfectant concentration in water entering the distribution system fell below 0.2 mg/l and when the State was notified of the occurrence.

(iii) The following information on the samples taken in the distribution system in conjunction with total coliform monitoring pursuant to §141.72:

(A) Number of instances where the residual disinfectant concentration is measured;

(B) Number of instances where the residual disinfectant concentration is not measured but heterotrophic bacteria plate count (HPC) is measured;

(C) Number of instances where the residual disinfectant concentration is measured but not detected and no HPC is measured;

(D) Number of instances where no residual disinfectant concentration is detected and where HPC is >500/ml;

(E) Number of instances where the residual disinfectant concentration is not measured and HPC is >500/ml;

(F) For the current and previous month the system serves water to the public, the value of "V" in the following formula:

$$V = \frac{c + d + e}{a + b} \times 100$$

where:

a=the value in paragraph (b)(2)(iii)(A) of this section,

b=the value in paragraph (b)(2)(iii)(B) of this section,

c=the value in paragraph (b)(2)(iii)(C) of this section,

d=the value in paragraph (b)(2)(iii)(D) of this section, and

e=the value in paragraph (b)(2)(iii)(E) of this section.

(G) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory within the requisite time and temperature conditions specified by §141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (b)(2)(iii) (A)–(F) of this section do not apply.

(iv) A system need not report the data listed in paragraph (b)(2)(i) of this section if all data listed in paragraphs (b)(2) (i)–(iii) of this section remain on file at the system and the State determines that the system has submitted all the information required by paragraphs (b)(2) (i)–(iii) of this section for at least 12 months.

(3)(i) Each system, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the State as soon as possible, but no later than by the end of the next business day.

(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).

(iii) If at any time the residual falls below 0.2 mg/l in the water entering the distribution system, the system must notify the State as soon as possible, but no later than by the end of the next business day. The system also must notify the State by the end of the next business day whether or not the residual was restored to at least 0.2 mg/l within 4 hours.

[54 FR 27527, June 29, 1989, as amended at 65 FR 26022, May 4, 2000]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.75 was amended in paragraph (a)(2)(viii)(G) by removing the citation "§141.74(a)(3)" and adding in its place "§141.74(a)(1)", and in paragraph (b)(2)(iii)(G) by removing the citation "§141.74(a)(3)" and adding in its place "§141.74(a)(1)", effective July 29, 2004.

§141.76 Recycle provisions.

(a) *Applicability.* All subpart H systems that employ conventional filtration or direct filtration treatment and that recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes must meet the requirements in paragraphs (b) through (d) of this section.

(b) *Reporting.* A system must notify the State in writing by Decemeber 8, 2003, if the system recycles spent filter backwash water, thickener supernatant, or liquids from dewatering processes. This notification must include, at a minimum, the information specified in paragraphs (b)(1) and (2) of this section.

(1) A plant schematic showing the origin of all flows which are recycled (including, but not limited to, spent filter backwash water, thickener supernatant, and liquids from dewatering processes), the hydraulic conveyance used to transport them, and the location where they are re-introduced back into the treatment plant.

(2) Typical recycle flow in gallons per minute (gpm), the highest observed plant flow experienced in the previous year (gpm), design flow for the treatment plant (gpm), and State-approved operating capacity for the plant where the State has made such determinations.

(c) *Treatment technique requirement.* Any system that recycles spent filter backwash water, thickener supernatant, or liquids from dewatering processes must return these flows through the processes of a system's existing conventional or direct filtration

system as defined in §141.2 or at an alternate location approved by the State by June 8, 2004. If capital improvements are required to modify the recycle location to meet this requirement, all capital improvements must be completed no later than June 8, 2006.

(d) *Recordkeeping.* The system must collect and retain on file recycle flow information specified in paragraphs (d)(1) through (6) of this section for review and evaluation by the State beginning June 8, 2004.

(1) Copy of the recycle notification and information submitted to the State under paragraph (b) of this section.

(2) List of all recycle flows and the frequency with which they are returned.

(3) Average and maximum backwash flow rate through the filters and the average and maximum duration of the filter backwash process in minutes.

(4) Typical filter run length and a written summary of how filter run length is determined.

(5) The type of treatment provided for the recycle flow.

(6) Data on the physical dimensions of the equalization and/or treatment units, typical and maximum hydraulic loading rates, type of treatment chemicals used and average dose and frequency of use, and frequency at which solids are removed, if applicable.

[66 FR 31103, June 8, 2001]

Subpart I—Control of Lead and Copper

SOURCE: 56 FR 26548, June 7, 1991, unless otherwise noted.

§141.80 General requirements.

(a) *Applicability and effective dates.* (1) The requirements of this subpart I constitute the national primary drinking water regulations for lead and copper. Unless otherwise indicated, each of the provisions of this subpart applies to community water systems and nontransient, non-community water systems (hereinafter referred to as "water systems" or "systems").

(2) The requirements set forth in §§141.86 to 141.91 shall take effect on July 7, 1991. The requirements set forth in §§141.80 to 141.85 shall take effect on December 7, 1992.

(b) *Scope.* These regulations establish a treatment technique that includes requirements for corrosion control treatment, source water treatment, lead service line replacement, and public education. These requirements are triggered, in some cases, by lead and copper action levels measured in samples collected at consumers' taps.

(c) *Lead and copper action levels.* (1) The lead action level is exceeded if the concentration of lead in more than 10 percent of tap water samples collected during any monitoring period conducted in accordance with §141.86 is greater than 0.015 mg/L (i.e., if the "90th percentile" lead level is greater than 0.015 mg/L).

(2) The copper action level is exceeded if the concentration of copper in more than 10 percent of tap water samples collected during any monitoring period conducted in accordance with §141.86 is greater than 1.3 mg/L (i.e., if the "90th percentile" copper level is greater than 1.3 mg/L).

(3) The 90th percentile lead and copper levels shall be computed as follows:

(i) The results of all lead or copper samples taken during a monitoring period shall be placed in ascending order from the sample with the lowest concentration to the sample with the highest concentration. Each sampling result shall be assigned a number, ascending by single integers beginning with the number 1 for the sample with the lowest contaminant level. The number assigned to the sample with the highest contaminant level shall be equal to the total number of samples taken.

(ii) The number of samples taken during the monitoring period shall be multiplied by 0.9.

(iii) The contaminant concentration in the numbered sample yielded by the calculation in paragraph (c)(3)(ii) is the 90th percentile contaminant level.

(iv) For water systems serving fewer than 100 people that collect 5 samples per monitoring period, the 90th percentile is computed by taking the average of the highest and second highest concentrations.

(d) *Corrosion control treatment requirements.* (1) All water systems shall install and operate optimal corrosion control treatment as defined in §141.2.

(2) Any water system that complies with the applicable corrosion control treatment requirements specified by the State under §§141.81 and 141.82 shall be deemed in compliance with the treatment requirement contained in paragraph (d)(1) of this section.

(e) *Source water treatment requirements.* Any system exceeding the lead or copper action level shall implement all applicable source water treatment requirements specified by the State under §141.83.

(f) *Lead service line replacement requirements.* Any system exceeding the lead action level after implementation of applicable corrosion control and source water treatment requirements shall complete the lead service line replacement requirements contained in §141.84.

(g) *Public education requirements.* Any system exceeding the lead action level shall implement the public education requirements contained in §141.85.

(h) *Monitoring and analytical requirements.* Tap water monitoring for lead and copper, monitoring for water quality parameters, source water monitoring for lead and copper, and analyses of the monitoring results under this subpart shall be completed in compliance with §§141.86, 141.87, 141.88, and 141.89.

(i) *Reporting requirements.* Systems shall report to the State any information required by the treatment provisions of this subpart and §141.90.

(j) *Recordkeeping requirements.* Systems shall maintain records in accordance with §141.91.

(k) *Violation of national primary drinking water regulations.* Failure to comply with the applicable requirements of §§141.80–141.91, including requirements established by the State pursuant to these provisions, shall constitute a violation of the national primary drinking water regulations for lead and/or copper.

[56 FR 26548, June 7, 1991; 57 FR 28788, June 29, 1992]

§141.81 Applicability of corrosion control treatment steps to small, medium-size and large water systems.

(a) Systems shall complete the applicable corrosion control treatment requirements described in §141.82 by the deadlines established in this section.

(1) A large system (serving >50,000 persons) shall complete the corrosion control treatment steps specified in paragraph (d) of this section, unless it is deemed to have optimized corrosion control under paragraph (b)(2) or (b)(3) of this section.

(2) A small system (serving ≤3300 persons) and a medium-size system (serving >3,300 and ≤50,000 persons) shall complete the corrosion control treatment steps specified in paragraph (e) of this section, unless it is deemed to have optimized corrosion control under paragraph (b)(1), (b)(2), or (b)(3) of this section.

(b) A system is deemed to have optimized corrosion control and is not required to complete the applicable corrosion control treatment steps identified in this section if the system satisfies one of the criteria specified in paragraphs (b)(1) through (b)(3) of this section. Any such system deemed to have optimized corrosion control under this paragraph, and which has treatment in place, shall continue to operate and maintain optimal corrosion control treatment and meet any requirements that the State determines appropriate to ensure optimal corrosion control treatment is maintained.

(1) A small or medium-size water system is deemed to have optimized corrosion control if the system meets the lead and copper action levels during each of two consecutive six-month monitoring periods conducted in accordance with §141.86.

(2) Any water system may be deemed by the State to have optimized corrosion control treatment if the system demonstrates to the satisfaction of the State that it has conducted activities equivalent to the corrosion control steps applicable to such system under this section. If the State makes this determination, it shall provide the system with written notice explaining the basis for its decision and shall specify the water quality control parameters representing optimal corrosion control

in accordance with §141.82(f). Water systems deemed to have optimized corrosion control under this paragraph shall operate in compliance with the State-designated optimal water quality control parameters in accordance with §141.82(g) and continue to conduct lead and copper tap and water quality parameter sampling in accordance with §141.86(d)(3) and §141.87(d), respectively. A system shall provide the State with the following information in order to support a determination under this paragraph:

(i) The results of all test samples collected for each of the water quality parameters in §141.82(c)(3).

(ii) A report explaining the test methods used by the water system to evaluate the corrosion control treatments listed in §141.82(c)(1), the results of all tests conducted, and the basis for the system's selection of optimal corrosion control treatment;

(iii) A report explaining how corrosion control has been installed and how it is being maintained to insure minimal lead and copper concentrations at consumers' taps; and

(iv) The results of tap water samples collected in accordance with §141.86 at least once every six months for one year after corrosion control has been installed.

(3) Any water system is deemed to have optimized corrosion control if it submits results of tap water monitoring conducted in accordance with §141.86 and source water monitoring conducted in accordance with §141.88 that demonstrates for two consecutive 6-month monitoring periods that the difference between the 90th percentile tap water lead level computed under §141.80(c)(3), and the highest source water lead concentration is less than the Practical Quantitation Level for lead specified in §141.89(a)(1)(ii).

(i) Those systems whose highest source water lead level is below the Method Detection Limit may also be deemed to have optimized corrosion control under this paragraph if the 90th percentile tap water lead level is less than or equal to the Practical Quantitation Level for lead for two consecutive 6-month monitoring periods.

(ii) Any water system deemed to have optimized corrosion control in accordance with this paragraph shall continue monitoring for lead and copper at the tap no less frequently than once every three calendar years using the reduced number of sites specified in §141.86(c) and collecting the samples at times and locations specified in §141.86(d)(4)(iv). Any such system that has not conducted a round of monitoring pursuant to §141.86(d) since September 30, 1997, shall complete a round of monitoring pursuant to this paragraph no later than September 30, 2000.

(iii) Any water system deemed to have optimized corrosion control pursuant to this paragraph shall notify the State in writing pursuant to §141.90(a)(3) of any change in treatment or the addition of a new source. The State may require any such system to conduct additional monitoring or to take other action the State deems appropriate to ensure that such systems maintain minimal levels of corrosion in the distribution system.

(iv) As of July 12, 2001, a system is not deemed to have optimized corrosion control under this paragraph, and shall implement corrosion control treatment pursuant to paragraph (b)(3)(v) of this section unless it meets the copper action level.

(v) Any system triggered into corrosion control because it is no longer deemed to have optimized corrosion control under this paragraph shall implement corrosion control treatment in accordance with the deadlines in paragraph (e) of this section. Any such large system shall adhere to the schedule specified in that paragraph for medium-size systems, with the time periods for completing each step being triggered by the date the system is no longer deemed to have optimized corrosion control under this paragraph.

(c) Any small or medium-size water system that is required to complete the corrosion control steps due to its exceedance of the lead or copper action level may cease completing the treatment steps whenever the system meets both action levels during each of two consecutive monitoring periods conducted pursuant to §141.86 and submits the results to the State. If any such water system thereafter exceeds the lead or copper action level during any monitoring period, the system (or the

State, as the case may be) shall recommence completion of the applicable treatment steps, beginning with the first treatment step which was not previously completed in its entirety. The State may require a system to repeat treatment steps previously completed by the system where the State determines that this is necessary to implement properly the treatment requirements of this section. The State shall notify the system in writing of such a determination and explain the basis for its decision. The requirement for any small- or medium-size system to implement corrosion control treatment steps in accordance with paragraph (e) of this section (including systems deemed to have optimized corrosion control under paragraph (b)(1) of this section) is triggered whenever any small- or medium-size system exceeds the lead or copper action level.

(d) *Treatment steps and deadlines for large systems.* Except as provided in paragraph (b) (2) and (3) of this section, large systems shall complete the following corrosion control treatment steps (described in the referenced portions of §§141.82, 141.86, and 141.87) by the indicated dates.

(1) *Step 1:* The system shall conduct initial monitoring (§141.86(d)(1) and §141.87(b)) during two consecutive six-month monitoring periods by January 1, 1993.

(2) *Step 2:* The system shall complete corrosion control studies (§141.82(c)) by July 1, 1994.

(3) *Step 3:* The State shall designate optimal corrosion control treatment (§141.82(d)) by January 1, 1995.

(4) *Step 4:* The system shall install optimal corrosion control treatment (§141.82(e)) by January 1, 1997.

(5) *Step 5:* The system shall complete follow-up sampling (§141.86(d)(2) and §141.87(c)) by January 1, 1998.

(6) *Step 6:* The State shall review installation of treatment and designate optimal water quality control parameters (§141.82(f)) by July 1, 1998.

(7) *Step 7:* The system shall operate in compliance with the State-specified optimal water quality control parameters (§141.82(g)) and continue to conduct tap sampling (§141.86(d)(3) and §141.87(d)).

(e) *Treatment Steps and deadlines for small and medium-size systems.* Except as provided in paragraph (b) of this section, small and medium-size systems shall complete the following corrosion control treatment steps (described in the referenced portions of §§141.82, 141.86 and 141.87) by the indicated time periods.

(1) *Step 1:* The system shall conduct initial tap sampling (§141.86(d)(1) and §141.87(b)) until the system either exceeds the lead or copper action level or becomes eligible for reduced monitoring under §141.86(d)(4). A system exceeding the lead or copper action level shall recommend optimal corrosion control treatment (§141.82(a)) within six months after it exceeds one of the action levels.

(2) *Step 2:* Within 12 months after a system exceeds the lead or copper action level, the State may require the system to perform corrosion control studies (§141.82(b)). If the State does not require the system to perform such studies, the State shall specify optimal corrosion control treatment (§141.82(d)) within the following timeframes:

(i) For medium-size systems, within 18 months after such system exceeds the lead or copper action level,

(ii) For small systems, within 24 months after such system exceeds the lead or copper action level.

(3) *Step 3:* If the State requires a system to perform corrosion control studies under step 2, the system shall complete the studies (§141.82(c)) within 18 months after the State requires that such studies be conducted.

(4) *Step 4:* If the system has performed corrosion control studies under step 2, the State shall designate optimal corrosion control treatment (§141.82(d)) within 6 months after completion of step 3.

(5) *Step 5:* The system shall install optimal corrosion control treatment (§141.82(e)) within 24 months after the State designates such treatment.

(6) *Step 6:* The system shall complete follow-up sampling (§141.86(d)(2) and §141.87(c)) within 36 months after the State designates optimal corrosion control treatment.

(7) *Step 7:* The State shall review the system's installation of treatment and designate optimal water quality control parameters (§141.82(f)) within 6 months after completion of step 6.

(8) *Step 8:* The system shall operate in compliance with the State-designated optimal water quality control parameters (§ 141.82(g)) and continue to conduct tap sampling (§ 141.86(d)(3) and § 141.87(d)).

[56 FR 26548, June 7, 1991, as amended at 59 FR 33862, June 30, 1994; 65 FR 2004, Jan. 12, 2000]

§ 141.82 Description of corrosion control treatment requirements.

Each system shall complete the corrosion control treatment requirements described below which are applicable to such system under § 141.81.

(a) *System recommendation regarding corrosion control treatment.* Based upon the results of lead and copper tap monitoring and water quality parameter monitoring, small and medium-size water systems exceeding the lead or copper action level shall recommend installation of one or more of the corrosion control treatments listed in paragraph (c)(1) of this section which the system believes constitutes optimal corrosion control for that system. The State may require the system to conduct additional water quality parameter monitoring in accordance with § 141.87(b) to assist the State in reviewing the system's recommendation.

(b) *State decision to require studies of corrosion control treatment (applicable to small and medium-size systems).* The State may require any small or medium-size system that exceeds the lead or copper action level to perform corrosion control studies under paragraph (c) of this section to identify optimal corrosion control treatment for the system.

(c) *Performance of corrosion control studies.* (1) Any public water system performing corrosion control studies shall evaluate the effectiveness of each of the following treatments, and, if appropriate, combinations of the following treatments to identify the optimal corrosion control treatment for that system:

(i) Alkalinity and pH adjustment;

(ii) Calcium hardness adjustment; and

(iii) The addition of a phosphate or silicate based corrosion inhibitor at a concentration sufficient to maintain an effective residual concentration in all test tap samples.

(2) The water system shall evaluate each of the corrosion control treatments using either pipe rig/loop tests, metal coupon tests, partial-system tests, or analyses based on documented analogous treatments with other systems of similar size, water chemistry and distribution system configuration.

(3) The water system shall measure the following water quality parameters in any tests conducted under this paragraph before and after evaluating the corrosion control treatments listed above:

(i) Lead;

(ii) Copper;

(iii) pH;

(iv) Alkalinity;

(v) Calcium;

(vi) Conductivity;

(vii) Orthophosphate (when an inhibitor containing a phosphate compound is used);

(viii) Silicate (when an inhibitor containing a silicate compound is used);

(ix) Water temperature.

(4) The water system shall identify all chemical or physical constraints that limit or prohibit the use of a particular corrosion control treatment and document such constraints with at least one of the following:

(i) Data and documentation showing that a particular corrosion control treatment has adversely affected other water treatment processes when used by another water system with comparable water quality characteristics; and/or

(ii) Data and documentation demonstrating that the water system has previously attempted to evaluate a particular corrosion control treatment and has found that the treatment is ineffective or adversely affects other water quality treatment processes.

(5) The water system shall evaluate the effect of the chemicals used for corrosion control treatment on other water quality treatment processes.

(6) On the basis of an analysis of the data generated during each evaluation, the water system shall recommend to the State in writing the treatment option that the corrosion control studies indicate constitutes optimal corrosion control treatment for that system. The

water system shall provide a rationale for its recommendation along with all supporting documentation specified in paragraphs (c) (1) through (5) of this section.

(d) *State designation of optimal corrosion control treatment.* (1) Based upon consideration of available information including, where applicable, studies performed under paragraph (c) of this section and a system's recommended treatment alternative, the State shall either approve the corrosion control treatment option recommended by the system, or designate alternative corrosion control treatment(s) from among those listed in paragraph (c)(1) of this section. When designating optimal treatment the State shall consider the effects that additional corrosion control treatment will have on water quality parameters and on other water quality treatment processes.

(2) The State shall notify the system of its decision on optimal corrosion control treatment in writing and explain the basis for this determination. If the State requests additional information to aid its review, the water system shall provide the information.

(e) *Installation of optimal corrosion control.* Each system shall properly install and operate throughout its distribution system the optimal corrosion control treatment designated by the State under paragraph (d) of this section.

(f) *State review of treatment and specification of optimal water quality control parameters.* The State shall evaluate the results of all lead and copper tap samples and water quality parameter samples submitted by the water system and determine whether the system has properly installed and operated the optimal corrosion control treatment designated by the State in paragraph (d) of this section. Upon reviewing the results of tap water and water quality parameter monitoring by the system, both before and after the system installs optimal corrosion control treatment, the State shall designate:

(1) A minimum value or a range of values for pH measured at each entry point to the distribution system;

(2) A minimum pH value, measured in all tap samples. Such value shall be equal to or greater than 7.0, unless the State determines that meeting a pH level of 7.0 is not technologically feasible or is not necessary for the system to optimize corrosion control;

(3) If a corrosion inhibitor is used, a minimum concentration or a range of concentrations for the inhibitor, measured at each entry point to the distribution system and in all tap samples, that the State determines is necessary to form a passivating film on the interior walls of the pipes of the distribution system;

(4) If alkalinity is adjusted as part of optimal corrosion control treatment, a minimum concentration or a range of concentrations for alkalinity, measured at each entry point to the distribution system and in all tap samples;

(5) If calcium carbonate stabilization is used as part of corrosion control, a minimum concentration or a range of concentrations for calcium, measured in all tap samples.

The values for the applicable water quality control parameters listed above shall be those that the State determines to reflect optimal corrosion control treatment for the system. The State may designate values for additional water quality control parameters determined by the State to reflect optimal corrosion control for the system. The State shall notify the system in writing of these determinations and explain the basis for its decisions.

(g) *Continued operation and monitoring.* All systems optimizing corrosion control shall continue to operate and maintain optimal corrosion control treatment, including maintaining water quality parameters at or above minimum values or within ranges designated by the State under paragraph (f) of this section, in accordance with this paragraph for all samples collected under §141.87(d) through (f). Compliance with the requirements of this paragraph shall be determined every six months, as specified under §141.87(d). A water system is out of compliance with the requirements of this paragraph for a six-month period if it has excursions for any State-specified parameter on more than nine days during the period. An excursion occurs whenever the daily value for one or more of the water quality parameters

measured at a sampling location is below the minimum value or outside the range designated by the State. Daily values are calculated as follows. States have discretion to delete results of obvious sampling errors from this calculation.

(1) On days when more than one measurement for the water quality parameter is collected at the sampling location, the daily value shall be the average of all results collected during the day regardless of whether they are collected through continuous monitoring, grab sampling, or a combination of both. If EPA has approved an alternative formula under §142.16 of this chapter in the State's application for a program revision submitted pursuant to §142.12 of this chapter, the State's formula shall be used to aggregate multiple measurements taken at a sampling point for the water quality parameter in lieu of the formula in this paragraph.

(2) On days when only one measurement for the water quality parameter is collected at the sampling location, the daily value shall be the result of that measurement.

(3) On days when no measurement is collected for the water quality parameter at the sampling location, the daily value shall be the daily value calculated on the most recent day on which the water quality parameter was measured at the sample site.

(h) *Modification of State treatment decisions.* Upon its own initiative or in response to a request by a water system or other interested party, a State may modify its determination of the optimal corrosion control treatment under paragraph (d) of this section or optimal water quality control parameters under paragraph (f) of this section. A request for modification by a system or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The State may modify its determination where it concludes that such change is necessary to ensure that the system continues to optimize corrosion control treatment. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the State's decision, and provide an implementation schedule for completing the treatment modifications.

(i) *Treatment decisions by EPA in lieu of the State.* Pursuant to the procedures in §142.19, the EPA Regional Administrator may review treatment determinations made by a State under paragraphs (d), (f), or (h) of this section and issue federal treatment determinations consistent with the requirements of those paragraphs where the Regional Administrator finds that:

(1) A State has failed to issue a treatment determination by the applicable deadlines contained in §141.81,

(2) A State has abused its discretion in a substantial number of cases or in cases affecting a substantial population, or

(3) The technical aspects of a State's determination would be indefensible in an expected Federal enforcement action taken against a system.

[56 FR 26548, June 7, 1991, as amended at 65 FR 2004, Jan. 12, 2000]

§141.83 Source water treatment requirements.

Systems shall complete the applicable source water monitoring and treatment requirements (described in the referenced portions of paragraph (b) of this section, and in §§141.86, and 141.88) by the following deadlines.

(a) *Deadlines for completing source water treatment steps*—(1) *Step 1:* A system exceeding the lead or copper action level shall complete lead and copper source water monitoring (§141.88(b)) and make a treatment recommendation to the State (§141.83(b)(1)) within 6 months after exceeding the lead or copper action level.

(2) *Step 2:* The State shall make a determination regarding source water treatment (§141.83(b)(2)) within 6 months after submission of monitoring results under step 1.

(3) *Step 3:* If the State requires installation of source water treatment, the system shall install the treatment (§141.83(b)(3)) within 24 months after completion of step 2.

(4) *Step 4:* The system shall complete follow-up tap water monitoring (§141.86(d)(2) and source water monitoring (§141.88(c)) within 36 months after completion of step 2.

(5) *Step 5:* The State shall review the system's installation and operation of source water treatment and specify maximum permissible source water levels (§141.83(b)(4)) within 6 months after completion of step 4.

(6) *Step 6:* The system shall operate in compliance with the State-specified maximum permissible lead and copper source water levels (§141.83(b)(4)) and continue source water monitoring (§141.88(d)).

(b) *Description of source water treatment requirements*—(1) *System treatment recommendation.* Any system which exceeds the lead or copper action level shall recommend in writing to the State the installation and operation of one of the source water treatments listed in paragraph (b)(2) of this section. A system may recommend that no treatment be installed based upon a demonstration that source water treatment is not necessary to minimize lead and copper levels at users' taps.

(2) *State determination regarding source water treatment.* The State shall complete an evaluation of the results of all source water samples submitted by the water system to determine whether source water treatment is necessary to minimize lead or copper levels in water delivered to users' taps. If the State determines that treatment is needed, the State shall either require installation and operation of the source water treatment recommended by the system (if any) or require the installation and operation of another source water treatment from among the following: Ion exchange, reverse osmosis, lime softening or coagulation/filtration. If the State requests additional information to aid in its review, the water system shall provide the information by the date specified by the State in its request. The State shall notify the system in writing of its determination and set forth the basis for its decision.

(3) *Installation of source water treatment.* Each system shall properly install and operate the source water treatment designated by the State under paragraph (b)(2) of this section.

(4) *State review of source water treatment and specification of maximum permissible source water levels.* The State shall review the source water samples taken by the water system both before and after the system installs source water treatment, and determine whether the system has properly installed and operated the source water treatment designated by the State. Based upon its review, the State shall designate the maximum permissible lead and copper concentrations for finished water entering the distribution system. Such levels shall reflect the contaminant removal capability of the treatment properly operated and maintained. The State shall notify the system in writing and explain the basis for its decision.

(5) *Continued operation and maintenance.* Each water system shall maintain lead and copper levels below the maximum permissible concentrations designated by the State at each sampling point monitored in accordance with §141.88. The system is out of compliance with this paragraph if the level of lead or copper at any sampling point is greater than the maximum permissible concentration designated by the State.

(6) *Modification of State treatment decisions.* Upon its own initiative or in response to a request by a water system or other interested party, a State may modify its determination of the source water treatment under paragraph (b)(2) of this section, or maximum permissible lead and copper concentrations for finished water entering the distribution system under paragraph (b)(4) of this section. A request for modification by a system or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The State may modify its determination where it concludes that such change is necessary to ensure that the system continues to minimize lead and copper concentrations in source water. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the State's decision, and provide an implementation schedule for completing the treatment modifications.

(7) *Treatment decisions by EPA in lieu of the State.* Pursuant to the procedures in §142.19, the EPA Regional Administrator may review treatment determinations made by a State under paragraphs (b) (2), (4), or (6) of this section

and issue Federal treatment determinations consistent with the requirements of those paragraphs where the Administrator finds that:

(i) A State has failed to issue a treatment determination by the applicable deadlines contained in §141.83(a),

(ii) A state has abused its discretion in a substantial number of cases or in cases affecting a substantial population, or

(iii) The technical aspects of a State's determination would be indefensible in an expected Federal enforcement action taken against a system.

§141.84 Lead service line replacement requirements.

(a) Systems that fail to meet the lead action level in tap samples taken pursuant to §141.86(d)(2), after installing corrosion control and/or source water treatment (whichever sampling occurs later), shall replace lead service lines in accordance with the requirements of this section. If a system is in violation of §141.81 or §141.83 for failure to install source water or corrosion control treatment, the State may require the system to commence lead service line replacement under this section after the date by which the system was required to conduct monitoring under §141.86(d)(2) has passed.

(b) A water system shall replace annually at least 7 percent of the initial number of lead service lines in its distribution system. The initial number of lead service lines is the number of lead lines in place at the time the replacement program begins. The system shall identify the initial number of lead service lines in its distribution system, including an identification of the portion(s) owned by the system, based on a materials evaluation, including the evaluation required under §141.86(a) and relevant legal authorities (e.g., contracts, local ordinances) regarding the portion owned by the system. The first year of lead service line replacement shall begin on the date the action level was exceeded in tap sampling referenced in paragraph (a) of this section.

(c) A system is not required to replace an individual lead service line if the lead concentration in all service line samples from that line, taken pursuant to §141.86(b)(3), is less than or equal to 0.015 mg/L.

(d) A water system shall replace that portion of the lead service line that it owns. In cases where the system does not own the entire lead service line, the system shall notify the owner of the line, or the owner's authorized agent, that the system will replace the portion of the service line that it owns and shall offer to replace the owner's portion of the line. A system is not required to bear the cost of replacing the privately-owned portion of the line, nor is it required to replace the privately-owned portion where the owner chooses not to pay the cost of replacing the privately-owned portion of the line, or where replacing the privately-owned portion would be precluded by State, local or common law. A water system that does not replace the entire length of the service line also shall complete the following tasks.

(1) At least 45 days prior to commencing with the partial replacement of a lead service line, the water system shall provide notice to the resident(s) of all buildings served by the line explaining that they may experience a temporary increase of lead levels in their drinking water, along with guidance on measures consumers can take to minimize their exposure to lead. The State may allow the water system to provide notice under the previous sentence less than 45 days prior to commencing partial lead service line replacement where such replacement is in conjunction with emergency repairs. In addition, the water system shall inform the resident(s) served by the line that the system will, at the system's expense, collect a sample from each partially-replaced lead service line that is representative of the water in the service line for analysis of lead content, as prescribed under §141.86(b)(3), within 72 hours after the completion of the partial replacement of the service line. The system shall collect the sample and report the results of the analysis to the owner and the resident(s) served by the line within three business days of receiving the results. Mailed notices post-marked within three business days of receiving the results shall be considered "on time."

(2) The water system shall provide the information required by paragraph (d)(1) of this section to the residents of individual dwellings by mail or by other methods approved by the State. In instances where multi-family dwellings are served by the line, the water system shall have the option to post the information at a conspicuous location.

(e) The State shall require a system to replace lead service lines on a shorter schedule than that required by this section, taking into account the number of lead service lines in the system, where such a shorter replacement schedule is feasible. The State shall make this determination in writing and notify the system of its finding within 6 months after the system is triggered into lead service line replacement based on monitoring referenced in paragraph (a) of this section.

(f) Any system may cease replacing lead service lines whenever first draw samples collected pursuant to §141.86(b)(2) meet the lead action level during each of two consecutive monitoring periods and the system submits the results to the State. If first draw tap samples collected in any such system thereafter exceeds the lead action level, the system shall recommence replacing lead service lines pursuant to paragraph (b) of this section.

(g) To demonstrate compliance with paragraphs (a) through (d) of this section, a system shall report to the State the information specified in §141.90(e).

[56 FR 26548, June 7, 1991; 57 FR 28788, June 29, 1992, as amended at 65 FR 2005, Jan. 12, 2000]

§141.85 Public education and supplemental monitoring requirements.

A water system that exceeds the lead action level based on tap water samples collected in accordance with §141.86 shall deliver the public education materials contained in paragraphs (a) and (b) of this section in accordance with the requirements in paragraph (c) of this section.

(a) *Content of written public education materials.* (1) *Community water systems.* A community water system shall include the following text in all of the printed materials it distributes through its lead public education program. Systems may delete information pertaining to lead service lines, upon approval by the State, if no lead service lines exist anywhere in the water system service area. Public education language at paragraphs (a)(1)(iv)(B)(*5*) and (a)(1)(iv)(D)(*2*) of this section may be modified regarding building permit record availability and consumer access to these records, if approved by the State. Systems may also continue to utilize pre-printed materials that meet the public education language requirements in 40 CFR 141.85, effective November 6, 1991, and contained in the 40 CFR, parts 100 to 149, edition revised as of July 1, 1991. Any additional information presented by a system shall be consistent with the information below and be in plain English that can be understood by lay people.

(i) *Introduction.* The United States Environmental Protection Agency (EPA) and [insert name of water supplier] are concerned about lead in your drinking water. Although most homes have very low levels of lead in their drinking water, some homes in the community have lead levels above the EPA action level of 15 parts per billion (ppb), or 0.015 milligrams of lead per liter of water (mg/L). Under Federal law we are required to have a program in place to minimize lead in your drinking water by [insert date when corrosion control will be completed for your system]. This program includes corrosion control treatment, source water treatment, and public education. We are also required to replace the portion of each lead service line that we own if the line contributes lead concentrations of more than 15 ppb after we have completed the comprehensive treatment program. If you have any questions about how we are carrying out the requirements of the lead regulation please give us a call at [insert water system's phone number]. This brochure explains the simple steps you can take to protect you and your family by reducing your exposure to lead in drinking water.

(ii) *Health effects of lead.* Lead is a common metal found throughout the environment in lead-based paint, air, soil, household dust, food, certain types of pottery porcelain and pewter, and water. Lead can pose a significant

risk to your health if too much of it enters your body. Lead builds up in the body over many years and can cause damage to the brain, red blood cells and kidneys. The greatest risk is to young children and pregnant women. Amounts of lead that won't hurt adults can slow down normal mental and physical development of growing bodies. In addition, a child at play often comes into contact with sources of lead contamination—like dirt and dust—that rarely affect an adult. It is important to wash children's hands and toys often, and to try to make sure they only put food in their mouths.

(iii) *Lead in drinking water.* (A) Lead in drinking water, although rarely the sole cause of lead poisoning, can significantly increase a person's total lead exposure, particularly the exposure of infants who drink baby formulas and concentrated juices that are mixed with water. The EPA estimates that drinking water can make up 20 percent or more of a person's total exposure to lead.

(B) Lead is unusual among drinking water contaminants in that it seldom occurs naturally in water supplies like rivers and lakes. Lead enters drinking water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipe, brass and chrome plated brass faucets, and in some cases, pipes made of lead that connect your house to the water main (service lines). In 1986, Congress banned the use of lead solder containing greater than 0.2% lead, and restricted the lead content of faucets, pipes and other plumbing materials to 8.0%.

(C) When water stands in lead pipes or plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn from the tap in the morning, or later in the afternoon after returning from work or school, can contain fairly high levels of lead.

(iv) *Steps you can take in the home to reduce exposure to lead in drinking water.* (A) Despite our best efforts mentioned earlier to control water corrosivity and remove lead from the water supply, lead levels in some homes or buildings can be high. To find out whether you need to take action in your own home, have your drinking water tested to determine if it contains excessive concentrations of lead. Testing the water is essential because you cannot see, taste, or smell lead in drinking water. Some local laboratories that can provide this service are listed at the end of this booklet. For more information on having your water tested, please call [insert phone number of water system].

(B) If a water test indicates that the drinking water drawn from a tap in your home contains lead above 15 ppb, then you should take the following precautions:

(*1*) Let the water run from the tap before using it for drinking or cooking any time the water in a faucet has gone unused for more than six hours. The longer water resides in your home's plumbing the more lead it may contain. Flushing the tap means running the cold water faucet until the water gets noticeably colder, usually about 15–30 seconds. If your house has a lead service line to the water main, you may have to flush the water for a longer time, perhaps one minute, before drinking. Although toilet flushing or showering flushes water through a portion of your home's plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your family's health. It usually uses less than one or two gallons of water and costs less than [insert a cost estimate based on flushing two times a day for 30 days] per month. To conserve water, fill a couple of bottles for drinking water after flushing the tap, and whenever possible use the first flush water to wash the dishes or water the plants. If you live in a high-rise building, letting the water flow before using it may not work to lessen your risk from lead. The plumbing systems have more, and sometimes larger pipes than smaller buildings. Ask your landlord for help in locating the source of the lead and for advice on reducing the lead level.

(*2*) Try not to cook with, or drink water from the hot water tap. Hot water can dissolve more lead more

quickly than cold water. If you need hot water, draw water from the cold tap and heat it on the stove.

(*3*) Remove loose lead solder and debris from the plumbing materials installed in newly constructed homes, or homes in which the plumbing has recently been replaced, by removing the faucet strainers from all taps and running the water from 3 to 5 minutes. Thereafter, periodically remove the strainers and flush out any debris that has accumulated over time.

(*4*) If your copper pipes are joined with lead solder that has been installed illegally since it was banned in 1986, notify the plumber who did the work and request that he or she replace the lead solder with lead-free solder. Lead solder looks dull gray, and when scratched with a key looks shiny. In addition, notify your State [insert name of department responsible for enforcing the Safe Drinking Water Act in your State] about the violation.

(*5*) Determine whether or not the service line that connects your home or apartment to the water main is made of lead. The best way to determine if your service line is made of lead is by either hiring a licensed plumber to inspect the line or by contacting the plumbing contractor who installed the line. You can identify the plumbing contractor by checking the city's record of building permits which should be maintained in the files of the [insert name of department that issues building permits]. A licensed plumber can at the same time check to see if your home's plumbing contains lead solder, lead pipes, or pipe fittings that contain lead. The public water system that delivers water to your home should also maintain records of the materials located in the distribution system. If the service line that connects your dwelling to the water main contributes more than 15 ppb to drinking water, after our comprehensive treatment program is in place, we are required to replace the portion of the line we own. If the line is only partially owned by the [insert the name of the city, county, or water system that owns the line], we are required to provide the owner of the privately-owned portion of the line with information on how to replace the privately-owned portion of the service line, and offer to replace that portion of the line at the owner's expense. If we replace only the portion of the line that we own, we also are required to notify you in advance and provide you with information on the steps you can take to minimize exposure to any temporary increase in lead levels that may result from the partial replacement, to take a follow-up sample at our expense from the line within 72 hours after the partial replacement, and to mail or otherwise provide you with the results of that sample within three business days of receiving the results. Acceptable replacement alternatives include copper, steel, iron, and plastic pipes.

(*6*) Have an electrician check your wiring. If grounding wires from the electrical system are attached to your pipes, corrosion may be greater. Check with a licensed electrician or your local electrical code to determine if your wiring can be grounded elsewhere. DO NOT attempt to change the wiring yourself because improper grounding can cause electrical shock and fire hazards.

(C) The steps described above will reduce the lead concentrations in your drinking water. However, if a water test indicates that the drinking water coming from your tap contains lead concentrations in excess of 15 ppb after flushing, or after we have completed our actions to minimize lead levels, then you may want to take the following additional measures:

(*1*) Purchase or lease a home treatment device. Home treatment devices are limited in that each unit treats only the water that flows from the faucet to which it is connected, and all of the devices require periodic maintenance and replacement. Devices such as reverse osmosis systems or distillers can effectively remove lead from your drinking water. Some activated carbon filters *may* reduce lead levels at the tap, however all lead reduction claims should be investigated. Be sure to check the actual performance of a specific home treatment device before and after installing the unit.

(*2*) Purchase bottled water for drinking and cooking.

(D) You can consult a variety of sources for additional information.

Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. State and local government agencies that can be contacted include:

(*1*) [insert the name of city or county department of public utilities] at [insert phone number] can provide you with information about your community's water supply, and a list of local laboratories that have been certified by EPA for testing water quality;

(*2*) [insert the name of city or county department that issues building permits] at [insert phone number] can provide you with information about building permit records that should contain the names of plumbing contractors that plumbed your home; and

(*3*) [insert the name of the State Department of Public Health] at [insert phone number] or the [insert the name of the city or county health department] at [insert phone number] can provide you with information about the health effects of lead and how you can have your child's blood tested.

(E) The following is a list of some State approved laboratories in your area that you can call to have your water tested for lead. [Insert names and phone numbers of at least two laboratories].

(2) *Non-transient non-community water systems.* A non-transient non-community water system shall either include the text specified in paragraph (a)(1) of this section or shall include the following text in all of the printed materials it distributes through its lead public education program. Water systems may delete information pertaining to lead service lines upon approval by the State if no lead service lines exist anywhere in the water system service area. Any additional information presented by a system shall be consistent with the information below and be in plain English that can be understood by lay people.

(i) *Introduction.* The United States Environmental Protection Agency (EPA) and [insert name of water supplier] are concerned about lead in your drinking water. Some drinking water samples taken from this facility have lead levels above the EPA action level of 15 parts per billion (ppb), or 0.015 milligrams of lead per liter of water (mg/L). Under Federal law we are required to have a program in place to minimize lead in your drinking water by [insert date when corrosion control will be completed for your system]. This program includes corrosion control treatment, source water treatment, and public education. We are also required to replace the portion of each lead service line that we own if the line contributes lead concentrations of more than 15 ppb after we have completed the comprehensive treatment program. If you have any questions about how we are carrying out the requirements of the lead regulation please give us a call at [insert water system's phone number]. This brochure explains the simple steps you can take to protect yourself by reducing your exposure to lead in drinking water.

(ii) *Health effects of lead.* Lead is found throughout the environment in lead-based paint, air, soil, household dust, food, certain types of pottery porcelain and pewter, and water. Lead can pose a significant risk to your health if too much of it enters your body. Lead builds up in the body over many years and can cause damage to the brain, red blood cells and kidneys. The greatest risk is to young children and pregnant women. Amounts of lead that won't hurt adults can slow down normal mental and physical development of growing bodies. In addition, a child at play often comes into contact with sources of lead contamination—like dirt and dust—that rarely affect an adult. It is important to wash children's hands and toys often, and to try to make sure they only put food in their mouths.

(iii) *Lead in drinking water.* (A) Lead in drinking water, although rarely the sole cause of lead poisoning, can significantly increase a person's total lead exposure, particularly the exposure of infants who drink baby formulas and concentrated juices that are mixed with water. The EPA estimates that drinking water can make up 20 percent or more of a person's total exposure to lead.

(B) Lead is unusual among drinking water contaminants in that it seldom occurs naturally in water supplies like rivers and lakes. Lead enters drinking

water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipe, brass and chrome-plated brass faucets, and in some cases, pipes made of lead that connect houses and buildings to water mains (service lines). In 1986, Congress banned the use of lead solder containing greater than 0.2% lead, and restricted the lead content of faucets, pipes and other plumbing materials to 8.0%.

(C) When water stands in lead pipes or plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn from the tap in the morning, or later in the afternoon if the water has not been used all day, can contain fairly high levels of lead.

(iv) *Steps you can take to reduce exposure to lead in drinking water.* (A) Let the water run from the tap before using it for drinking or cooking any time the water in a faucet has gone unused for more than six hours. The longer water resides in plumbing the more lead it may contain. Flushing the tap means running the cold water faucet for about 15–30 seconds. Although toilet flushing or showering flushes water through a portion of the plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your health. It usually uses less than one gallon of water.

(B) Do not cook with, or drink water from the hot water tap. Hot water can dissolve more lead more quickly than cold water. If you need hot water, draw water from the cold tap and then heat it.

(C) The steps described above will reduce the lead concentrations in your drinking water. However, if you are still concerned, you may wish to use bottled water for drinking and cooking.

(D) You can consult a variety of sources for additional information. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. State and local government agencies that can be contacted include:

(*1*) [insert the name or title of facility official if appropriate] at [insert phone number] can provide you with information about your facility's water supply; and

(*2*) [insert the name or title of the State Department of Public Health] at [insert phone number] or the [insert the name of the city or county health department] at [insert phone number] can provide you with information about the health effects of lead.

(b) *Content of broadcast materials.* A water system shall include the following information in all public service announcements submitted under its lead public education program to television and radio stations for broadcasting:

(1) Why should everyone want to know the facts about lead and drinking water? Because unhealthy amounts of lead can enter drinking water through the plumbing in your home. That's why I urge you to do what I did. I had my water tested for [insert free or $ per sample]. You can contact the [insert the name of the city or water system] for information on testing and on simple ways to reduce your exposure to lead in drinking water.

(2) To have your water tested for lead, or to get more information about this public health concern, please call [insert the phone number of the city or water system].

(c) *Delivery of a public education program.* (1) In communities where a significant proportion of the population speaks a language other than English, public education materials shall be communicated in the appropriate language(s).

(2) A community water system that exceeds the lead action level on the basis of tap water samples collected in accordance with §141.86, and that is not already repeating public education tasks pursuant to paragraph (c)(3), (c)(7), or (c)(8), of this section, shall, within 60 days:

(i) Insert notices in each customer's water utility bill containing the information in paragraph (a)(1) of this section, along with the following alert on the water bill itself in large print: "SOME HOMES IN THIS COMMUNITY

HAVE ELEVATED LEAD LEVELS IN THEIR DRINKING WATER. LEAD CAN POSE A SIGNIFICANT RISK TO YOUR HEALTH. PLEASE READ THE ENCLOSED NOTICE FOR FURTHER INFORMATION." A community water system having a billing cycle that does not include a billing within 60 days of exceeding the action level, or that cannot insert information in the water utility bill without making major changes to its billing system, may use a separate mailing to deliver the information in paragraph (a)(1) of this section as long as the information is delivered to each customer within 60 days of exceeding the action level. Such water systems shall also include the "alert" language specified in this paragraph.

(ii) Submit the information in paragraph (a)(1) of this section to the editorial departments of the major daily and weekly newspapers circulated throughout the community.

(iii) Deliver pamphlets and/or brochures that contain the public education materials in paragraphs (a)(1)(ii) and (a)(1)(iv) of this section to facilities and organizations, including the following:

(A) Public schools, and/or local school boards;

(B) City or county health department;

(C) Women, Infants, and Children and/or Head Start Program(s) whenever available;

(D) Public and private hospitals and/or clinics;

(E) Pediatricians;

(F) Family planning clinics; and

(G) Local welfare agencies.

(iv) Submit the public service announcement in paragraph (b) of this section to at least five of the radio and television stations with the largest audiences that broadcast to the community served by the water system.

(3) A community water system shall repeat the tasks contained in paragraphs (c)(2) (i), (ii) and (iii) of this section every 12 months, and the tasks contained in paragraphs (c)(2)(iv) of this section every 6 months for as long as the system exceeds the lead action level.

(4) Within 60 days after it exceeds the lead action level (unless it already is repeating public education tasks pursuant to paragraph (c)(5) of this section), a non-transient non-community water system shall deliver the public education materials specified by paragraph (a)(1) of this section or the public education materials specified by paragraph (a)(2) of this section as follows:

(i) Post informational posters on lead in drinking water in a public place or common area in each of the buildings served by the system; and

(ii) Distribute informational pamphlets and/or brochures on lead in drinking water to each person served by the non-transient non-community water system. The State may allow the system to utilize electronic transmission in lieu of or combined with printed materials as long as it achieves at least the same coverage.

(5) A non-transient non-community water system shall repeat the tasks contained in paragraph (c)(4) of this section at least once during each calendar year in which the system exceeds the lead action level.

(6) A water system may discontinue delivery of public education materials if the system has met the lead action level during the most recent six-month monitoring period conducted pursuant to §141.86. Such a system shall recommence public education in accordance with this section if it subsequently exceeds the lead action level during any monitoring period.

(7) A community water system may apply to the State, in writing, (unless the State has waived the requirement for prior State approval) to use the text specified in paragraph (a)(2) of this section in lieu of the text in paragraph (a)(1) of this section and to perform the tasks listed in paragraphs (c)(4) and (c)(5) of this section in lieu of the tasks in paragraphs (c)(2) and (c)(3) of this section if:

(i) The system is a facility, such as a prison or a hospital, where the population served is not capable of or is prevented from making improvements to plumbing or installing point of use treatment devices; and

(ii) The system provides water as part of the cost of services provided and does not separately charge for water consumption.

(8)(i) A community water system serving 3,300 or fewer people may omit

the task contained in paragraph (c)(2)(iv) of this section. As long as it distributes notices containing the information contained in paragraph (a)(1) of this section to every household served by the system, such systems may further limit their public education programs as follows:

(A) Systems serving 500 or fewer people may forego the task contained in paragraph (c)(2)(ii) of this section. Such a system may limit the distribution of the public education materials required under paragraph (c)(2)(iii) of this section to facilities and organizations served by the system that are most likely to be visited regularly by pregnant women and children, unless it is notified by the State in writing that it must make a broader distribution.

(B) If approved by the State in writing, a system serving 501 to 3,300 people may omit the task in paragraph (c)(2)(ii) of this section and/or limit the distribution of the public education materials required under paragraph (c)(2)(iii) of this section to facilities and organizations served by the system that are most likely to be visited regularly by pregnant women and children.

(ii) A community water system serving 3,300 or fewer people that delivers public education in accordance with paragraph (c)(8)(i) of this section shall repeat the required public education tasks at least once during each calendar year in which the system exceeds the lead action level.

(d) *Supplemental monitoring and notification of results.* A water system that fails to meet the lead action level on the basis of tap samples collected in accordance with §141.86 shall offer to sample the tap water of any customer who requests it. The system is not required to pay for collecting or analyzing the sample, nor is the system required to collect and analyze the sample itself.

[56 FR 26548, June 7, 1991; 57 FR 28788, June 29, 1992, as amended at 65 FR 2005, Jan. 12, 2000; 69 FR 38856, June 29, 2004]

§141.86 Monitoring requirements for lead and copper in tap water.

(a) *Sample site location.* (1) By the applicable date for commencement of monitoring under paragraph (d)(1) of this section, each water system shall complete a materials evaluation of its distribution system in order to identify a pool of targeted sampling sites that meets the requirements of this section, and which is sufficiently large to ensure that the water system can collect the number of lead and copper tap samples required in paragraph (c) of this section. All sites from which first draw samples are collected shall be selected from this pool of targeted sampling sites. Sampling sites may not include faucets that have point-of-use or point-of-entry treatment devices designed to remove inorganic contaminants.

(2) A water system shall use the information on lead, copper, and galvanized steel that it is required to collect under §141.42(d) of this part [special monitoring for corrosivity characteristics] when conducting a materials evaluation. When an evaluation of the information collected pursuant to §141.42(d) is insufficient to locate the requisite number of lead and copper sampling sites that meet the targeting criteria in paragraph (a) of this section, the water system shall review the sources of information listed below in order to identify a sufficient number of sampling sites. In addition, the system shall seek to collect such information where possible in the course of its normal operations (e.g., checking service line materials when reading water meters or performing maintenance activities):

(i) All plumbing codes, permits, and records in the files of the building department(s) which indicate the plumbing materials that are installed within publicly and privately owned structures connected to the distribution system;

(ii) All inspections and records of the distribution system that indicate the material composition of the service connections that connect a structure to the distribution system; and

(iii) All existing water quality information, which includes the results of all prior analyses of the system or individual structures connected to the system, indicating locations that may be particularly susceptible to high lead or copper concentrations.

(3) The sampling sites selected for a community water system's sampling

pool ("tier l sampling sites") shall consist of single family structures that:

(i) Contain copper pipes with lead solder installed after 1982 or contain lead pipes; and/or

(ii) Are served by a lead service line. When multiple-family residences comprise at least 20 percent of the structures served by a water system, the system may include these types of structures in its sampling pool.

(4) Any community water system with insufficient tier 1 sampling sites shall complete its sampling pool with "tier 2 sampling sites", consisting of buildings, including multiple-family residences that:

(i) Contain copper pipes with lead solder installed after 1982 or contain lead pipes; and/or

(ii) Are served by a lead service line.

(5) Any community water system with insufficient tier 1 and tier 2 sampling sites shall complete its sampling pool with "tier 3 sampling sites", consisting of single family structures that contain copper pipes with lead solder installed before 1983. A community water system with insufficient tier 1, tier 2, and tier 3 sampling sites shall complete its sampling pool with representative sites throughout the distribution system. For the purpose of this paragraph, a representative site is a site in which the plumbing materials used at that site would be commonly found at other sites served by the water system.

(6) The sampling sites selected for a non-transient noncommunity water system ("tier l sampling sites") shall consist of buildings that:

(i) Contain copper pipes with lead solder installed after 1982 or contain lead pipes; and/or

(ii) Are served by a lead service line.

(7) A non-transient non-community water system with insufficient tier 1 sites that meet the targeting criteria in paragraph (a)(6) of this section shall complete its sampling pool with sampling sites that contain copper pipes with lead solder installed before 1983. If additional sites are needed to complete the sampling pool, the non-transient non-community water system shall use representative sites throughout the distribution system. For the purpose of this paragraph, a representative site is a site in which the plumbing materials used at that site would be commonly found at other sites served by the water system.

(8) Any water system whose distribution system contains lead service lines shall draw 50 percent of the samples it collects during each monitoring period from sites that contain lead pipes, or copper pipes with lead solder, and 50 percent of the samples from sites served by a lead service line. A water system that cannot identify a sufficient number of sampling sites served by a lead service line shall collect first-draw samples from all of the sites identified as being served by such lines.

(b) *Sample collection methods.* (1) All tap samples for lead and copper collected in accordance with this subpart, with the exception of lead service line samples collected under §141.84(c) and samples collected under paragraph (b)(5) of this section, shall be first-draw samples.

(2) Each first-draw tap sample for lead and copper shall be one liter in volume and have stood motionless in the plumbing system of each sampling site for at least six hours. First-draw samples from residential housing shall be collected from the cold water kitchen tap or bathroom sink tap. First-draw samples from a nonresidential building shall be one liter in volume and shall be collected at an interior tap from which water is typically drawn for consumption. Non-first-draw samples collected in lieu of first-draw samples pursuant to paragraph (b)(5) of this section shall be one liter in volume and shall be collected at an interior tap from which water is typically drawn for consumption. First-draw samples may be collected by the system or the system may allow residents to collect first-draw samples after instructing the residents of the sampling procedures specified in this paragraph. To avoid problems of residents handling nitric acid, acidification of first-draw samples may be done up to 14 days after the sample is collected. After acidification to resolubilize the metals, the sample must stand in the original container for the time specified in the approved EPA method before the sample can be analyzed. If a system allows residents to perform

sampling, the system may not challenge, based on alleged errors in sample collection, the accuracy of sampling results.

(3) Each service line sample shall be one liter in volume and have stood motionless in the lead service line for at least six hours. Lead service line samples shall be collected in one of the following three ways:

(i) At the tap after flushing the volume of water between the tap and the lead service line. The volume of water shall be calculated based on the interior diameter and length of the pipe between the tap and the lead service line;

(ii) Tapping directly into the lead service line; or

(iii) If the sampling site is a building constructed as a single-family residence, allowing the water to run until there is a significant change in temperature which would be indicative of water that has been standing in the lead service line.

(4) A water system shall collect each first draw tap sample from the same sampling site from which it collected a previous sample. If, for any reason, the water system cannot gain entry to a sampling site in order to collect a follow-up tap sample, the system may collect the follow-up tap sample from another sampling site in its sampling pool as long as the new site meets the same targeting criteria, and is within reasonable proximity of the original site.

(5) A non-transient non-community water system, or a community water system that meets the criteria of §§141.85(c)(7)(i) and (ii), that does not have enough taps that can supply first-draw samples, as defined in §141.2, may apply to the State in writing to substitute non-first-draw samples. Such systems must collect as many first-draw samples from appropriate taps as possible and identify sampling times and locations that would likely result in the longest standing time for the remaining sites. The State has the discretion to waive the requirement for prior State approval of non-first-draw sample sites selected by the system, either through State regulation or written notification to the system.

(c) *Number of samples.* Water systems shall collect at least one sample during each monitoring period specified in paragraph (d) of this section from the number of sites listed in the first column ("standard monitoring") of the table in this paragraph. A system conducting reduced monitoring under paragraph (d)(4) of this section shall collect at least one sample from the number of sites specified in the second column ("reduced monitoring") of the table in this paragraph during each monitoring period specified in paragraph (d)(4) of this section. Such reduced monitoring sites shall be representative of the sites required for standard monitoring. States may specify sampling locations when a system is conducting reduced monitoring. The table is as follows:

System size (number of people served)	Number of sites (standard monitoring)	Number of sites (reduced monitoring)
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
≤100	5	5

(d) *Timing of monitoring*—(1) *Initial tap sampling.*

The first six-month monitoring period for small, medium-size and large systems shall begin on the following dates:

System size (No. people served)	First six-month monitoring period begins on
>50,000	January 1, 1992.
3,301 to 50,000	July 1, 1992.
≤3,300	July 1, 1993.

(i) All large systems shall monitor during two consecutive six-month periods.

(ii) All small and medium-size systems shall monitor during each six-month monitoring period until:

(A) The system exceeds the lead or copper action level and is therefore required to implement the corrosion control treatment requirements under §141.81, in which case the system shall continue monitoring in accordance with paragraph (d)(2) of this section, or

(B) The system meets the lead and copper action levels during two consecutive six-month monitoring periods, in which case the system may reduce

monitoring in accordance with paragraph (d)(4) of this section.

(2) *Monitoring after installation of corrosion control and source water treatment.* (i) Any large system which installs optimal corrosion control treatment pursuant to §141.81(d)(4) shall monitor during two consecutive six-month monitoring periods by the date specified in §141.81(d)(5).

(ii) Any small or medium-size system which installs optimal corrosion control treatment pursuant to §141.81(e)(5) shall monitor during two consecutive six-month monitoring periods by the date specified in §141.81(e)(6).

(iii) Any system which installs source water treatment pursuant to §141.83(a)(3) shall monitor during two consecutive six-month monitoring periods by the date specified in §141.83(a)(4).

(3) *Monitoring after State specifies water quality parameter values for optimal corrosion control.* After the State specifies the values for water quality control parameters under §141.82(f), the system shall monitor during each subsequent six-month monitoring period, with the first monitoring period to begin on the date the State specifies the optimal values under §141.82(f).

(4) *Reduced monitoring.* (i) A small or medium-size water system that meets the lead and copper action levels during each of two consecutive six-month monitoring periods may reduce the number of samples in accordance with paragraph (c) of this section, and reduce the frequency of sampling to once per year.

(ii) Any water system that maintains the range of values for the water quality control parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f) during each of two consecutive six-month monitoring periods may reduce the frequency of monitoring to once per year and reduce the number of lead and copper samples in accordance with paragraph (c) of this section if it receives written approval from the State. The State shall review monitoring, treatment, and other relevant information submitted by the water system in accordance with §141.90, and shall notify the system in writing when it determines the system is eligible to commence reduced monitoring pursuant to this paragraph. The State shall review, and where appropriate, revise its determination when the system submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available.

(iii) A small or medium-size water system that meets the lead and copper action levels during three consecutive years of monitoring may reduce the frequency of monitoring for lead and copper from annually to once every three years. Any water system that maintains the range of values for the water quality control parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f) during three consecutive years of monitoring may reduce the frequency of monitoring from annually to once every three years if it receives written approval from the State. The State shall review monitoring, treatment, and other relevant information submitted by the water system in accordance with §141.90, and shall notify the system in writing when it determines the system is eligible to reduce the frequency of monitoring to once every three years. The State shall review, and where appropriate, revise its determination when the system submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available.

(iv) A water system that reduces the number and frequency of sampling shall collect these samples from representative sites included in the pool of targeted sampling sites identified in paragraph (a) of this section. Systems sampling annually or less frequently shall conduct the lead and copper tap sampling during the months of June, July, August, or September unless the State has approved a different sampling period in accordance with paragraph (d)(4)(iv)(A) of this section.

(A) The State, at its discretion, may approve a different period for conducting the lead and copper tap sampling for systems collecting a reduced number of samples. Such a period shall be no longer than four consecutive months and must represent a time of normal operation where the highest

levels of lead are most likely to occur. For a non-transient non-community water system that does not operate during the months of June through September, and for which the period of normal operation where the highest levels of lead are most likely to occur is not known, the State shall designate a period that represents a time of normal operation for the system.

(B) Systems monitoring annually, that have been collecting samples during the months of June through September and that receive State approval to alter their sample collection period under paragraph (d)(4)(iv)(A) of this section, must collect their next round of samples during a time period that ends no later than 21 months after the previous round of sampling. Systems monitoring triennially that have been collecting samples during the months of June through September, and receive State approval to alter the sampling collection period as per paragraph (d)(4)(iv)(A) of this section, must collect their next round of samples during a time period that ends no later than 45 months after the previous round of sampling. Subsequent rounds of sampling must be collected annually or triennially, as required by this section. Small systems with waivers, granted pursuant to paragraph (g) of this section, that have been collecting samples during the months of June through September and receive State approval to alter their sample collection period under paragraph (d)(4)(iv)(A) of this section must collect their next round of samples before the end of the 9-year period.

(v) Any water system that demonstrates for two consecutive 6-month monitoring periods that the tap water lead level computed under §141.80(c)(3) is less than or equal to 0.005 mg/L and the tap water copper level computed under §141.80(c)(3) is less than or equal to 0.65 mg/L may reduce the number of samples in accordance with paragraph (c) of this section and reduce the frequency of sampling to once every three calendar years.

(vi)(A) A small or medium-size water system subject to reduced monitoring that exceeds the lead or copper action level shall resume sampling in accordance with paragraph (d)(3) of this section and collect the number of samples specified for standard monitoring under paragraph (c) of this section. Such a system shall also conduct water quality parameter monitoring in accordance with §141.87(b), (c) or (d) (as appropriate) during the monitoring period in which it exceeded the action level. Any such system may resume annual monitoring for lead and copper at the tap at the reduced number of sites specified in paragraph (c) of this section after it has completed two subsequent consecutive six-month rounds of monitoring that meet the criteria of paragraph (d)(4)(i) of this section and/or may resume triennial monitoring for lead and copper at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either paragraph (d)(4)(iii) or (d)(4)(v) of this section.

(B) Any water system subject to the reduced monitoring frequency that fails to operate at or above the minimum value or within the range of values for the water quality parameters specified by the State under §141.82(f) for more than nine days in any six-month period specified in §141.87(d) shall conduct tap water sampling for lead and copper at the frequency specified in paragraph (d)(3) of this section, collect the number of samples specified for standard monitoring under paragraph (c) of this section, and shall resume monitoring for water quality parameters within the distribution system in accordance with §141.87(d). Such a system may resume reduced monitoring for lead and copper at the tap and for water quality parameters within the distribution system under the following conditions:

(*1*) The system may resume annual monitoring for lead and copper at the tap at the reduced number of sites specified in paragraph (c) of this section after it has completed two subsequent six-month rounds of monitoring that meet the criteria of paragraph (d)(4)(ii) of this section and the system has received written approval from the State that it is appropriate to resume reduced monitoring on an annual frequency.

(*2*) The system may resume triennial monitoring for lead and copper at the

tap at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either paragraph (d)(4)(iii) or (d)(4)(v) of this section and the system has received written approval from the State that it is appropriate to resume triennial monitoring.

(*3*) The system may reduce the number of water quality parameter tap water samples required in accordance with §141.87(e)(1) and the frequency with which it collects such samples in accordance with §141.87(e)(2). Such a system may not resume triennial monitoring for water quality parameters at the tap until it demonstrates, in accordance with the requirements of §141.87(e)(2), that it has re-qualified for triennial monitoring.

(vii) Any water system subject to a reduced monitoring frequency under paragraph (d)(4) of this section that either adds a new source of water or changes any water treatment shall inform the State in writing in accordance with §141.90(a)(3). The State may require the system to resume sampling in accordance with paragraph (d)(3) of this section and collect the number of samples specified for standard monitoring under paragraph (c) of this section or take other appropriate steps such as increased water quality parameter monitoring or re-evaluation of its corrosion control treatment given the potentially different water quality considerations.

(e) *Additional monitoring by systems.* The results of any monitoring conducted in addition to the minimum requirements of this section shall be considered by the system and the State in making any determinations (i.e., calculating the 90th percentile lead or copper level) under this subpart.

(f) *Invalidation of lead or copper tap water samples.* A sample invalidated under this paragraph does not count toward determining lead or copper 90th percentile levels under §141.80(c)(3) or toward meeting the minimum monitoring requirements of paragraph (c) of this section.

(1) The State may invalidate a lead or copper tap water sample at least if one of the following conditions is met.

(i) The laboratory establishes that improper sample analysis caused erroneous results.

(ii) The State determines that the sample was taken from a site that did not meet the site selection criteria of this section.

(iii) The sample container was damaged in transit.

(iv) There is substantial reason to believe that the sample was subject to tampering.

(2) The system must report the results of all samples to the State and all supporting documentation for samples the system believes should be invalidated.

(3) To invalidate a sample under paragraph (f)(1) of this section, the decision and the rationale for the decision must be documented in writing. States may not invalidate a sample solely on the grounds that a follow-up sample result is higher or lower than that of the original sample.

(4) The water system must collect replacement samples for any samples invalidated under this section if, after the invalidation of one or more samples, the system has too few samples to meet the minimum requirements of paragraph (c) of this section. Any such replacement samples must be taken as soon as possible, but no later than 20 days after the date the State invalidates the sample or by the end of the applicable monitoring period, whichever occurs later. Replacement samples taken after the end of the applicable monitoring period shall not also be used to meet the monitoring requirements of a subsequent monitoring period. The replacement samples shall be taken at the same locations as the invalidated samples or, if that is not possible, at locations other than those already used for sampling during the monitoring period.

(g) *Monitoring waivers for small systems.* Any small system that meets the criteria of this paragraph may apply to the State to reduce the frequency of monitoring for lead and copper under this section to once every nine years (*i.e.,* a "full waiver") if it meets all of the materials criteria specified in paragraph (g)(1) of this section and all of the monitoring criteria specified in paragraph (g)(2) of this section. If State

regulations permit, any small system that meets the criteria in paragraphs (g)(1) and (2) of this section only for lead, or only for copper, may apply to the State for a waiver to reduce the frequency of tap water monitoring to once every nine years for that contaminant only (*i.e.*, a "partial waiver").

(1) *Materials criteria*. The system must demonstrate that its distribution system and service lines and all drinking water supply plumbing, including plumbing conveying drinking water within all residences and buildings connected to the system, are free of lead-containing materials and/or copper-containing materials, as those terms are defined in this paragraph, as follows:

(i) *Lead*. To qualify for a full waiver, or a waiver of the tap water monitoring requirements for lead (*i.e.*, a "lead waiver"), the water system must provide certification and supporting documentation to the State that the system is free of all lead-containing materials, as follows:

(A) It contains no plastic pipes which contain lead plasticizers, or plastic service lines which contain lead plasticizers; and

(B) It is free of lead service lines, lead pipes, lead soldered pipe joints, and leaded brass or bronze alloy fittings and fixtures, unless such fittings and fixtures meet the specifications of any standard established pursuant to 42 U.S.C. 300g–6(e) (SDWA section 1417(e)).

(ii) *Copper*. To qualify for a full waiver, or a waiver of the tap water monitoring requirements for copper (*i.e.*, a "copper waiver"), the water system must provide certification and supporting documentation to the State that the system contains no copper pipes or copper service lines.

(2) *Monitoring criteria for waiver issuance*. The system must have completed at least one 6-month round of standard tap water monitoring for lead and copper at sites approved by the State and from the number of sites required by paragraph (c) of this section and demonstrate that the 90th percentile levels for any and all rounds of monitoring conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, meet the following criteria.

(i) *Lead levels*. To qualify for a full waiver, or a lead waiver, the system must demonstrate that the 90th percentile lead level does not exceed 0.005 mg/L.

(ii) *Copper levels*. To qualify for a full waiver, or a copper waiver, the system must demonstrate that the 90th percentile copper level does not exceed 0.65 mg/L.

(3) *State approval of waiver application*. The State shall notify the system of its waiver determination, in writing, setting forth the basis of its decision and any condition of the waiver. As a condition of the waiver, the State may require the system to perform specific activities (e.g., limited monitoring, periodic outreach to customers to remind them to avoid installation of materials that might void the waiver) to avoid the risk of lead or copper concentration of concern in tap water. The small system must continue monitoring for lead and copper at the tap as required by paragraphs (d)(1) through (d)(4) of this section, as appropriate, until it receives written notification from the State that the waiver has been approved.

(4) *Monitoring frequency for systems with waivers*. (i) A system with a full waiver must conduct tap water monitoring for lead and copper in accordance with paragraph (d)(4)(iv) of this section at the reduced number of sampling sites identified in paragraph (c) of this section at least once every nine years and provide the materials certification specified in paragraph (g)(1) of this section for both lead and copper to the State along with the monitoring results.

(ii) A system with a partial waiver must conduct tap water monitoring for the waived contaminant in accordance with paragraph (d)(4)(iv) of this section at the reduced number of sampling sites specified in paragraph (c) of this section at least once every nine years and provide the materials certification specified in paragraph (g)(1) of this section pertaining to the waived contaminant along with the monitoring results. Such a system also must continue to monitor for the non-waived contaminant in accordance with requirements of paragraph (d)(1) through (d)(4) of this section, as appropriate.

(iii) If a system with a full or partial waiver adds a new source of water or changes any water treatment, the system must notify the State in writing in accordance with §141.90(a)(3). The State has the authority to require the system to add or modify waiver conditions (e.g., require recertification that the system is free of lead-containing and/or copper-containing materials, require additional round(s) of monitoring), if it deems such modifications are necessary to address treatment or source water changes at the system.

(iv) If a system with a full or partial waiver becomes aware that it is no longer free of lead-containing or copper-containing materials, as appropriate, (e.g., as a result of new construction or repairs), the system shall notify the State in writing no later than 60 days after becoming aware of such a change.

(5) *Continued eligibility.* If the system continues to satisfy the requirements of paragraph (g)(4) of this section, the waiver will be renewed automatically, unless any of the conditions listed in paragraph (g)(5)(i) through (g)(5)(iii) of this section occurs. A system whose waiver has been revoked may re-apply for a waiver at such time as it again meets the appropriate materials and monitoring criteria of paragraphs (g)(1) and (g)(2) of this section.

(i) A system with a full waiver or a lead waiver no longer satisfies the materials criteria of paragraph (g)(1)(i) of this section or has a 90th percentile lead level greater than 0.005 mg/L.

(ii) A system with a full waiver or a copper waiver no longer satisfies the materials criteria of paragraph (g)(1)(ii) of this section or has a 90th percentile copper level greater than 0.65 mg/L.

(iii) The State notifies the system, in writing, that the waiver has been revoked, setting forth the basis of its decision.

(6) *Requirements following waiver revocation.* A system whose full or partial waiver has been revoked by the State is subject to the corrosion control treatment and lead and copper tap water monitoring requirements, as follows:

(i) If the system exceeds the lead and/or copper action level, the system must implement corrosion control treatment in accordance with the deadlines specified in §141.81(e), and any other applicable requirements of this subpart.

(ii) If the system meets both the lead and the copper action level, the system must monitor for lead and copper at the tap no less frequently than once every three years using the reduced number of sample sites specified in paragraph (c) of this section.

(7) *Pre-existing waivers.* Small system waivers approved by the State in writing prior to April 11, 2000 shall remain in effect under the following conditions:

(i) If the system has demonstrated that it is both free of lead-containing and copper-containing materials, as required by paragraph (g)(1) of this section and that its 90th percentile lead levels and 90th percentile copper levels meet the criteria of paragraph (g)(2) of this section, the waiver remains in effect so long as the system continues to meet the waiver eligibility criteria of paragraph (g)(5) of this section. The first round of tap water monitoring conducted pursuant to paragraph (g)(4) of this section shall be completed no later than nine years after the last time the system has monitored for lead and copper at the tap.

(ii) If the system has met the materials criteria of paragraph (g)(1) of this section but has not met the monitoring criteria of paragraph (g)(2) of this section, the system shall conduct a round of monitoring for lead and copper at the tap demonstrating that it meets the criteria of paragraph (g)(2) of this section no later than September 30, 2000. Thereafter, the waiver shall remain in effect as long as the system meets the continued eligibility criteria of paragraph (g)(5) of this section. The first round of tap water monitoring conducted pursuant to paragraph (g)(4) of this section shall be completed no later than nine years after the round of monitoring conducted pursuant to paragraph (g)(2) of this section.

[56 FR 26548, June 7, 1991; 56 FR 32113, July 15, 1991; 57 FR 28788, June 29, 1992; as amended at 65 FR 2007, Jan. 12, 2000]

§ 141.87 Monitoring requirements for water quality parameters.

All large water systems, and all small- and medium-size systems that exceed the lead or copper action level shall monitor water quality parameters in addition to lead and copper in accordance with this section. The requirements of this section are summarized in the table at the end of this section.

(a) *General requirements*—(1) *Sample collection methods.* (i) Tap samples shall be representative of water quality throughout the distribution system taking into account the number of persons served, the different sources of water, the different treatment methods employed by the system, and seasonal variability. Tap sampling under this section is not required to be conducted at taps targeted for lead and copper sampling under §141.86(a). [Note: Systems may find it convenient to conduct tap sampling for water quality parameters at sites used for coliform sampling under 40 CFR 141.21.]

(ii) Samples collected at the entry point(s) to the distribution system shall be from locations representative of each source after treatment. If a system draws water from more than one source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water is representative of all sources being used).

(2) *Number of samples.* (i) Systems shall collect two tap samples for applicable water quality parameters during each monitoring period specified under paragraphs (b) through (e) of this section from the following number of sites.

System size (No. people served)	No. of sites for water quality parameters
>100,000	25
10,001–100,000	10
3,301 to 10,000	3
501 to 3,300	2
101 to 500	1
≤100	1

(ii) Except as provided in paragraph (c)(3) of this section, systems shall collect two samples for each applicable water quality parameter at each entry point to the distribution system during each monitoring period specified in paragraph (b) of this section. During each monitoring period specified in paragraphs (c)–(e) of this section, systems shall collect one sample for each applicable water quality parameter at each entry point to the distribution system.

(b) *Initial sampling* All large water systems shall measure the applicable water quality parameters as specified below at taps and at each entry point to the distribution system during each six-month monitoring period specified in §141.86(d)(1). All small and medium-size systems shall measure the applicable water quality parameters at the locations specified below during each six-month monitoring period specified in §141.86(d)(1) during which the system exceeds the lead or copper action level.

(1) At taps:

(i) pH;

(ii) Alkalinity;

(iii) Orthophosphate, when an inhibitor containing a phosphate compound is used;

(iv) Silica, when an inhibitor containing a silicate compound is used;

(v) Calcium;

(vi) Conductivity; and

(vii) Water temperature.

(2) At each entry point to the distribution system: all of the applicable parameters listed in paragraph (b)(1) of this section.

(c) *Monitoring after installation of corrosion control.* Any large system which installs optimal corrosion control treatment pursuant to §141.81(d)(4) shall measure the water quality parameters at the locations and frequencies specified below during each six-month monitoring period specified in §141.86(d)(2)(i). Any small or medium-size system which installs optimal corrosion control treatment shall conduct such monitoring during each six-month monitoring period specified in §141.86(d)(2)(ii) in which the system exceeds the lead or copper action level.

(1) At taps, two samples for:

(i) pH;

(ii) Alkalinity;

(iii) Orthophosphate, when an inhibitor containing a phosphate compound is used;

(iv) Silica, when an inhibitor containing a silicate compound is used;

(v) Calcium, when calcium carbonate stabilization is used as part of corrosion control.

(2) Except as provided in paragraph (c)(3) of this section, at each entry point to the distribution system, at least one sample no less frequently than every two weeks (biweekly) for:

(i) pH;

(ii) When alkalinity is adjusted as part of optimal corrosion control, a reading of the dosage rate of the chemical used to adjust alkalinity, and the alkalinity concentration; and

(iii) When a corrosion inhibitor is used as part of optimal corrosion control, a reading of the dosage rate of the inhibitor used, and the concentration of orthophosphate or silica (whichever is applicable).

(3) Any ground water system can limit entry point sampling described in paragraph (c)(2) of this section to those entry points that are representative of water quality and treatment conditions throughout the system. If water from untreated ground water sources mixes with water from treated ground water sources, the system must monitor for water quality parameters both at representative entry points receiving treatment and representative entry points receiving no treatment. Prior to the start of any monitoring under this paragraph, the system shall provide to the State written information identifying the selected entry points and documentation, including information on seasonal variability, sufficient to demonstrate that the sites are representative of water quality and treatment conditions throughout the system.

(d) *Monitoring after State specifies water quality parameter values for optimal corrosion control.* After the State specifies the values for applicable water quality control parameters reflecting optimal corrosion control treatment under §141.82(f), all large systems shall measure the applicable water quality parameters in accordance with paragraph (c) of this section and determine compliance with the requirements of §141.82(g) every six months with the first six-month period to begin on the date the State specifies the optimal values under §141.82(f). Any small or medium-size system shall conduct such monitoring during each six-month period specified in this paragraph in which the system exceeds the lead or copper action level. For any such small and medium-size system that is subject to a reduced monitoring frequency pursuant to §141.86(d)(4) at the time of the action level exceedance, the end of the applicable six-month period under this paragraph shall coincide with the end of the applicable monitoring period under §141.86(d)(4). Compliance with State-designated optimal water quality parameter values shall be determined as specified under §141.82(g).

(e) *Reduced monitoring.* (1) Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment during each of two consecutive six-month monitoring periods under paragraph (d) of this section shall continue monitoring at the entry point(s) to the distribution system as specified in paragraph (c)(2) of this section. Such system may collect two tap samples for applicable water quality parameters from the following reduced number of sites during each six-month monitoring period.

System size (No. of people served)	Reduced No. of sites for water quality parameters
>100,000	10
10,001 to 100,000	7
3,301 to 10,000	3
501 to 3,300	2
101 to 500	1
≦100	1

(2)(i) Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f) during three consecutive years of monitoring may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in this paragraph (e)(1) of this section from every six months to annually. Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f)

during three consecutive years of annual monitoring under this paragraph may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in paragraph (e)(1) from annually to every three years.

(ii) A water system may reduce the frequency with which it collects tap samples for applicable water quality parameters specified in paragraph (e)(1) of this section to every three years if it demonstrates during two consecutive monitoring periods that its tap water lead level at the 90th percentile is less than or equal to the PQL for lead specified in §141.89 (a)(1)(ii), that its tap water copper level at the 90th percentile is less than or equal to 0.65 mg/L for copper in §141.80(c)(2), and that it also has maintained the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f).

(3) A water system that conducts sampling annually shall collect these samples evenly throughout the year so as to reflect seasonal variability.

(4) Any water system subject to the reduced monitoring frequency that fails to operate at or above the minimum value or within the range of values for the water quality parameters specified by the State in §141.82(f) for more than nine days in any six-month period specified in §141.82(g) shall resume distribution system tap water sampling in accordance with the number and frequency requirements in paragraph (d) of this section. Such a system may resume annual monitoring for water quality parameters at the tap at the reduced number of sites specified in paragraph (e)(1) of this section after it has completed two subsequent consecutive six-month rounds of monitoring that meet the criteria of that paragraph and/or may resume triennial monitoring for water quality parameters at the tap at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either paragraph (e)(2)(i) or (e)(2)(ii) of this section.

(f) *Additional monitoring by systems.* The results of any monitoring conducted in addition to the minimum requirements of this section shall be considered by the system and the State in making any determinations (i.e., determining concentrations of water quality parameters) under this section or §141.82.

SUMMARY OF MONITORING REQUIREMENTS FOR WATER QUALITY PARAMETERS [1]

Monitoring period	Parameters [2]	Location	Frequency
Initial monitoring	pH, alkalinity, orthophosphate or silica [3], calcium, conductivity, temperature.	Taps and at entry point(s) to distribution system.	Every 6 months.
After installation of corrosion control.	pH, alkalinity, orthophosphate or silica [3], calcium [4].	Taps	Every 6 months.
	pH, alkalinity, dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual [5].	Entry point(s) to distribution system [6].	No less frequently than every two weeks.
After State specifies parameter values for optimal corrosion control.	pH, alkalinity, orthophosphate or silica [3], calcium [4].	Taps	Every 6 months.
	pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual [5].	Entry point(s) to distribution system [6].	No less frequently than every two weeks.
Reduced monitoring	pH, alkalinity, orthophosphate or silica [3], calcium [4].	Taps	Every 6 months, annually [7] or every 3 years [8]; reduced number of sites.
	pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual [5].	Entry point(s) to distribution system [6].	No less frequently than every two weeks.

[1] Table is for illustrative purposes; consult the text of this section for precise regulatory requirements.
[2] Small and medium-size systems have to monitor for water quality parameters only during monitoring periods in which the system exceeds the lead or copper action level.
[3] Orthophosphate must be measured only when an inhibitor containing a phosphate compound is used. Silica must be measured only when an inhibitor containing silicate compound is used.
[4] Calcium must be measured only when calcium carbonate stabilization is used as part of corrosion control.

[5] Inhibitor dosage rates and inhibitor residual concentrations (orthophosphate or silica) must be measured only when an inhibitor is used.
[6] Ground water systems may limit monitoring to representative locations throughout the system.
[7] Water systems may reduce frequency of monitoring for water quality parameters at the tap from every six months to annually if they have maintained the range of values for water quality parameters reflecting optimal corrosion control during 3 consecutive years of monitoring.
[8] Water systems may further reduce the frequency of monitoring for water quality parameters at the tap from annually to once every 3 years if they have maintained the range of values for water quality parameters reflecting optimal corrosion control during 3 consecutive years of annual monitoring. Water systems may accelerate to triennial monitoring for water quality parameters at the tap if they have maintained 90th percentile lead levels less than or equal to 0.005 mg/L, 90th percentile copper levels less than or equal to 0.65 mg/L, and the range of water quality parameters designated by the State under § 141.82(f) as representing optimal corrosion control during two consecutive six-month monitoring periods.

[56 FR 26548, June 7, 1991; 57 FR 28788, June 29, 1992, as amended at 59 FR 33862, June 30, 1994; 65 FR 2010, Jan. 12, 2000]

§ 141.88 Monitoring requirements for lead and copper in source water.

(a) *Sample location, collection methods, and number of samples.* (1) A water system that fails to meet the lead or copper action level on the basis of tap samples collected in accordance with § 141.86 shall collect lead and copper source water samples in accordance with the following requirements regarding sample location, number of samples, and collection methods:

(i) Groundwater systems shall take a minimum of one sample at every entry point to the distribution system which is representative of each well after treatment (hereafter called a sampling point). The system shall take one sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(ii) Surface water systems shall take a minimum of one sample at every entry point to the distribution system after any application of treatment or in the distribution system at a point which is representative of each source after treatment (hereafter called a sampling point). The system shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

NOTE TO PARAGRAPH (A)(1)(II): For the purposes of this paragraph, surface water systems include systems with a combination of surface and ground sources.

(iii) If a system draws water from more than one source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of normal operating conditions (*i.e.*, when water is representative of all sources being used).

(iv) The State may reduce the total number of samples which must be analyzed by allowing the use of compositing. Compositing of samples must be done by certified laboratory personnel. Composite samples from a maximum of five samples are allowed, provided that if the lead concentration in the composite sample is greater than or equal to 0.001 mg/L or the copper concentration is greater than or equal to 0.160 mg/L, then either:

(A) A follow-up sample shall be taken and analyzed within 14 days at each sampling point included in the composite; or

(B) If duplicates of or sufficient quantities from the original samples from each sampling point used in the composite are available, the system may use these instead of resampling.

(2) Where the results of sampling indicate an exceedance of maximum permissible source water levels established under § 141.83(b)(4), the State may require that one additional sample be collected as soon as possible after the initial sample was taken (but not to exceed two weeks) at the same sampling point. If a State-required confirmation sample is taken for lead or copper, then the results of the initial and confirmation sample shall be averaged in determining compliance with the State-specified maximum permissible levels. Any sample value below the detection limit shall be considered to be zero. Any value above the detection limit but below the PQL shall either be considered as the measured value or be considered one-half the PQL.

(b) *Monitoring frequency after system exceeds tap water action level.* Any system which exceeds the lead or copper action level at the tap shall collect one

source water sample from each entry point to the distribution system within six months after the exceedance.

(c) *Monitoring frequency after installation of source water treatment.* Any system which installs source water treatment pursuant to §141.83(a)(3) shall collect an additional source water sample from each entry point to the distribution system during two consecutive six-month monitoring periods by the deadline specified in §141.83(a)(4).

(d) *Monitoring frequency after State specifies maximum permissible source water levels or determines that source water treatment is not needed.* (1) A system shall monitor at the frequency specified below in cases where the State specifies maximum permissible source water levels under §141.83(b)(4) or determines that the system is not required to install source water treatment under §141.83(b)(2).

(i) A water system using only groundwater shall collect samples once during the three-year compliance period (as that term is defined in §141.2) in effect when the applicable State determination under paragraph (d)(1) of this section is made. Such systems shall collect samples once during each subsequent compliance period.

(ii) A water system using surface water (or a combination of surface and groundwater) shall collect samples once during each year, the first annual monitoring period to begin on the date on which the applicable State determination is made under paragraph (d)(1) of this section.

(2) A system is not required to conduct source water sampling for lead and/or copper if the system meets the action level for the specific contaminant in tap water samples during the entire source water sampling period applicable to the system under paragraph (d)(1) (i) or (ii) of this section.

(e) *Reduced monitoring frequency.* (1) A water system using only ground water may reduce the monitoring frequency for lead and copper in source water to once during each nine-year compliance cycle (as that term is defined in §141.2) if the system meets one of the following criteria:

(i) The system demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified by the State in §141.83(b)(4) during at least three consecutive compliance periods under paragraph (d)(1) of this section; or

(ii) The State has determined that source water treatment is not needed and the system demonstrates that, during at least three consecutive compliance periods in which sampling was conducted under paragraph (d)(1) of this section, the concentration of lead in source water was less than or equal to 0.005 mg/L and the concentration of copper in source water was less than or equal to 0.65 mg/L.

(2) A water system using surface water (or a combination of surface water and ground water) may reduce the monitoring frequency in paragraph (d)(1) of this section to once during each nine-year compliance cycle (as that term is defined in §141.2) if the system meets one of the following criteria:

(i) The system demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified by the State in §141.83(b)(4) for at least three consecutive years; or

(ii) The State has determined that source water treatment is not needed and the system demonstrates that, during at least three consecutive years, the concentration of lead in source water was less than or equal to 0.005 mg/L and the concentration of copper in source water was less than or equal to 0.65 mg/L.

(3) A water system that uses a new source of water is not eligible for reduced monitoring for lead and/or copper until concentrations in samples collected from the new source during three consecutive monitoring periods are below the maximum permissible lead and copper concentrations specified by the State in §141.83(a)(5).

[56 FR 26548, June 7, 1991; 57 FR 28788 and 28789, June 29, 1992, as amended at 65 FR 2012, Jan. 12, 2000]

§141.89 Analytical methods.

(a) Analyses for lead, copper, pH, conductivity, calcium, alkalinity,

orthophosphate, silica, and temperature shall be conducted with the methods in §141.23(k)(1).

(1) Analyses for alkalinity, calcium, conductivity, orthophosphate, pH, silica, and temperature may be performed by any person acceptable to the State. Analyses under this section for lead and copper shall only be conducted by laboratories that have been certified by EPA or the State. To obtain certification to conduct analyses for lead and copper, laboratories must:

(i) Analyze Performance Evaluation samples, which include lead and copper, provided by or acceptable to EPA or the State at least once a year by each method for which the laboratory desires certification; and

(ii) Achieve quantitative acceptance limits as follows:

(A) For lead: ±30 percent of the actual amount in the Performance Evaluation sample when the actual amount is greater than or equal to 0.005 mg/L. The Practical Quantitation Level, or PQL for lead is 0.005 mg/L.

(B) For Copper: ±10 percent of the actual amount in the Performance Evaluation sample when the actual amount is greater than or equal to 0.050 mg/L. The Practical Quantitation Level, or PQL for copper is 0.050 mg/L.

(iii) Achieve the method detection limit for lead of 0.001 mg/L according to the procedures in appendix B of part 136 of this title. This need only be accomplished if the laboratory will be processing source water composite samples under §141.88(a)(1)(iii).

(iv) Be currently certified by EPA or the State to perform analyses to the specifications described in paragraph (a)(2) of this section.

(2) States have the authority to allow the use of previously collected monitoring data for purposes of monitoring, if the data were collected and analyzed in accordance with the requirements of this subpart.

(3) All lead and copper levels measured between the PQL and MDL must be either reported as measured or they can be reported as one-half the PQL specified for lead and copper in paragraph (a)(1)(ii) of this section. All levels below the lead and copper MDLs must be reported as zero.

(4) All copper levels measured between the PQL and the MDL must be either reported as measured or they can be reported as one-half the PQL (0.025 mg/L). All levels below the copper MDL must be reported as zero.

(b) [Reserved]

[56 FR 26548, June 7, 1991, as amended at 57 FR 28789, June 29, 1992; 57 FR 31847, July 17, 1992; 59 FR 33863, June 30, 1994; 59 FR 62470, Dec. 5, 1994; 64 FR 67466, Dec. 1, 1999; 65 FR 2012, Jan. 12, 2000]

§141.90 Reporting requirements.

All water systems shall report all of the following information to the State in accordance with this section.

(a) *Reporting requirements for tap water monitoring for lead and copper and for water quality parameter monitoring.* (1) Except as provided in paragraph (a)(1)(viii) of this section, a water system shall report the information specified below for all tap water samples specified in §141.86 and for all water quality parameter samples specified in §141.87 within the first 10 days following the end of each applicable monitoring period specified in §141.86 and §141.87 (*i.e.,* every six months, annually, every 3 years, or every 9 years):

(i) The results of all tap samples for lead and copper including the location of each site and the criteria under §141.86(a) (3), (4), (5), (6), and/or (7) under which the site was selected for the system's sampling pool;

(ii) Documentation for each tap water lead or copper sample for which the water system requests invalidation pursuant to §141.86(f)(2);

(iii) [Reserved]

(iv) The 90th percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period (calculated in accordance with §141.80(c)(3)), unless the State calculates the system's 90th percentile lead and copper levels under paragraph (h) of this section;

(v) With the exception of initial tap sampling conducted pursuant to §141.86(d)(1), the system shall designate any site which was not sampled during previous monitoring periods, and include an explanation of why sampling sites have changed;

(vi) The results of all tap samples for pH, and where applicable, alkalinity, calcium, conductivity, temperature, and orthophosphate or silica collected under §141.87 (b)–(e);

(vii) The results of all samples collected at the entry point(s) to the distribution system for applicable water quality parameters under §141.87 (b)–(e);

(viii) A water system shall report the results of all water quality parameter samples collected under §141.87(c) through (f) during each six-month monitoring period specified in §141.87(d) within the first 10 days following the end of the monitoring period unless the State has specified a more frequent reporting requirement.

(2) For a non-transient non-community water system, or a community water system meeting the criteria of §§141.85(c)(7)(i) and (ii), that does not have enough taps that can provide first-draw samples, the system must either:

(i) Provide written documentation to the State identifying standing times and locations for enough non-first-draw samples to make up its sampling pool under §141.86(b)(5) by the start of the first applicable monitoring period under §141.86(d) that commences after April 11, 2000, unless the State has waived prior State approval of non-first-draw sample sites selected by the system pursuant to §141.86(b)(5); or

(ii) If the State has waived prior approval of non-first-draw sample sites selected by the system, identify, in writing, each site that did not meet the six-hour minimum standing time and the length of standing time for that particular substitute sample collected pursuant to §141.86(b)(5) and include this information with the lead and copper tap sample results required to be submitted pursuant to paragraph (a)(1)(i) of this section.

(3) No later than 60 days after the addition of a new source or any change in water treatment, unless the State requires earlier notification, a water system deemed to have optimized corrosion control under §141.81(b)(3), a water system subject to reduced monitoring pursuant to §141.86(d)(4), or a water system subject to a monitoring waiver pursuant to §141.86(g), shall send written documentation to the State describing the change. In those instances where prior State approval of the treatment change or new source is not required, water systems are encouraged to provide the notification to the State beforehand to minimize the risk the treatment change or new source will adversely affect optimal corrosion control.

(4) Any small system applying for a monitoring waiver under §141.86(g), or subject to a waiver granted pursuant to §141.86(g)(3), shall provide the following information to the State in writing by the specified deadline:

(i) By the start of the first applicable monitoring period in §141.86(d), any small water system applying for a monitoring waiver shall provide the documentation required to demonstrate that it meets the waiver criteria of §§141.86(g)(1) and (2).

(ii) No later than nine years after the monitoring previously conducted pursuant to §141.86(g)(2) or §141.86(g)(4)(i), each small system desiring to maintain its monitoring waiver shall provide the information required by §§141.86(g)(4)(i) and (ii).

(iii) No later than 60 days after it becomes aware that it is no longer free of lead-containing and/or copper-containing material, as appropriate, each small system with a monitoring waiver shall provide written notification to the State, setting forth the circumstances resulting in the lead-containing and/or copper-containing materials being introduced into the system and what corrective action, if any, the system plans to remove these materials.

(iv) By October 10, 2000, any small system with a waiver granted prior to April 11, 2000 and that has not previously met the requirements of §141.86(g)(2) shall provide the information required by that paragraph.

(5) Each ground water system that limits water quality parameter monitoring to a subset of entry points under §141.87(c)(3) shall provide, by the commencement of such monitoring, written correspondence to the State that identifies the selected entry points and

includes information sufficient to demonstrate that the sites are representative of water quality and treatment conditions throughout the system.

(b) *Source water monitoring reporting requirements.* (1) A water system shall report the sampling results for all source water samples collected in accordance with §141.88 within the first 10 days following the end of each source water monitoring period (i.e., annually, per compliance period, per compliance cycle) specified in §141.88.

(2) With the exception of the first round of source water sampling conducted pursuant to §141.88(b), the system shall specify any site which was not sampled during previous monitoring periods, and include an explanation of why the sampling point has changed.

(c) *Corrosion control treatment reporting requirements.* By the applicable dates under §141.81, systems shall report the following information:

(1) For systems demonstrating that they have already optimized corrosion control, information required in §141.81(b) (2) or (3).

(2) For systems required to optimize corrosion control, their recommendation regarding optimal corrosion control treatment under §141.82(a).

(3) For systems required to evaluate the effectiveness of corrosion control treatments under §141.82(c), the information required by that paragraph.

(4) For systems required to install optimal corrosion control designated by the State under §141.82(d), a letter certifying that the system has completed installing that treatment.

(d) *Source water treatment reporting requirements.* By the applicable dates in §141.83, systems shall provide the following information to the State:

(1) If required under §141.83(b)(1), their recommendation regarding source water treatment;

(2) For systems required to install source water treatment under §141.83(b)(2), a letter certifying that the system has completed installing the treatment designated by the State within 24 months after the State designated the treatment.

(e) *Lead service line replacement reporting requirements.* Systems shall report the following information to the State to demonstrate compliance with the requirements of §141.84:

(1) Within 12 months after a system exceeds the lead action level in sampling referred to in §141.84(a), the system shall demonstrate in writing to the State that it has conducted a material evaluation, including the evaluation in §141.86(a), to identify the initial number of lead service lines in its distribution system, and shall provide the State with the system's schedule for replacing annually at least 7 percent of the initial number of lead service lines in its distribution system.

(2) Within 12 months after a system exceeds the lead action level in sampling referred to in §141.84(a), and every 12 months thereafter, the system shall demonstrate to the State in writing that the system has either:

(i) Replaced in the previous 12 months at least 7 percent of the initial lead service lines (or a greater number of lines specified by the State under §141.84(e)) in its distribution system, or

(ii) Conducted sampling which demonstrates that the lead concentration in all service line samples from an individual line(s), taken pursuant to §141.86(b)(3), is less than or equal to 0.015 mg/L. In such cases, the total number of lines replaced and/or which meet the criteria in §141.84(c) shall equal at least 7 percent of the initial number of lead lines identified under paragraph (a) of this section (or the percentage specified by the State under §141.84(e)).

(3) The annual letter submitted to the State under paragraph (e)(2) of this section shall contain the following information:

(i) The number of lead service lines scheduled to be replaced during the previous year of the system's replacement schedule;

(ii) The number and location of each lead service line replaced during the previous year of the system's replacement schedule;

(iii) If measured, the water lead concentration and location of each lead service line sampled, the sampling method, and the date of sampling.

(4) Any system which collects lead service line samples following partial lead service line replacement required by §141.84 shall report the results to

the State within the first ten days of the month following the month in which the system receives the laboratory results, or as specified by the State. States, at their discretion may eliminate this requirement to report these monitoring results. Systems shall also report any additional information as specified by the State, and in a time and manner prescribed by the State, to verify that all partial lead service line replacement activities have taken place.

(f) *Public education program reporting requirements.* (1) Any water system that is subject to the public education requirements in §141.85 shall, within ten days after the end of each period in which the system is required to perform public education tasks in accordance with §141.85(c), send written documentation to the State that contains:

(i) A demonstration that the system has delivered the public education materials that meet the content requirements in §141.85(a) and (b) and the delivery requirements in §141.85(c); and

(ii) A list of all the newspapers, radio stations, television stations, and facilities and organizations to which the system delivered public education materials during the period in which the system was required to perform public education tasks.

(2) Unless required by the State, a system that previously has submitted the information required by paragraph (f)(1)(ii) of this section need not resubmit the information required by paragraph (f)(1)(ii) of this section, as long as there have been no changes in the distribution list and the system certifies that the public education materials were distributed to the same list submitted previously.

(g) *Reporting of additional monitoring data.* Any system which collects sampling data in addition to that required by this subpart shall report the results to the State within the first ten days following the end of the applicable monitoring period under §§141.86, 141.87 and 141.88 during which the samples are collected.

(h) *Reporting of 90th percentile lead and copper concentrations where the State calculates a system's 90th percentile concentrations.* A water system is not required to report the 90th percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period, as required by paragraph (a)(1)(iv) of this section if:

(1) The State has previously notified the water system that it will calculate the water system's 90th percentile lead and copper concentrations, based on the lead and copper tap results submitted pursuant to paragraph (h)(2)(i) of this section, and has specified a date before the end of the applicable monitoring period by which the system must provide the results of lead and copper tap water samples;

(2) The system has provided the following information to the State by the date specified in paragraph (h)(1) of this section:

(i) The results of all tap samples for lead and copper including the location of each site and the criteria under §141.86(a)(3), (4), (5), (6), and/or (7) under which the site was selected for the system's sampling pool, pursuant to paragraph (a)(1)(i) of this section; and

(ii) An identification of sampling sites utilized during the current monitoring period that were not sampled during previous monitoring periods, and an explanation why sampling sites have changed; and

(3) The State has provided the results of the 90th percentile lead and copper calculations, in writing, to the water system before the end of the monitoring period.

[56 FR 26548, June 7, 1991; 57 FR 28789, June 29, 1992, as amended at 59 FR 33864, June 30, 1994; 65 FR 2012, Jan. 12, 2000]

§141.91 Recordkeeping requirements.

Any system subject to the requirements of this subpart shall retain on its premises original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, State determinations, and any other information required by §§141.81 through 141.88. Each water system shall retain the records required by this section for no fewer than 12 years.

Subpart J—Use of Non-Centralized Treatment Devices

SOURCE: 52 FR 25716, July 8, 1987, unless otherwise noted.

§ 141.100 Criteria and procedures for public water systems using point-of-entry devices.

(a) Public water systems may use point-of-entry devices to comply with maximum contaminant levels only if they meet the requirements of this section.

(b) It is the responsibility of the public water system to operate and maintain the point-of-entry treatment system.

(c) The public water system must develop and obtain State approval for a monitoring plan before point-of-entry devices are installed for compliance. Under the plan approved by the State, point-of-entry devices must provide health protection equivalent to central water treatment. "Equivalent" means that the water would meet all national primary drinking water regulations and would be of acceptable quality similar to water distributed by a well-operated central treatment plant. In addition to the VOCs, monitoring must include physical measurements and observations such as total flow treated and mechanical condition of the treatment equipment.

(d) Effective technology must be properly applied under a plan approved by the State and the microbiological safety of the water must be maintained.

(1) The State must require adequate certification of performance, field testing, and, if not included in the certification process, a rigorous engineering design review of the point-of-entry devices.

(2) The design and application of the point-of-entry devices must consider the tendency for increase in heterotrophic bacteria concentrations in water treated with activated carbon. It may be necessary to use frequent backwashing, post-contactor disinfection, and Heterotrophic Plate Count monitoring to ensure that the microbiological safety of the water is not compromised.

(e) *All consumers shall be protected.* Every building connected to the system must have a point-of-entry device installed, maintained, and adequately monitored. The State must be assured that every building is subject to treatment and monitoring, and that the rights and responsibilities of the public water system customer convey with title upon sale of property.

[52 FR 25716, July 8, 1987; 53 FR 25111, July 1, 1988]

§ 141.101 Use of bottled water.

Public water systems shall not use bottled water to achieve compliance with an MCL. Bottled water may be used on a temporary basis to avoid unreasonable risk to health.

[63 FR 31934, June 11, 1998]

Subpart K—Treatment Techniques

SOURCE: 56 FR 3594, Jan. 30, 1991, unless otherwise noted.

§ 141.110 General requirements.

The requirements of subpart K of this part constitute national primary drinking water regulations. These regulations establish treatment techniques in lieu of maximum contaminant levels for specified contaminants.

§ 141.111 Treatment techniques for acrylamide and epichlorohydrin.

Each public water system must certify annually in writing to the State (using third party or manufacturer's certification) that when acrylamide and epichlorohydrin are used in drinking water systems, the combination (or product) of dose and monomer level does not exceed the levels specified as follows:

Acrylamide=0.05% dosed at 1 ppm (or equivalent)

Epichlorohydrin=0.01% dosed at 20 ppm (or equivalent)

Certifications can rely on manufacturers or third parties, as approved by the State.

Subpart L—Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors

§ 141.130 General requirements.

(a) The requirements of this subpart L constitute national primary drinking water regulations.

(1) The regulations in this subpart establish criteria under which community water systems (CWSs) and nontransient, noncommunity water systems (NTNCWSs) which add a chemical disinfectant to the water in any part of the drinking water treatment process must modify their practices to meet MCLs and MRDLs in §§ 141.64 and 141.65, respectively, and must meet the treatment technique requirements for disinfection byproduct precursors in § 141.135.

(2) The regulations in this subpart establish criteria under which transient NCWSs that use chlorine dioxide as a disinfectant or oxidant must modify their practices to meet the MRDL for chlorine dioxide in § 141.65.

(3) EPA has established MCLs for TTHM and HAA5 and treatment technique requirements for disinfection byproduct precursors to limit the levels of known and unknown disinfection byproducts which may have adverse health effects. These disinfection byproducts may include chloroform; bromodichloromethane; dibromochloromethane; bromoform; dichloroacetic acid; and trichloroacetic acid.

(b) *Compliance dates.* (1) *CWSs and NTNCWSs.* Unless otherwise noted, systems must comply with the requirements of this subpart as follows. Subpart H systems serving 10,000 or more persons must comply with this subpart beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with this subpart beginning January 1, 2004.

(2) *Transient NCWSs.* Subpart H systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with any requirements for chlorine dioxide in this subpart beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and using chlorine dioxide as a disinfectant or oxidant 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 any requirements for chlorine dioxide in this subpart beginning January 1, 2004.

(c) Each CWS and NTNCWS regulated under paragraph (a) of this section must be operated by qualified personnel who meet the requirements specified by the State and are included in a State register of qualified operators.

(d) *Control of disinfectant residuals.* Notwithstanding the MRDLs in § 141.65, systems may increase residual disinfectant levels in the distribution system of chlorine or chloramines (but not chlorine dioxide) to a level and for a time necessary to protect public health, to address specific microbiological contamination problems caused by circumstances such as, but not limited to, distribution line breaks, storm run-off events, source water contamination events, or cross-connection events.

[63 FR 69466, Dec. 16, 1998, as amended at 66 FR 3776, Jan. 16, 2001]

§ 141.131 Analytical requirements.

(a) *General.* (1) Systems must use only the analytical method(s) specified in this section, or otherwise approved by EPA for monitoring under this subpart, to demonstrate compliance with the requirements of this subpart. These methods are effective for compliance monitoring February 16, 1999.

(2) The following documents are incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at EPA's Drinking Water Docket, 401 M St., SW., Washington, DC 20460, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.* EPA Method 552.1 is

in *Methods for the Determination of Organic Compounds in Drinking Water-Supplement II*, USEPA, August 1992, EPA/600/R–92/129 (available through National Information Technical Service (NTIS), PB92–207703). EPA Methods 502.2, 524.2, 551.1, and 552.2 are in *Methods for the Determination of Organic Compounds in Drinking Water-Supplement III*, USEPA, August 1995, EPA/600/R–95/131. (available through NTIS, PB95–261616). EPA Method 300.0 is in *Methods for the Determination of Inorganic Substances in Environmental Samples*, USEPA, August 1993, EPA/600/R–93/100. (available through NTIS, PB94–121811). EPA Method 300.1 is titled *USEPA Method 300.1, Determination of Inorganic Anions in Drinking Water by Ion Chromatography, Revision 1.0,* USEPA, 1997, EPA/600/R–98/118 (available through NTIS, PB98–169196); also available from: Chemical Exposure Research Branch, Microbiological & Chemical Exposure Assessment Research Division, National Exposure Research Laboratory, U.S. Environmental Protection Agency, Cincinnati, OH 45268, Fax Number: 513–569–7757, Phone number: 513–569–7586. Standard Methods 4500–Cl D, 4500–Cl E, 4500–Cl F, 4500–Cl G, 4500–Cl H, 4500–Cl I, 4500–ClO_2 D, 4500–ClO_2 E, 6251 B, and 5910 B shall be followed in accordance with *Standard Methods for the Examination of Water and Wastewater, 19th Edition,* American Public Health Association, 1995; copies may be obtained from the American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005. Standard Methods 5310 B, 5310 C, and 5310 D shall be followed in accordance with the *Supplement to the 19th Edition of Standard Methods for the Examination of Water and Wastewater,* American Public Health Association, 1996; copies may be obtained from the American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005. ASTM Method D 1253–86 shall be followed in accordance with the *Annual Book of ASTM Standards,* Volume 11.01, American Society for Testing and Materials, 1996 edition; copies may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohoken, PA 19428.

(b) *Disinfection byproducts.* (1) Systems must measure disinfection byproducts by the methods (as modified by the footnotes) listed in the following table:

APPROVED METHODS FOR DISINFECTION BYPRODUCT COMPLIANCE MONITORING

Methodology [2]	EPA method	Standard method	Byproduct measured [1]			
			TTHM	HAA5	Chlorite [4]	Bromate
P&T/GC/ElCD & PID	[3]502.2		X			
P&T/GC/MS	524.2		X			
LLE/GC/ECD	551.1		X			
LLE/GC/ECD		6251 B		X		
SPE/GC/ECD	552.1			X		
LLE/GC/ECD	552.2			X		
Amperometric Titration.		4500–ClO_2 E			X	
IC	300.0				X	
IC	300.1				X	X

[1] X indicates method is approved for measuring specified disinfection byproduct.
[2] P&T = purge and trap; GC = gas chromatography; ElCD = electrolytic conductivity detector; PID = photoionization detector; MS = mass spectrometer; LLE = liquid/liquid extraction; ECD = electron capture detector; SPE = solid phase extractor; IC = ion chromatography.
[3] If TTHMs are the only analytes being measured in the sample, then a PID is not required.
[4] Amperometric titration may be used for routine daily monitoring of chlorite at the entrance to the distribution system, as prescribed in § 141.132(b)(2)(i)(A). Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system, as prescribed in § 141.132(b)(2)(i)(B) and (b)(2)(ii).

(2) Analysis under this section for disinfection byproducts must be conducted by laboratories that have received certification by EPA or the State, except as specified under paragraph (b)(3) of this section. To receive certification to conduct analyses for the contaminants in § 141.64(a), the laboratory must carry out annual analyses of performance evaluation (PE) samples approved by EPA or the State. In these analyses of PE samples, the laboratory must achieve quantitative results within the acceptance limit on

a minimum of 80% of the analytes included in each PE sample. The acceptance limit is defined as the 95% confidence interval calculated around the mean of the PE study data between a maximum and minimum acceptance limit of +/−50% and +/−15% of the study mean.

(3) A party approved by EPA or the State must measure daily chlorite samples at the entrance to the distribution system.

(c) *Disinfectant residuals.* (1) Systems must measure residual disinfectant concentrations for free chlorine, combined chlorine (chloramines), and chlorine dioxide by the methods listed in the following table:

APPROVED METHODS FOR DISINFECTANT RESIDUAL COMPLIANCE MONITORING

Methodology	Standard method	ASTM method	Residual Measured [1]			
			Free chlorine	Combined chlorine	Total chlorine	Chlorine dioxide
Amperometric Titration.	4500–Cl D	D 1253–86	X	X	X	
Low Level Amperometric Titration.	4500–Cl E				X	
DPD Ferrous Titrimetric.	4500–Cl F		X	X	X	
DPD Colorimetric ..	4500–Cl G		X	X	X	
Syringaldazin e (FACTS).	4500–Cl H		X			
Iodometric Electrode.	4500–Cl I				X	
DPD	4500–ClO_2 D					X
Amperometric Method II.	4500–ClO_2 E					X

[1] X indicates method is approved for measuring specified disinfectant residual.

(2) If approved by the State, systems may also measure residual disinfectant concentrations for chlorine, chloramines, and chlorine dioxide by using DPD colorimetric test kits.

(3) A party approved by EPA or the State must measure residual disinfectant concentration.

(d) *Additional analytical methods.* Systems required to analyze parameters not included in paragraphs (b) and (c) of this section must use the following methods. A party approved by EPA or the State must measure these parameters.

(1) *Alkalinity.* All methods allowed in §141.89(a) for measuring alkalinity.

(2) *Bromide.* EPA Method 300.0 or EPA Method 300.1.

(3) *Total Organic Carbon (TOC).* Standard Method 5310 B (High-Temperature Combustion Method) or Standard Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method) or Standard Method 5310 D (Wet-Oxidation Method). TOC samples may not be filtered prior to analysis. TOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 24 hours. Acidified TOC samples must be analyzed within 28 days.

(4) *Specific Ultraviolet Absorbance (SUVA).* SUVA is equal to the UV absorption at 254nm (UV_{254}) (measured in m^{-1} divided by the dissolved organic carbon (DOC) concentration (measured as mg/L). In order to determine SUVA, it is necessary to separately measure UV_{254} and DOC. When determining SUVA, systems must use the methods stipulated in paragraph (d)(4)(i) of this section to measure DOC and the method stipulated in paragraph (d)(4)(ii) of this section to measure UV_{254}. SUVA must be determined on water prior to the addition of disinfectants/oxidants by the system. DOC and UV_{254} samples used to determine a SUVA value must be taken at the same time and at the same location.

(i) Dissolved Organic Carbon (DOC). Standard Method 5310 B (High-Temperature Combustion Method) or

Standard Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method) or Standard Method 5310 D (Wet-Oxidation Method). Prior to analysis, DOC samples must be filtered through a 0.45 μm pore-diameter filter. Water passed through the filter prior to filtration of the sample must serve as the filtered blank. This filtered blank must be analyzed using procedures identical to those used for analysis of the samples and must meet the following criteria: DOC < 0.5 mg/L. DOC samples must be filtered through the 0.45 μm pore-diameter filter prior to acidification. DOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 48 hours. Acidified DOC samples must be analyzed within 28 days.

(ii) Ultraviolet Absorption at 254 nm (UV_{254}). Method 5910 B (Ultraviolet Absorption Method). UV absorption must be measured at 253.7 nm (may be rounded off to 254 nm). Prior to analysis, UV_{254} samples must be filtered through a 0.45 μm pore-diameter filter. The pH of UV_{254} samples may not be adjusted. Samples must be analyzed as soon as practical after sampling, not to exceed 48 hours.

(5) *pH.* All methods allowed in §141.23(k)(1) for measuring pH.

[63 FR 69466, Dec. 16, 1998, as amended at 66 FR 3776, Jan. 16, 2001]

§141.132 Monitoring requirements.

(a) *General requirements.* (1) Systems must take all samples during normal operating conditions.

(2) Systems may consider multiple wells drawing water from a single aquifer as one treatment plant for determining the minimum number of TTHM and HAA5 samples required, with State approval in accordance with criteria developed under §142.16(h)(5) of this chapter.

(3) Failure to monitor in accordance with the monitoring plan required under paragraph (f) of this section is a monitoring violation.

(4) Failure to monitor will be treated as a violation for the entire period covered by the annual average where compliance is based on a running annual average of monthly or quarterly samples or averages and the system's failure to monitor makes it impossible to determine compliance with MCLs or MRDLs.

(5) Systems may use only data collected under the provisions of this subpart or subpart M of this part to qualify for reduced monitoring.

(b) *Monitoring requirements for disinfection byproducts*—(1) *TTHMs and HAA5*—(i) *Routine monitoring.* Systems must monitor at the frequency indicated in the following table:

ROUTINE MONITORING FREQUENCY FOR TTHM AND HAA5

Type of system	Minimum monitoring frequency	Sample location in the distribution system
Subpart H system serving at least 10,000 persons.	Four water samples per quarter per treatment plant.	At least 25 percent of all samples collected each quarter at locations representing maximum residence time. Remaining samples taken at locations representative of at least average residence time in the distribution system and representing the entire distribution system, taking into account number of persons served, different sources of water, and different treatment methods.[1]
Subpart H system serving from 500 to 9,999 persons.	One water sample per quarter per treatment plant.	Locations representing maximum residence time.[1]
Subpart H system serving fewer than 500 persons.	One sample per year per treatment plant during month of warmest water temperature.	Locations representing maximum residence time.[1] If the sample (or average of annual samples, if more than one sample is taken) exceeds the MCL, the system must increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until the system meets criteria in paragraph (b)(1)(iv) of this section.
System using only ground water not under direct influence of surface water using chemical disinfectant and serving at least 10,000 persons.	One water sample per quarter per treatment plant[2].	Locations representing maximum residence time.[1]

ROUTINE MONITORING FREQUENCY FOR TTHM AND HAA5—Continued

Type of system	Minimum monitoring frequency	Sample location in the distribution system
System using only ground water not under direct influence of surface water using chemical disinfectant and serving fewer than 10,000 persons.	One sample per year per treatment plant[2] during month of warmest water temperature.	Locations representing maximum residence time.[1] If the sample (or average of annual samples, if more than one sample is taken) exceeds the MCL, the system must increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until the system meets criteria in paragraph (b)(1)(iv) of this section.

[1] If a system elects to sample more frequently than the minimum required, at least 25 percent of all samples collected each quarter (including those taken in excess of the required frequency) must be taken at locations that represent the maximum residence time of the water in the distribution system. The remaining samples must be taken at locations representative of at least average residence time in the distribution system.

[2] Multiple wells drawing water from a single aquifer may be considered one treatment plant for determining the minimum number of samples required, with State approval in accordance with criteria developed under § 142.16(h)(5) of this chapter.

(ii) Systems may reduce monitoring, except as otherwise provided, in accordance with the following table:

REDUCED MONITORING FREQUENCY FOR TTHM AND HAA5

If you are a . . .	You may reduce monitoring if you have monitored at least one year and your . . .	To this level
Subpart H system serving at least 10,000 persons which has a source water annual average TOC level, before any treatment, ≤4.0 mg/L.	TTHM annual average ≤0.040 mg/L and HAA5 annual average ≤0.030 mg/L.	One sample per treatment plant per quarter at distribution system location reflecting maximum residence time.
Subpart H system serving from 500 to 9,999 persons which has a source water annual average TOC level, before any treatment, ≤4.0 mg/L.	TTHM annual average ≤0.040 mg/L and HAA5 annual average ≤0.030 mg/L.	One sample per treatment plant per year at distribution system location reflecting maximum residence time during month of warmest water temperature. NOTE: Any Subpart H system serving fewer than 500 persons may not reduce its monitoring to less than one sample per treatment plant per year.
System using only ground water not under direct influence of surface water using chemical disinfectant and serving at least 10,000 persons.	TTHM annual average ≤0.040 mg/L and HAA5 annual average ≤0.030 mg/L.	One sample per treatment plant per year at distribution system location reflecting maximum residence time during month of warmest water temperature
System using only ground water not under direct influence of surface water using chemical disinfectant and serving fewer than 10,000 persons.	TTHM annual average ≤0.040 mg/L and HAA5 annual average ≤0.030 mg/L for two consecutive years OR TTHM annual average ≤0.020 mg/L and HAA5 annual average ≤0.015 mg/L for one year.	One sample per treatment plant per three year monitoring cycle at distribution system location reflecting maximum residence time during month of warmest water temperature, with the three-year cycle beginning on January 1 following quarter in which system qualifies for reduced monitoring.

(iii) Systems that do not meet these levels must resume monitoring at the frequency identified in paragraph (b)(1)(i) of this section (minimum monitoring frequency column) in the quarter immediately following the monitoring period in which the system exceeds 0.060 mg/L or 0.045 mg/L for TTHM or HAA5 respectively. For systems using only ground water not under the direct influence of surface water and serving fewer than 10,000 persons, if either the TTHM annual average is >0.080 mg/L or the HAA5 annual average is >0.060 mg/L, the system must go to the increased monitoring identified in paragraph (b)(1)(i) of this section (sample location column) in the quarter immediately following the monitoring period in which the system exceeds 0.080 mg/L or 0.060 mg/L for TTHMs or HAA5 respectively.

(iv) Systems on increased monitoring may return to routine monitoring if, after at least one year of monitoring their TTHM annual average is ≤0.060

mg/L and their HAA5 annual average is ≤0.045 mg/L.

(v) The State may return a system to routine monitoring at the State's discretion.

(2) *Chlorite.* Community and nontransient noncommunity water systems using chlorine dioxide, for disinfection or oxidation, must conduct monitoring for chlorite.

(i) *Routine monitoring.* (A) *Daily monitoring.* Systems must take daily samples at the entrance to the distribution system. For any daily sample that exceeds the chlorite MCL, the system must take additional samples in the distribution system the following day at the locations required by paragraph (b)(2)(ii) of this section, in addition to the sample required at the entrance to the distribution system.

(B) *Monthly monitoring.* Systems must take a three-sample set each month in the distribution system. The system must take one sample at each of the following locations: near the first customer, at a location representative of average residence time, and at a location reflecting maximum residence time in the distribution system. Any additional routine sampling must be conducted in the same manner (as three-sample sets, at the specified locations). The system may use the results of additional monitoring conducted under paragraph (b)(2)(ii) of this section to meet the requirement for monitoring in this paragraph.

(ii) *Additional monitoring.* On each day following a routine sample monitoring result that exceeds the chlorite MCL at the entrance to the distribution system, the system is required to take three chlorite distribution system samples at the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

(iii) *Reduced monitoring.* (A) Chlorite monitoring at the entrance to the distribution system required by paragraph (b)(2)(i)(A) of this section may not be reduced.

(B) Chlorite monitoring in the distribution system required by paragraph (b)(2)(i)(B) of this section may be reduced to one three-sample set per quarter after one year of monitoring where no individual chlorite sample taken in the distribution system under paragraph (b)(2)(i)(B) of this section has exceeded the chlorite MCL and the system has not been required to conduct monitoring under paragraph (b)(2)(ii) of this section. The system may remain on the reduced monitoring schedule until either any of the three individual chlorite samples taken quarterly in the distribution system under paragraph (b)(2)(i)(B) of this section exceeds the chlorite MCL or the system is required to conduct monitoring under paragraph (b)(2)(ii) of this section, at which time the system must revert to routine monitoring.

(3) *Bromate*—(i) *Routine monitoring.* Community and nontransient noncommunity systems using ozone, for disinfection or oxidation, must take one sample per month for each treatment plant in the system using ozone. Systems must take samples monthly at the entrance to the distribution system while the ozonation system is operating under normal conditions.

(ii) *Reduced monitoring.* Systems required to analyze for bromate may reduce monitoring from monthly to once per quarter, if the system demonstrates that the average source water bromide concentration is less than 0.05 mg/L based upon representative monthly bromide measurements for one year. The system may remain on reduced bromate monitoring until the running annual average source water bromide concentration, computed quarterly, is equal to or greater than 0.05 mg/L based upon representative monthly measurements. If the running annual average source water bromide concentration is ≥0.05 mg/L, the system must resume routine monitoring required by paragraph (b)(3)(i) of this section.

(c) *Monitoring requirements for disinfectant residuals*—(1) *Chlorine and chloramines*—(i) *Routine monitoring.* Community and nontransient noncommunity water systems that use chlorine or chloramines must measure the residual disinfectant level in the distribution system at the same point in the distribution system and at the

same time as total coliforms are sampled, as specified in §141.21. Subpart H systems may use the results of residual disinfectant concentration sampling conducted under §141.74(b)(6)(i) for unfiltered systems or §141.74(c)(3)(i) for systems which filter, in lieu of taking separate samples.

(ii) *Reduced monitoring.* Monitoring may not be reduced.

(2) *Chlorine dioxide*—(i) *Routine monitoring.* Community, nontransient noncommunity, and transient noncommunity water systems that use chlorine dioxide for disinfection or oxidation must take daily samples at the entrance to the distribution system. For any daily sample that exceeds the MRDL, the system must take samples in the distribution system the following day at the locations required by paragraph (c)(2)(ii) of this section, in addition to the sample required at the entrance to the distribution system.

(ii) *Additional monitoring.* On each day following a routine sample monitoring result that exceeds the MRDL, the system is required to take three chlorine dioxide distribution system samples. If chlorine dioxide or chloramines are used to maintain a disinfectant residual in the distribution system, or if chlorine is used to maintain a disinfectant residual in the distribution system and there are no disinfection addition points after the entrance to the distribution system (i.e., no booster chlorination), the system must take three samples as close to the first customer as possible, at intervals of at least six hours. If chlorine is used to maintain a disinfectant residual in the distribution system and there are one or more disinfection addition points after the entrance to the distribution system (i.e., booster chlorination), the system must take one sample at each of the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

(iii) *Reduced monitoring.* Chlorine dioxide monitoring may not be reduced.

(d) *Monitoring requirements for disinfection byproduct precursors (DBPP).* (1) *Routine monitoring.* Subpart H systems which use conventional filtration treatment (as defined in §141.2) must monitor each treatment plant for TOC no later than the point of combined filter effluent turbidity monitoring and representative of the treated water. All systems required to monitor under this paragraph (d)(1) must also monitor for TOC in the source water prior to any treatment at the same time as monitoring for TOC in the treated water. These samples (source water and treated water) are referred to as paired samples. At the same time as the source water sample is taken, all systems must monitor for alkalinity in the source water prior to any treatment. Systems must take one paired sample and one source water alkalinity sample per month per plant at a time representative of normal operating conditions and influent water quality.

(2) *Reduced monitoring.* Subpart H systems with an average treated water TOC of less than 2.0 mg/L for two consecutive years, or less than 1.0 mg/L for one year, may reduce monitoring for both TOC and alkalinity to one paired sample and one source water alkalinity sample per plant per quarter. The system must revert to routine monitoring in the month following the quarter when the annual average treated water TOC ≥2.0 mg/L.

(e) *Bromide.* Systems required to analyze for bromate may reduce bromate monitoring from monthly to once per quarter, if the system demonstrates that the average source water bromide concentration is less than 0.05 mg/L based upon representative monthly measurements for one year. The system must continue bromide monitoring to remain on reduced bromate monitoring.

(f) *Monitoring plans.* Each system required to monitor under this subpart must develop and implement a monitoring plan. The system must maintain the plan and make it available for inspection by the State and the general public no later than 30 days following the applicable compliance dates in §141.130(b). All Subpart H systems serving more than 3300 people must submit a copy of the monitoring plan to the State no later than the date of the first report required under §141.134. The State may also require the plan to be

submitted by any other system. After review, the State may require changes in any plan elements. The plan must include at least the following elements.

(1) Specific locations and schedules for collecting samples for any parameters included in this subpart.

(2) How the system will calculate compliance with MCLs, MRDLs, and treatment techniques.

(3) If approved for monitoring as a consecutive system, or if providing water to a consecutive system, under the provisions of §141.29, the sampling plan must reflect the entire distribution system.

[63 FR 69466, Dec. 16, 1998, as amended at 66 FR 3776, Jan. 16, 2001]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.132 was amended in paragraph (a)(5) by removing the reference to "or subpart M of this part", effective July 29, 2004.

§141.133 Compliance requirements.

(a) *General requirements.* (1) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the system fails to monitor for TTHM, HAA5, or bromate, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average. Where compliance is based on a running annual average of monthly or quarterly samples or averages and the system failure to monitor makes it impossible to determine compliance with MRDLs for chlorine and chloramines, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average.

(2) All samples taken and analyzed under the provisions of this subpart must be included in determining compliance, even if that number is greater than the minimum required.

(3) If, during the first year of monitoring under §141.132, any individual quarter's average will cause the running annual average of that system to exceed the MCL, the system is out of compliance at the end of that quarter.

(b) *Disinfection byproducts*—(1) *TTHMs and HAA5.* (i) For systems monitoring quarterly, compliance with MCLs in §141.64 must be based on a running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected by the system as prescribed by §141.132(b)(1).

(ii) For systems monitoring less frequently than quarterly, systems demonstrate MCL compliance if the average of samples taken that year under the provisions of §141.132(b)(1) does not exceed the MCLs in §141.64. If the average of these samples exceeds the MCL, the system must increase monitoring to once per quarter per treatment plant and such a system is not in violation of the MCL until it has completed one year of quarterly monitoring, unless the result of fewer than four quarters of monitoring will cause the running annual average to exceed the MCL, in which case the system is in violation at the end of that quarter. Systems required to increase monitoring frequency to quarterly monitoring must calculate compliance by including the sample which triggered the increased monitoring plus the following three quarters of monitoring.

(iii) If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL and must notify the public pursuant to §141.32 or §141.202, whichever is effective for your system, in addition to reporting to the State pursuant to §141.134.

(iv) If a PWS fails to complete four consecutive quarters of monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.

(2) *Bromate.* Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly samples (or, for months in which the system takes more than one sample, the average f all samples taken during the month) collected by the system as prescribed by §141.132(b)(3). If the average of samples covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL and must notify the public pursuant to subpart Q, in addition to reporting to the State pursuant to §141.134. If a PWS fails to complete 12 consecutive months' monitoring, compliance with the MCL for the last four-quarter compliance period must

be based on an average of the available data.

(3) *Chlorite.* Compliance must be based on an arithmetic average of each three sample set taken in the distribution system as prescribed by §141.132(b)(2)(i)(B) and §141.132(b)(2)(ii). If the arithmetic average of any three sample set exceeds the MCL, the system is in violation of the MCL and must notify the public pursuant to subpart Q, in addition to reporting to the State pursuant to §141.134.

(c) *Disinfectant residuals*—(1) *Chlorine and chloramines.* (i) Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly averages of all samples collected by the system under §141.132(c)(1). If the average covering any consecutive four-quarter period exceeds the MRDL, the system is in violation of the MRDL and must notify the public pursuant to subpart Q, in addition to reporting to the State pursuant to §141.134.

(ii) In cases where systems switch between the use of chlorine and chloramines for residual disinfection during the year, compliance must be determined by including together all monitoring results of both chlorine and chloramines in calculating compliance. Reports submitted pursuant to §141.134 must clearly indicate which residual disinfectant was analyzed for each sample.

(2) *Chlorine dioxide.* (i) *Acute violations.* Compliance must be based on consecutive daily samples collected by the system under §141.132(c)(2). If any daily sample taken at the entrance to the distribution system exceeds the MRDL, and on the following day one (or more) of the three samples taken in the distribution system exceed the MRDL, the system is in violation of the MRDL and must take immediate corrective action to lower the level of chlorine dioxide below the MRDL and must notify the public pursuant to the procedures for acute health risks in subpart Q in addition to reporting to the State pursuant to §141.134. Failure to take samples in the distribution system the day following an exceedance of the chlorine dioxide MRDL at the entrance to the distribution system will also be considered an MRDL violation and the system must notify the public of the violation in accordance with the provisions for acute violations under subpart Q in addition to reporting to the State pursuant to §141.134.

(ii) *Nonacute violations.* Compliance must be based on consecutive daily samples collected by the system under §141.132(c)(2). If any two consecutive daily samples taken at the entrance to the distribution system exceed the MRDL and all distribution system samples taken are below the MRDL, the system is in violation of the MRDL and must take corrective action to lower the level of chlorine dioxide below the MRDL at the point of sampling and will notify the public pursuant to the procedures for nonacute health risks in subpart Q in addition to reporting to the State pursuant to §141.134. Failure to monitor at the entrance to the distribution system the day following an exceedance of the chlorine dioxide MRDL at the entrance to the distribution system is also an MRDL violation and the system must notify the public of the violation in accordance with the provisions for nonacute violations under §141.32(e)(78) in addition to reporting to the State pursuant to §141.134.

(d) *Disinfection byproduct precursors (DBPP).* Compliance must be determined as specified by §141.135(c). Systems may begin monitoring to determine whether Step 1 TOC removals can be met 12 months prior to the compliance date for the system. This monitoring is not required and failure to monitor during this period is not a violation. However, any system that does not monitor during this period, and then determines in the first 12 months after the compliance date that it is not able to meet the Step 1 requirements in §141.135(b)(2) and must therefore apply for alternate minimum TOC removal (Step 2) requirements, is not eligible for retroactive approval of alternate minimum TOC removal (Step 2) requirements as allowed pursuant to §141.135(b)(3) and is in violation. Systems may apply for alternate minimum TOC removal (Step 2) requirements any time after the compliance date. For systems required to meet Step 1 TOC removals, if the value calculated under §141.135(c)(1)(iv) is less

than 1.00, the system is in violation of the treatment technique requirements and must notify the public pursuant to §141.32, in addition to reporting to the State pursuant to §141.134.

[63 FR 69466, Dec. 16, 1998, as amended at 65 FR 26022, May 4, 2000; 65 FR 40521, June 30, 2000; 66 FR 3777, Jan. 16, 2001]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.133 was amended by revising paragraph (a)(3), effective July 29, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 141.133 Compliance requirements.

(a) * * *

(3) If, during the first year of monitoring under §141.132, any individual quarter's average will cause the running annual average of that system to exceed the MCL for total trihalomethanes, haloacetic acids (five), or bromate; or the MRDL for chlorine or chloramine, the system is out of compliance at the end of that quarter.

* * * * *

§ 141.134 Reporting and recordkeeping requirements.

(a) Systems required to sample quarterly or more frequently must report to the State within 10 days after the end of each quarter in which samples were collected, notwithstanding the provisions of §141.31. Systems required to sample less frequently than quarterly must report to the State within 10 days after the end of each monitoring period in which samples were collected.

(b) *Disinfection byproducts.* Systems must report the information specified in the following table:

If you are a * * *	You must report * * *
(1) System monitoring for TTHMs and HAA5 under the requirements of §141.132(b) on a quarterly or more frequent basis.	(i) The number of samples taken during the last quarter. (ii) The location, date, and result of each sample taken during the last quarter. (iii) The arithmetic average of all samples taken in the last quarter. (iv) The annual arithmetic average of the quarterly arithmetic averages of this section for the last four quarters. (v) Whether, based on §141.133(b)(1), the MCL was violated.
(2) System monitoring for TTHMs and HAA5 under the requirements of §141.132(b) less frequently than quarterly (but as least annually).	(i) The number of samples taken during the last year. (ii) The location, date, and result of each sample taken during the last monitoring period. (iii) The arithmetic average of all samples taken over the last year. (iv) Whether, based on §141.133(b)(1), the MCL was violated.
(3) System monitoring for TTHMs and HAA5 under the requriements of §141.132(b) less frequently than annually.	(i) The location, date, and result of each sample taken (ii) Whether, based on §141.133(b)(1), the MCL was violated.
(4) System monitoring for chlorite under the requirements of §141.132(b).	(i) The number of entry point samples taken each month for the last 3 months. (ii) The location, date, and result of each sample (both entry point and distribution system) taken during the last quarter. (iii) For each month in the reporting period, the arithmetic average of all samples taken in each three samples set taken in the distribution system. (iv) Whether, based on §141.133(b)(3), the MCL was violated, in which month, and how many times it was violated each month.
(5) System monitoring for bromate under the requirements of §141.132(b).	(i)The number of samples taken during the last quarter. (ii)The location, date, and result of each sample taken during the last quarter. (iii) The arithmetic average of the monthly arithmetic averages of all samples taken in the last year. (iv) Whether, based on §141.133(b)(2), the MCL was violated.

[1] The State may choose to perform calculations and determine whether the MCL was exceeded, in lieu of having the system report that information

(c) *Disinfectants.* Systems must report the information specified in the following table:

If you are a * * *	You must report * * *
(1) System monitoring for chlorine or chloramines under the requirements of § 141.132(c).	(i) The number of samples taken during each month of the last quarter. (ii) The month arithmetic average of all samples taken in each month for the last 12 months. (iii) The arithmetic average of the monthly averages for the last 12 months. (iv) Whether, based on § 141.133(c)(1), the MRD was violated.
(2) System monitoring for chlorine dioxide under the requirements of § 141.132(c).	(i) The dates, result, and locations of samples taken during the last quarter. (ii) Whether, based on § 141.133(c)(2), the MRDL was violated. (iii) Whether the MRDL was exceeded in any two consecutive daily samples and whether the resulting violation was acuate or nonacute.

[1] The State may choose to perform calculations and determine whether the MRDL was exceeded, in lieu of having the system report that information.

(d) *Disinfection byproduct precursors and enhanced coagulation or enhanced softening.* Systems must report the information specified in the following table:

If you are a...	You must report...[1]
(1) System monitoring monthly or quarterly for TOC under the requirements of § 141.132(d) and required to meet the enhanced coagulation or enhanced softening requirements in § 141.135(b)(2) or (3).	(i) The number of paired (source water and treated water) samples taken during the last quarter. (ii) The location, date, and results of each paired sample and associated alkalinity taken during the last quarter. (iii) For each month in the reporting period that paired samples were taken, the arithmetic average of the percent reduction of TOC for each paired sample and the required TOC percent removal. (iv) Calculations for determining compliance with the TOC percent removal requirements, as provided in § 141.135(c)(1). (v) Whether the system is in compliance with the enhanced coagulation or enhanced softening percent removal requirements in § 141.135(b) for the last four quarters.
(2) System monitoring monthly or quarterly for TOC under the requirements of § 141.132(d) and meeting one or more of the alternative compliance criteria in § 141.135(a)(2) or (3).	(i) The alternative compliance criterion that the system is using. (ii) The number of paired samples taken during the last quarter. (iii) The location, date, and result of each paired sample and associated alkalinity taken during the last quarter. (iv) The running annual arithmetic average based on monthly averages (or quarterly samples) of source water TOC for systems meeting a criterion in §§ 141.135(a)(2)(i) or (iii) or of treated water TOC for systems meeting the criterion in § 141.135(a)(2)(ii). (v) The running annual arithmetic average based on monthly averages (or quarterly samples) of source water SUVA for systems meeting the criterion in § 141.135(a)(2)(v) or of treated water SUVA for systems meeting the criterion in § 141.135(a)(2)(vi). (vi) The running annual average of source water alkalinity for systems meeting the criterion in § 141.135(a)(2)(iii) and of treated water alkalinity for systems meeting the criterion in § 141.135(a)(3)(i). (vii) The running annual average for both TTHM and HAA5 for systems meeting the criterion in § 141.135(a)(2)(iii) or (iv). (viii) The running annual average of the amount of magnesium hardness removal (as $CaCO_3$, in mg/L) for systems meeting the criterion in § 141.135(a)(3)(ii). (ix) Whether the system is in compliance with the particular alternative compliance criterion in § 141.135(a)(2) or (3).

[1] The State may choose to perform calculations and determine whether the treatment technique was met, in lieu of having the system report that information.

[63 FR 69466, Dec. 16, 1998, as amended at 66 FR 3778, Jan. 16, 2001; 66 FR 9903, Feb. 12, 2001]

§ 141.135 Treatment technique for control of disinfection byproduct (DBP) precursors.

(a) *Applicability.* (1) Subpart H systems using conventional filtration treatment (as defined in §141.2) must operate with enhanced coagulation or enhanced softening to achieve the TOC percent removal levels specified in paragraph (b) of this section unless the system meets at least one of the alternative compliance criteria listed in paragraph (a)(2) or (a)(3) of this section.

(2) *Alternative compliance criteria for enhanced coagulation and enhanced softening systems.* Subpart H systems using conventional filtration treatment may use the alternative compliance criteria in paragraphs (a)(2)(i) through (vi) of this section to comply with this section in lieu of complying with paragraph (b) of this section. Systems must still comply with monitoring requirements in §141.132(d).

(i) The system's source water TOC level, measured according to §141.131(d)(3), is less than 2.0 mg/L, calculated quarterly as a running annual average.

(ii) The system's treated water TOC level, measured according to §141.131(d)(3), is less than 2.0 mg/L, calculated quarterly as a running annual average.

(iii) The system's source water TOC level, measured according to §141.131(d)(3), is less than 4.0 mg/L, calculated quarterly as a running annual average; the source water alkalinity, measured according to §141.131(d)(1), is greater than 60 mg/L (as $CaCO_3$), calculated quarterly as a running annual average; and either the TTHM and HAA5 running annual averages are no greater than 0.040 mg/L and 0.030 mg/L, respectively; or prior to the effective date for compliance in §141.130(b), the system has made a clear and irrevocable financial commitment not later than the effective date for compliance in §141.130(b) to use of technologies that will limit the levels of TTHMs and HAA5 to no more than 0.040 mg/L and 0.030 mg/L, respectively. Systems must submit evidence of a clear and irrevocable financial commitment, in addition to a schedule containing milestones and periodic progress reports for installation and operation of appropriate technologies, to the State for approval not later than the effective date for compliance in §141.130(b). These technologies must be installed and operating not later than June 30, 2005. Failure to install and operate these technologies by the date in the approved schedule will constitute a violation of National Primary Drinking Water Regulations.

(iv) The TTHM and HAA5 running annual averages are no greater than 0.040 mg/L and 0.030 mg/L, respectively, and the system uses only chlorine for primary disinfection and maintenance of a residual in the distribution system.

(v) The system's source water SUVA, prior to any treatment and measured monthly according to §141.131(d)(4), is less than or equal to 2.0 L/mg-m, calculated quarterly as a running annual average.

(vi) The system's finished water SUVA, measured monthly according to §141.131(d)(4), is less than or equal to 2.0 L/mg-m, calculated quarterly as a running annual average.

(3) *Additional alternative compliance criteria for softening systems.* Systems practicing enhanced softening that cannot achieve the TOC removals required by paragraph (b)(2) of this section may use the alternative compliance criteria in paragraphs (a)(3)(i) and (ii) of this section in lieu of complying with paragraph (b) of this section. Systems must still comply with monitoring requirements in §141.132(d).

(i) Softening that results in lowering the treated water alkalinity to less than 60 mg/L (as $CaCO_3$), measured monthly according to §141.131(d)(1) and calculated quarterly as a running annual average.

(ii) Softening that results in removing at least 10 mg/L of magnesium hardness (as $CaCO_3$), measured monthly and calculated quarterly as an annual running average.

(b) *Enhanced coagulation and enhanced softening performance requirements.* (1) Systems must achieve the percent reduction of TOC specified in paragraph (b)(2) of this section between the source water and the combined filter effluent, unless the State approves

a system's request for alternate minimum TOC removal (Step 2) requirements under paragraph (b)(3) of this section.

(2) Required Step 1 TOC reductions, indicated in the following table, are based upon specified source water parameters measured in accordance with §141.131(d). Systems practicing softening are required to meet the Step 1 TOC reductions in the far-right column (Source water alkalinity >120 mg/L) for the specified source water TOC:

STEP 1 REQUIRED REMOVAL OF TOC BY ENHANCED COAGULATION AND ENHANCED SOFTENING FOR SUBPART H SYSTEMS USING CONVENTIONAL TREATMENT [1] [2]

Source-water TOC, mg/L	Source-water alkalinity, mg/L as $CaCO_3$ (in precentages)		
	0–60	>60–120	>120 [3]
>2.0–4.0	35.0	25.0	15.0
>4.0–8.0	45.0	35.0	25.0
>8.0.	50.0	40.0	30.0

[1] Systems meeting at least one of the conditions in paragraph (a)(2)(i)–(vi) of this section are not required to operate with enhanced coagulation.
[2] Softening system meeting one of the alternative compliance criteria in paragraph (a)(3) of this section are not required to operate with enhanced softening.
[3] System practicing softening must meet the TOC removal requirements in this column.

(3) Subpart H conventional treatment systems that cannot achieve the Step 1 TOC removals required by paragraph (b)(2) of this section due to water quality parameters or operational constraints must apply to the State, within three months of failure to achieve the TOC removals required by paragraph (b)(2) of this section, for approval of alternative minimum TOC (Step 2) removal requirements submitted by the system. If the State approves the alternative minimum TOC removal (Step 2) requirements, the State may make those requirements retroactive for the purposes of determining compliance. Until the State approves the alternate minimum TOC removal (Step 2) requirements, the system must meet the Step 1 TOC removals contained in paragraph (b)(2) of this section.

(4) *Alternate minimum TOC removal (Step 2) requirements.* Applications made to the State by enhanced coagulation systems for approval of alternate minimum TOC removal (Step 2) requirements under paragraph (b)(3) of this section must include, at a minimum, results of bench- or pilot-scale testing conducted under paragraph (b)(4)(i) of this section. The submitted bench- or pilot-scale testing must be used to determine the alternate enhanced coagulation level.

(i) *Alternate enhanced coagulation level is defined as* coagulation at a coagulant dose and pH as determined by the method described in paragraphs (b)(4)(i) through (v) of this section such that an incremental addition of 10 mg/L of alum (or equivalent amount of ferric salt) results in a TOC removal of ≤ 0.3 mg/L. The percent removal of TOC at this point on the "TOC removal versus coagulant dose" curve is then defined as the minimum TOC removal required for the system. Once approved by the State, this minimum requirement supersedes the minimum TOC removal required by the table in paragraph (b)(2) of this section. This requirement will be effective until such time as the State approves a new value based on the results of a new bench- and pilot-scale test. Failure to achieve State-set alternative minimum TOC removal levels is a violation of National Primary Drinking Water Regulations.

(ii) Bench- or pilot-scale testing of enhanced coagulation must be conducted by using representative water samples and adding 10 mg/L increments of alum (or equivalent amounts of ferric salt) until the pH is reduced to a level less than or equal to the enhanced coagulation Step 2 target pH shown in the following table:

ENHANCED COAGULATION STEP 2 TARGET pH

Alkalinity (mg/L as $CaCO_3$)	Target pH
0–60	5.5
>60–120	6.3
>120–240	7.0

ENHANCED COAGULATION STEP 2 TARGET pH—Continued

Alkalinity (mg/L as $CaCO_3$)	Target pH
>240	7.5

(iii) For waters with alkalinities of less than 60 mg/L for which addition of small amounts of alum or equivalent addition of iron coagulant drives the pH below 5.5 before significant TOC removal occurs, the system must add necessary chemicals to maintain the pH between 5.3 and 5.7 in samples until the TOC removal of 0.3 mg/L per 10 mg/L alum added (or equivalant addition of iron coagulant) is reached.

(iv) The system may operate at any coagulant dose or pH necessary (consistent with other NPDWRs) to achieve the minimum TOC percent removal approved under paragraph (b)(3) of this section.

(v) If the TOC removal is consistently less than 0.3 mg/L of TOC per 10 mg/L of incremental alum dose at all dosages of alum (or equivalant addition of iron coagulant), the water is deemed to contain TOC not amenable to enhanced coagulation. The system may then apply to the State for a waiver of enhanced coagulation requirements.

(c) *Compliance calculations.* (1) Subpart H systems other than those identified in paragraph (a)(2) or (a)(3) of this section must comply with requirements contained in paragraph (b)(2) or (b)(3) of this section. Systems must calculate compliance quarterly, beginning after the system has collected 12 months of data, by determining an annual average using the following method:

(i) Determine actual monthly TOC percent removal, equal to:

$$(1—(\text{treated water TOC}/\text{source water TOC})) \times 100$$

(ii) Determine the required monthly TOC percent removal (from either the table in paragraph (b)(2) of this section or from paragraph (b)(3) of this section).

(iii) Divide the value in paragraph (c)(1)(i) of this section by the value in paragraph (c)(1)(ii) of this section.

(iv) Add together the results of paragraph (c)(1)(iii) of this section for the last 12 months and divide by 12.

(v) If the value calculated in paragraph (c)(1)(iv) of this section is less than 1.00, the system is not in compliance with the TOC percent removal requirements.

(2) Systems may use the provisions in paragraphs (c)(2)(i) through (v) of this section in lieu of the calculations in paragraph (c)(1)(i) through (v) of this section to determine compliance with TOC percent removal requirements.

(i) In any month that the system's treated or source water TOC level, measured according to §141.131(d)(3), is less than 2.0 mg/L, the system may assign a monthly value of 1.0 (in lieu of the value calculated in paragraph (c)(1)(iii) of this section) when calculating compliance under the provisions of paragraph (c)(1) of this section.

(ii) In any month that a system practicing softening removes at least 10 mg/L of magnesium hardness (as $CaCO_3$), the system may assign a monthly value of 1.0 (in lieu of the value calculated in paragraph (c)(1)(iii) of this section) when calculating compliance under the provisions of paragraph (c)(1) of this section.

(iii) In any month that the system's source water SUVA, prior to any treatment and measured according to §141.131(d)(4), is ≤2.0 L/mg-m, the system may assign a monthly value of 1.0 (in lieu of the value calculated in paragraph (c)(1)(iii) of this section) when calculating compliance under the provisions of paragraph (c)(1) of this section.

(iv) In any month that the system's finished water SUVA, measured according to §141.131(d)(4), is ≤2.0 L/mg-m, the system may assign a monthly value of 1.0 (in lieu of the value calculated in paragraph (c)(1)(iii) of this section) when calculating compliance under the provisions of paragraph (c)(1) of this section.

(v) In any month that a system practicing enhanced softening lowers alkalinity below 60 mg/L (as $CaCO_3$), the system may assign a monthly value of 1.0 (in lieu of the value calculated in paragraph (c)(1)(iii) of this section) when calculating compliance under the

provisions of paragraph (c)(1) of this section.

(3) Subpart H systems using conventional treatment may also comply with the requirements of this section by meeting the criteria in paragraph (a)(2) or (3) of this section.

(d) *Treatment technique requirements for DBP precursors.* The Administrator identifies the following as treatment techniques to control the level of disinfection byproduct precursors in drinking water treatment and distribution systems: For Subpart H systems using conventional treatment, enhanced coagulation or enhanced softening.

[63 FR 69466, Dec. 16, 1998, as amended at 66 FR 3779, Jan. 16, 2001]

Subparts M–N [Reserved]

Subpart O—Consumer Confidence Reports

SOURCE: 63 FR 44526, Aug. 19, 1998, unless otherwise noted.

§ 141.151 Purpose and applicability of this subpart.

(a) This subpart establishes the minimum requirements for the content of annual reports that community water systems must deliver to their customers. These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

(b) Notwithstanding the provisions of §141.3, this subpart applies only to community water systems.

(c) For the purpose of this subpart, *customers* are defined as billing units or service connections to which water is delivered by a community water system.

(d) For the purpose of this subpart, *detected* means: 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.

(e) A State that has primary enforcement responsibility may adopt by rule, after notice and comment, alternative requirements for the form and content of the reports. The alternative requirements must provide the same type and amount of information as required by §§141.153 and 141.154, and must be designed to achieve an equivalent level of public information and education as would be achieved under this subpart.

(f) For purpose of §§141.154 and 141.155 of this subpart, the term "primacy agency" refers to the State or tribal government entity that has jurisdiction over, and primary enforcement responsibility for, public water systems, even if that government does not have interim or final primary enforcement responsibility for this rule. Where the State or tribe does not have primary enforcement responsibility for public water systems, the term "primacy agency" refers to the appropriate EPA regional office.

§ 141.152 Effective dates.

(a) The regulations in this subpart shall take effect on September 18, 1998.

(b) Each existing community water system 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.

(c) A new community water system must deliver its first report by July 1 of the year after its first full calendar year in operation and annually thereafter.

(d) A community water system that sells water to another community water system must deliver the applicable information required in §141.153 to the buyer system:

(1) No later than April 19, 1999, by April 1, 2000, and by April 1 annually thereafter or

(2) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

§ 141.153 Content of the reports.

(a) Each community water system must provide to its customers an annual report that contains the information specified in this section and §141.154.

(b) Information on the source of the water delivered:

(1) Each report must identify the source(s) of the water delivered by the community water system by providing information on:

(i) The type of the water: e.g., surface water, ground water; and

(ii) The commonly used name (if any) and location of the body (or bodies) of water.

(2) 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 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.

(c) *Definitions.* (1) Each report must include the following definitions:

(i) *Maximum Contaminant Level Goal or MCLG:* 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.

(ii) *Maximum Contaminant Level or MCL:* 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.

(2) A report for a community water system operating under a variance or an exemption issued under §1415 or 1416 of SDWA must include the following definition: *Variances and Exemptions:* State or EPA permission not to meet an MCL or a treatment technique under certain conditions.

(3) A report that contains data on contaminants that EPA regulates using any of the following terms must include the applicable definitions:

(i) *Treatment Technique:* A required process intended to reduce the level of a contaminant in drinking water.

(ii) *Action Level:* The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

(iii) *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.

(iv) *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.

(d) Information on detected contaminants.

(1) This sub-section specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring (except *Cryptosporidium*). It applies to:

(i) Contaminants subject to a MCL, action level, maximum residual disinfectant level, or treatment technique (regulated contaminants).

(ii) Contaminants for which monitoring is required by §141.40 (unregulated contaminants); and

(iii) Disinfection by-products or microbial contaminants for which monitoring is required by §§141.142 and 141.143, except as provided under paragraph (e)(1) of this section, and which are detected in the finished water.

(2) The data relating to these contaminants must be displayed in one table or in several adjacent tables. Any additional monitoring results which a community water system chooses to include in its report must be displayed separately.

(3) 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:

(i) Where a system is allowed to monitor for regulated contaminants less often 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 the regulations. No data older than 5 years need be included.

(ii) Results of monitoring in compliance with §§141.142 and 141.143 need only be included for 5 years from the date of last sample or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first.

(4) For detected regulated contaminants (listed in appendix A to this subpart), the table(s) must contain:

(i) The MCL for that contaminant expressed as a number equal to or greater than 1.0 (as provided in appendix A to this subpart);

(ii) The MCLG for that contaminant expressed in the same units as the MCL;

(iii) If there is no MCL for a detected contaminant, the table must indicate that there is a treatment technique, or specify the action level, applicable to that contaminant, and the report must include the definitions for treatment technique and/or action level, as appropriate, specified in paragraph(c)(3) of this section;

(iv) 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:

(A) 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 units as the MCL.

(B) 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.

(C) 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.

NOTE TO PARAGRAPH (d)(4)(iv): When rounding of results to determine compliance with the MCL is allowed by the regulations, rounding should be done prior to multiplying the results by the factor listed in appendix A of this subpart.

(v) For turbidity.

(A) When it is reported pursuant to §141.13: The highest average monthly value.

(B) When it is reported pursuant to the requirements of §141.71: the highest monthly value. The report should include an explanation of the reasons for measuring turbidity.

(C) When it is reported pursuant to §141.73 or §141.173 or §141.551: the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in §141.73 or §141.173, or §141.551 for the filtration technology being used. The report should include an explanation of the reasons for measuring turbidity;

(vi) 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;

(vii) For total coliform:

(A) The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or

(B) The highest monthly percentage of positive samples for systems collecting at least 40 samples per month;

(viii) For fecal coliform: The total number of positive samples; and

(ix) 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 is most applicable to the system.

(5) If a community water system 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.

(6) The table(s) must clearly identify any data indicating violations of MCLs, MRDLs, or treatment techniques, 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 language of appendix A to this subpart.

(7) For detected unregulated contaminants for which monitoring is required (except Cryptosporidium), 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.

(e) Information on Cryptosporidium, radon, and other contaminants:

(1) If the system has performed any monitoring for Cryptosporidium, including monitoring performed to satisfy the requirements of §141.143, which indicates that Cryptosporidium may be present in the source water or the finished water, the report must include:

(i) A summary of the results of the monitoring; and

(ii) An explanation of the significance of the results.

(2) If the system has performed any monitoring for radon which indicates that radon may be present in the finished water, the report must include:

(i) The results of the monitoring; and

(ii) An explanation of the significance of the results.

(3) If the system has performed additional 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 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 that the report include:

(i) The results of the monitoring; and

(ii) An explanation of the significance of the results noting the existence of a health advisory or a proposed regulation.

(f) Compliance with NPDWR. 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.

(1) Monitoring and reporting of compliance data;

(2) Filtration and disinfection prescribed by subpart H of this part. 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: 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.

(3) 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.

(4) 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 the relevant language from appendix A to this subpart.

(5) Recordkeeping of compliance data.

(6) Special monitoring requirements prescribed by §§141.40 and 141.41; and

(7) Violation of the terms of a variance, an exemption, or an administrative or judicial order.

(g) Variances and Exemptions. 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:

(1) An explanation of the reasons for the variance or exemption;

(2) The date on which the variance or exemption was issued;

(3) 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

(4) A notice of any opportunity for public input in the review, or renewal, of the variance or exemption.

(h) Additional information:

(1) The report must contain a brief explanation regarding contaminants which may reasonably be 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 also must include the language of paragraph (h)(1)(iv) of this section.

(i) 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.

(ii) Contaminants that may be present in source water include:

(A) *Microbial contaminants*, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

(B) *Inorganic contaminants*, 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.

(C) *Pesticides and herbicides*, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

(D) *Organic chemical contaminants*, 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.

(E) *Radioactive contaminants*, which can be naturally-occurring or be the result of oil and gas production and mining activities.

(iii) In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

(iv) Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800–426–4791).

(2) The report must include the telephone number of the owner, operator, or designee of the community water system as a source of additional information concerning the report.

(3) In communities with a large proportion of non-English speaking residents, as determined by the Primacy Agency, the report must contain information in the appropriate language(s) regarding the importance of the report or contain a telephone number or address where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

(4) 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.

(5) 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.

[63 FR 44526, Aug. 19, 1998, as amended at 63 FR 69516, Dec. 16, 1998; 64 FR 34733, June 29, 1999; 65 FR 26022, May 4, 2000; 67 FR 1836, Jan. 14, 2002]

§ 141.154 Required additional health information.

(a) All reports must prominently display the following language: 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 *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (800–426–4791).

(b) 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 0.010 mg/L:

(1) Must include in its report a short informational statement about arsenic, using language such as: 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.

(2) May write its own educational statement, but only in consultation with the Primacy Agency.

(c) A system which detects nitrate at levels above 5 mg/l, but below the MCL:

(1) Must include a short informational statement about the impacts of nitrate on children using language such as: 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.

(2) May write its own educational statement, but only in consultation with the Primacy Agency.

(d) Systems which detect lead above the action level in more than 5%, and up to and including 10%, of homes sampled:

(1) Must include a short informational statement about the special impact of lead on children using language such as: 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).

(2) May write its own educational statement, but only in consultation with the Primacy Agency.

(e) Community water systems 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.

(f) Beginning in the report due by July 1, 2002, and ending January 22, 2006, a community water system that detects arsenic above 0.010 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 of this part.

[63 FR 44526, Aug. 19, 1998, as amended at 63 FR 69475, Dec. 16, 1998; 64 FR 34733, June 29, 1999; 65 FR 26023, May 4, 2000; 66 FR 7064, Jan. 22, 2001; 68 FR 14506, Mar. 25, 2003]

§ 141.155 Report delivery and recordkeeping.

(a) Except as provided in paragraph (g) of this section, each community water system must mail or otherwise directly deliver one copy of the report to each customer.

(b) The system must make a good faith effort to reach consumers who do not get water bills, using means recommended by the primacy agency. EPA expects that an adequate good faith effort will be tailored to the consumers who are served by the system but are not bill-paying customers, such as renters or workers. A good faith effort to reach consumers would include a mix of methods appropriate to the particular system such as: Posting the reports on the Internet; mailing to postal patrons in metropolitan areas; advertising the availability of the report in the news media; publication in a local newspaper; posting in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings or large private employers; delivery to community organizations.

(c) No later than the date the system is required to distribute the report to its customers, each community water system 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.

(d) No later than the date the system is required to distribute the report to its customers, each community water system must deliver the report to any other agency or clearinghouse identified by the primacy agency.

(e) Each community water system must make its reports available to the public upon request.

(f) Each community water system serving 100,000 or more persons must post its current year's report to a publicly-accessible site on the Internet.

(g) 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 §141.155(a) in areas in Indian country where no tribe has been deemed eligible.

(1) Such systems must:

(i) Publish the reports in one or more local newspapers serving the area in which the system is located;

(ii) Inform the customers that the reports will not be mailed, either in the newspapers in which the reports are published or by other means approved by the State; and

(iii) Make the reports available to the public upon request.

(2) Systems serving 500 or fewer persons may forego the requirements of paragraphs (g)(1)(i) and (ii) of this section if they provide notice at least once per year to their customers by mail, door-to-door delivery or by posting in an appropriate location that the report is available upon request.

(h) Any system subject to this subpart must retain copies of its Consumer Confidence Report for no less than 3 years.

[63 FR 44526, Aug. 19, 1998, as amended at 65 FR 26023, May 4, 2000]

APPENDIX A TO SUBPART O OF PART 141—REGULATED CONTAMINANTS

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.		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 E. coli	0		0	0	Human and animal fecal waste	Fecal coliforms and E. coli 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.
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 by-products include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these by-products 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	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 particle and photon radioactivity 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	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.
Combined radium (pCi/L)	5 pCi/L	–	5	0	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 (pCi/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.

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
Arsenic (ppb)	[1]0.010	1000	[1]10.	[1]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.
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.
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 (ppb)	.010	1000	10	0	By-product of drinkig water disinfection.	Some people who drink water of 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 (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.

Chlorine (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 (ppb)	MRDL=.8	1000	MRDL=800	MRDLG=800	Water additive used to control microbes.	Some infants and young children who drink water 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 (ppm)	1	.....	1	0.8	By-product of drinking water disinfection.	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.
Copper (ppm)	AL=1.3	.....	AL=1.3	1.3	Corrosion of household plumbing systems; Erosion of natural deposits.	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.

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
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.
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, sew age; 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, sew age; 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.
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.

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
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.
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) pthalate (ppb).	.006	1000	6	0	Discharge from rubber and chemical factories.	Some people who drink water containing di(2-ethylhexyl) pthalate 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.
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.

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
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.
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.

Hexachlorocyclopentadiene (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.
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.

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
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.
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.
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.

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
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.
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 disinfection.	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.
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.

[1] These arsenic values are effective January 23, 2006. Until then, the MCL is 0.05 mg/L and there is no MCLG.

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

[65 FR 26024, May 4, 2000, as amended at 65 FR 76749, Dec. 7, 2000; 66 FR 7064, Jan. 22, 2001; 67 FR 70855, Nov. 27, 2002; 67 FR 73011, Dec. 9, 2002; 68 FR 14506, Mar. 25, 2003]

Subpart P—Enhanced Filtration and Disinfection—Systems Serving 10,000 or More People

SOURCE: 63 FR 69516, Dec. 16, 1998, unless otherwise noted.

§ 141.170 General requirements.

(a) The requirements of this subpart P constitute national primary drinking water regulations. These regulations establish requirements for filtration and disinfection that are in addition to criteria under which filtration and disinfection are required under subpart H of this part. The requirements of this subpart are applicable to subpart H systems serving at least 10,000 people, beginning January 1, 2002 unless otherwise specified in this subpart. The regulations in this subpart establish or extend treatment technique requirements in lieu of maximum contaminant levels for the following contaminants: *Giardia lamblia*, viruses, heterotrophic plate count bacteria, *Legionella*, *Cryptosporidium*, and turbidity. Each subpart H system serving at least 10,000 people must provide treatment of its source water that complies with these treatment technique requirements and are in addition to those identified in §141.70. The treatment technique requirements consist of installing and properly operating water treatment processes which reliably achieve:

(1) At least 99 percent (2-log) removal of *Cryptosporidium* between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer for filtered systems, or *Cryptosporidium* control under the watershed control plan for unfiltered systems.

(2) Compliance with the profiling and benchmark requirements under the provisions of §141.172.

(b) A public water system subject to the requirements of this subpart is considered to be in compliance with the requirements of paragraph (a) of this section if:

(1) It meets the requirements for avoiding filtration in §§141.71 and 141.171 and the disinfection requirements in §§141.72 and 141.172; or

(2) It meets the applicable filtration requirements in either §141.73 or §141.173 and the disinfection requirements in §§141.72 and 141.172.

(c) Systems are not permitted to begin construction of uncovered finished water storage facilities beginning February 16, 1999.

(d) Subpart H systems that did not conduct optional monitoring under §141.172 because they served fewer than 10,000 persons when such monitoring was required, but serve more than 10,000 persons prior to January 14, 2005 must comply with §§141.170, 141.171, 141.173, 141.174, and 141.175. These systems must also consult with the State to establish a disinfection benchmark. A system that decides to make a significant change to its disinfection practice, as described in §141.172(c)(1)(i) through (iv) must consult with the State prior to making such change.

[63 FR 69516, Dec. 16, 1998, as amended at 66 FR 3779, Jan. 16, 2001; 67 FR 1836, Jan. 14, 2002]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.170 was amended in paragraph (d) by removing the date "January 14, 2005" and adding in its place "January 1, 2005", effective July 29, 2004.

§ 141.171 Criteria for avoiding filtration.

In addition to the requirements of §141.71, a public water system subject to the requirements of this subpart that does not provide filtration must meet all of the conditions of paragraphs (a) and (b) of this section.

(a) *Site-specific conditions.* In addition to site-specific conditions in §141.71(b), systems must maintain the watershed control program under §141.71(b)(2) to minimize the potential for contamination by *Cryptosporidium* oocysts in the source water. The watershed control program must, for *Cryptosporidium*:

(1) Identify watershed characteristics and activities which may have an adverse effect on source water quality; and

(2) Monitor the occurrence of activities which may have an adverse effect on source water quality.

(b) During the onsite inspection conducted under the provisions of §141.71(b)(3), the State must determine

whether the watershed control program established under §141.71(b)(2) is adequate to limit potential contamination by *Cryptosporidium* oocysts. The adequacy of the program must be based on the comprehensiveness of the watershed review; the effectiveness of the system's program to monitor and control detrimental activities occurring in the watershed; and the extent to which the water system has maximized land ownership and/or controlled land use within the watershed.

§ 141.172 Disinfection profiling and benchmarking.

(a) *Determination of systems required to profile.* A public water system subject to the requirements of this subpart must determine its TTHM annual average using the procedure in paragraph (a)(1) of this section and its HAA5 annual average using the procedure in paragraph (a)(2) of this section. The annual average is the arithmetic average of the quarterly averages of four consecutive quarters of monitoring.

(1) The TTHM annual average must be the annual average during the same period as is used for the HAA5 annual average.

(i) Those systems that collected data under the provisions of subpart M (Information Collection Rule) must use the results of the samples collected during the last four quarters of required monitoring under §141.142.

(ii) Those systems that use "grandfathered" HAA5 occurrence data that meet the provisions of paragraph (a)(2)(ii) of this section must use TTHM data collected at the same time under the provisions of §§141.12 and 141.30.

(iii) Those systems that use HAA5 occurrence data that meet the provisions of paragraph (a)(2)(iii)(A) of this section must use TTHM data collected at the same time under the provisions of §§141.12 and 141.30.

(2) The HAA5 annual average must be the annual average during the same period as is used for the TTHM annual average.

(i) Those systems that collected data under the provisions of subpart M (Information Collection Rule) must use the results of the samples collected during the last four quarters of required monitoring under §141.142.

(ii) Those systems that have collected four quarters of HAA5 occurrence data that meets the routine monitoring sample number and location requirements for TTHM in §§141.12 and 141.30 and handling and analytical method requirements of §141.142(b)(1) may use those data to determine whether the requirements of this section apply.

(iii) Those systems that have not collected four quarters of HAA5 occurrence data that meets the provisions of either paragraph (a)(2)(i) or (ii) of this section by March 16, 1999 must either:

(A) Conduct monitoring for HAA5 that meets the routine monitoring sample number and location requirements for TTHM in §§141.12 and 141.30 and handling and analytical method requirements of §141.142(b)(1) to determine the HAA5 annual average and whether the requirements of paragraph (b) of this section apply. This monitoring must be completed so that the applicability determination can be made no later than March 31, 2000, or

(B) Comply with all other provisions of this section as if the HAA5 monitoring had been conducted and the results required compliance with paragraph (b) of this section.

(3) The system may request that the State approve a more representative annual data set than the data set determined under paragraph (a)(1) or (2) of this section for the purpose of determining applicability of the requirements of this section.

(4) The State may require that a system use a more representative annual data set than the data set determined under paragraph (a)(1) or (2) of this section for the purpose of determining applicability of the requirements of this section.

(5) The system must submit data to the State on the schedule in paragraphs (a)(5)(i) through (v) of this section.

(i) Those systems that collected TTHM and HAA5 data under the provisions of subpart M (Information Collection Rule), as required by paragraphs (a)(1)(i) and (a)(2)(i) of this section, must submit the results of the samples collected during the last 12 months of required monitoring under §141.142 not later than December 31, 1999.

(ii) Those systems that have collected four consecutive quarters of HAA5 occurrence data that meets the routine monitoring sample number and location for TTHM in §§ 141.12 and 141.30 and handling and analytical method requirements of § 141.142(b)(1), as allowed by paragraphs (a)(1)(ii) and (a)(2)(ii) of this section, must submit those data to the State not later than April 16, 1999. Until the State has approved the data, the system must conduct monitoring for HAA5 using the monitoring requirements specified under paragraph (a)(2)(iii) of this section.

(iii) Those systems that conduct monitoring for HAA5 using the monitoring requirements specified by paragraphs (a)(1)(iii) and (a)(2)(iii)(A) of this section, must submit TTHM and HAA5 data not later than March 31, 2000.

(iv) Those systems that elect to comply with all other provisions of this section as if the HAA5 monitoring had been conducted and the results required compliance with this section, as allowed under paragraphs (a)(2)(iii)(B) of this section, must notify the State in writing of their election not later than December 31, 1999.

(v) If the system elects to request that the State approve a more representative annual data set than the data set determined under paragraph (a)(2)(i) of this section, the system must submit this request in writing not later than December 31, 1999.

(6) Any system having either a TTHM annual average ≥0.064 mg/L or an HAA5 annual average ≥0.048 mg/L during the period identified in paragraphs (a)(1) and (2) of this section must comply with paragraph (b) of this section.

(b) *Disinfection profiling.* (1) Any system that meets the criteria in paragraph (a)(6) of this section must develop a disinfection profile of its disinfection practice for a period of up to three years.

(2) The system must monitor daily for a period of 12 consecutive calendar months to determine the total logs of inactivation for each day of operation, based on the CT99.9 values in Tables 1.1–1.6, 2.1, and 3.1 of § 141.74(b), as appropriate, through the entire treatment plant. This system must begin this monitoring not later than April 1, 2000. As a minimum, the system with a single point of disinfectant application prior to entrance to the distribution system must conduct the monitoring in paragraphs (b)(2)(i) through (iv) of this section. A system with more than one point of disinfectant application must conduct the monitoring in paragraphs (b)(2)(i) through (iv) of this section for each disinfection segment. The system must monitor the parameters necessary to determine the total inactivation ratio, using analytical methods in § 141.74(a), as follows:

(i) The temperature of the disinfected water must be measured once per day at each residual disinfectant concentration sampling point during peak hourly flow.

(ii) If the system uses chlorine, the pH of the disinfected water must be measured once per day at each chlorine residual disinfectant concentration sampling point during peak hourly flow.

(iii) The disinfectant contact time(s) ("T") must be determined for each day during peak hourly flow.

(iv) The residual disinfectant concentration(s) ("C") of the water before or at the first customer and prior to each additional point of disinfection must be measured each day during peak hourly flow.

(3) In lieu of the monitoring conducted under the provisions of paragraph (b)(2) of this section to develop the disinfection profile, the system may elect to meet the requirements of paragraph (b)(3)(i) of this section. In addition to the monitoring conducted under the provisions of paragraph (b)(2) of this section to develop the disinfection profile, the system may elect to meet the requirements of paragraph (b)(3)(ii) of this section.

(i) A PWS that has three years of existing operational data may submit those data, a profile generated using those data, and a request that the State approve use of those data in lieu of monitoring under the provisions of paragraph (b)(2) of this section not later than March 31, 2000. The State must determine whether these operational data are substantially equivalent to data collected under the provisions of paragraph (b)(2) of this section. These data must also be representative

of *Giardia lamblia* inactivation through the entire treatment plant and not just of certain treatment segments. Until the State approves this request, the system is required to conduct monitoring under the provisions of paragraph (b)(2) of this section.

(ii) In addition to the disinfection profile generated under paragraph (b)(2) of this section, a PWS that has existing operational data may use those data to develop a disinfection profile for additional years. Such systems may use these additional yearly disinfection profiles to develop a benchmark under the provisions of paragraph (c) of this section. The State must determine whether these operational data are substantially equivalent to data collected under the provisions of paragraph (b)(2) of this section. These data must also be representative of inactivation through the entire treatment plant and not just of certain treatment segments.

(4) The system must calculate the total inactivation ratio as follows:

(i) If the system uses only one point of disinfectant application, the system may determine the total inactivation ratio for the disinfection segment based on either of the methods in paragraph (b)(4)(i)(A) or (b)(4)(i)(B) of this section.

(A) Determine one inactivation ratio ($CTcalc/CT_{99.9}$) before or at the first customer during peak hourly flow.

(B) Determine successive $CTcalc/CT_{99.9}$ values, representing sequential inactivation ratios, between the point of disinfectant application and a point before or at the first customer during peak hourly flow. Under this alternative, the system must calculate the total inactivation ratio by determining ($CTcalc/CT_{99.9}$) for each sequence and then adding the ($CTcalc/CT_{99.9}$) values together to determine (Σ ($CTcalc/CT_{99.9}$)).

(ii) If the system uses more than one point of disinfectant application before the first customer, the system must determine the CT value of each disinfection segment immediately prior to the next point of disinfectant application, or for the final segment, before or at the first customer, during peak hourly flow. The ($CTcalc/CT_{99.9}$) value of each segment and ($\Sigma(CTcalc/CT_{99.9})$) must be calculated using the method in paragraph (b)(4)(i) of this section.

(iii) The system must determine the total logs of inactivation by multiplying the value calculated in paragraph (b)(4)(i) or (ii) of this section by 3.0.

(5) A system that uses either chloramines or ozone for primary disinfection must also calculate the logs of inactivation for viruses using a method approved by the State.

(6) The system must retain disinfection profile data in graphic form, as a spreadsheet, or in some other format acceptable to the State for review as part of sanitary surveys conducted by the State.

(c) *Disinfection benchmarking.* (1) Any system required to develop a disinfection profile under the provisions of paragraphs (a) and (b) of this section and that decides to make a significant change to its disinfection practice must consult with the State prior to making such change. Significant changes to disinfection practice are:

(i) Changes to the point of disinfection;

(ii) Changes to the disinfectant(s) used in the treatment plant;

(iii) Changes to the disinfection process; and

(iv) Any other modification identified by the State.

(2) Any system that is modifying its disinfection practice must calculate its disinfection benchmark using the procedure specified in paragraphs (c)(2)(i) through (ii) of this section.

(i) For each year of profiling data collected and calculated under paragraph (b) of this section, the system must determine the lowest average monthly *Giardia lamblia* inactivation in each year of profiling data. The system must determine the average *Giardia lamblia* inactivation for each calendar month for each year of profiling data by dividing the sum of daily *Giardia lamblia* of inactivation by the number of values calculated for that month.

(ii) The disinfection benchmark is the lowest monthly average value (for systems with one year of profiling data) or average of lowest monthly average values (for systems with more than one year of profiling data) of the

monthly logs of *Giardia lamblia* inactivation in each year of profiling data.

(3) A system that uses either chloramines or ozone for primary disinfection must also calculate the disinfection benchmark for viruses using a method approved by the State.

(4) The system must submit information in paragraphs (c)(4)(i) through (iii) of this section to the State as part of its consultation process.

(i) A description of the proposed change;

(ii) The disinfection profile for *Giardia lamblia* (and, if necessary, viruses) under paragraph (b) of this section and benchmark as required by paragraph (c)(2) of this section; and

(iii) An analysis of how the proposed change will affect the current levels of disinfection.

[63 FR 69516, Dec. 16, 1998, as amended at 66 FR 3779, Jan. 16, 2001]

§ 141.173 Filtration.

A public water system subject to the requirements of this subpart that does not meet all of the criteria in this subpart and subpart H of this part for avoiding filtration must provide treatment consisting of both disinfection, as specified in §141.72(b), and filtration treatment which complies with the requirements of paragraph (a) or (b) of this section or §141.73 (b) or (c) by December 31, 2001.

(a) *Conventional filtration treatment or direct filtration.* (1) For systems using conventional filtration or direct filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month, measured as specified in §141.74(a) and (c).

(2) The turbidity level of representative samples of a system's filtered water must at no time exceed 1 NTU, measured as specified in §141.74(a) and (c).

(3) A system that uses lime softening may acidify representative samples prior to analysis using a protocol approved by the State.

(b) *Filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration.* A public water system may use a filtration technology not listed in paragraph (a) of this section or in §141.73(b) or (c) if it demonstrates to the State, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of §141.72(b), consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts and 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts, and the State approves the use of the filtration technology. For each approval, the State will set turbidity performance requirements that the system must meet at least 95 percent of the time and that the system may not exceed at any time at a level that consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts, 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts.

[63 FR 69516, Dec. 16, 1998, as amended at 65 FR 20313, Apr. 14, 2000; 66 FR 3779, Jan. 16, 2001]

§ 141.174 Filtration sampling requirements.

(a) Monitoring requirements for systems using filtration treatment. In addition to monitoring required by §141.74, a public water system subject to the requirements of this subpart that provides conventional filtration treatment or direct filtration must conduct continuous monitoring of turbidity for each individual filter using an approved method in §141.74(a) and must calibrate turbidimeters using the procedure specified by the manufacturer. Systems must record the results of individual filter monitoring every 15 minutes.

(b) If there is a failure in the continuous turbidity monitoring equipment, the system must conduct grab sampling every four hours in lieu of continuous monitoring, but for no more than five working days following the failure of the equipment.

§ 141.175 Reporting and recordkeeping requirements.

In addition to the reporting and recordkeeping requirements in §141.75, a

public water system subject to the requirements of this subpart that provides conventional filtration treatment or direct filtration must report monthly to the State the information specified in paragraphs (a) and (b) of this section beginning January 1, 2002. In addition to the reporting and recordkeeping requirements in §141.75, a public water system subject to the requirements of this subpart that provides filtration approved under §141.173(b) must report monthly to the State the information specified in paragraph (a) of this section beginning January 1, 2002. The reporting in paragraph (a) of this section is in lieu of the reporting specified in §141.75(b)(1).

(a) Turbidity measurements as required by §141.173 must be reported within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:

(1) The total number of filtered water turbidity measurements taken during the month.

(2) The number and percentage of filtered water turbidity measurements taken during the month which are less than or equal to the turbidity limits specified in §141.173(a) or (b).

(3) The date and value of any turbidity measurements taken during the month which exceed 1 NTU for systems using conventional filtration treatment or direct filtration, or which exceed the maximum level set by the State under §141.173(b).

(b) Systems must maintain the results of individual filter monitoring taken under §141.174 for at least three years. Systems must report that they have conducted individual filter turbidity monitoring under §141.174 within 10 days after the end of each month the system serves water to the public. Systems must report individual filter turbidity measurement results taken under §141.174 within 10 days after the end of each month the system serves water to the public only if measurements demonstrate one or more of the conditions in paragraphs (b)(1) through (4) of this section. Systems that use lime softening may apply to the State for alternative exceedance levels for the levels specified in paragraphs (b)(1) through (4) of this section if they can demonstrate that higher turbidity levels in individual filters are due to lime carryover only and not due to degraded filter performance.

(1) For any individual filter that has a measured turbidity level of greater than 1.0 NTU in two consecutive measurements taken 15 minutes apart, the system must report the filter number, the turbidity measurement, and the date(s) on which the exceedance occurred. In addition, the system must either produce a filter profile for the filter within 7 days of the exceedance (if the system is not able to identify an obvious reason for the abnormal filter performance) and report that the profile has been produced or report the obvious reason for the exceedance.

(2) For any individual filter that has a measured turbidity level of greater than 0.5 NTU in two consecutive measurements taken 15 minutes apart at the end of the first four hours of continuous filter operation after the filter has been backwashed or otherwise taken offline, the system must report the filter number, the turbidity, and the date(s) on which the exceedance occurred. In addition, the system must either produce a filter profile for the filter within 7 days of the exceedance (if the system is not able to identify an obvious reason for the abnormal filter performance) and report that the profile has been produced or report the obvious reason for the exceedance.

(3) For any individual filter that has a measured turbidity level of greater than 1.0 NTU in two consecutive measurements taken 15 minutes apart at any time in each of three consecutive months, the system must report the filter number, the turbidity measurement, and the date(s) on which the exceedance occurred. In addition, the system must conduct a self-assessment of the filter within 14 days of the exceedance and report that the self-assessment was conducted. The self assessment must consist of at least the following components: assessment of filter performance; development of a filter profile; identification and prioritization of factors limiting filter performance; assessment of the applicability of corrections; and preparation of a filter self-assessment report.

(4) For any individual filter that has a measured turbidity level of greater than 2.0 NTU in two consecutive measurements taken 15 minutes apart at any time in each of two consecutive months, the system must report the filter number, the turbidity measurement, and the date(s) on which the exceedance occurred. In addition, the system must arrange for the conduct of a comprehensive performance evaluation by the State or a third party approved by the State no later than 30 days following the exceedance and have the evaluation completed and submitted to the State no later than 90 days following the exceedance.

(c) *Additional reporting requirements.* (1) 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 inform the State as soon as possible, but no later than the end of the next business day.

(2) If at any time the turbidity in representative samples of filtered water exceeds 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 inform the State as soon as possible, but no later than the end of the next business day.

[63 FR 69516, Dec. 16, 1998, as amended at 66 FR 3779, Jan. 16, 2001]

Subpart Q—Public Notification of Drinking Water Violations

SOURCE: 65 FR 26035, May 4, 2000, unless otherwise noted.

§141.201 General public notification requirements.

Public water systems in States with primacy for the public water system supervision (PWSS) program must comply with the requirements in this subpart no later than May 6, 2002 or on the date the State-adopted rule becomes effective, whichever comes first. Public water systems in jurisdictions where EPA directly implements the PWSS program must comply with the requirements in this subpart on October 31, 2000. Prior to these dates, public water systems must continue to comply with the public notice requirements in §141.32 of this part. The term "primacy agency" is used in this subpart to refer to either EPA or the State or the Tribe in cases where EPA, the State, or the Tribe exercises primary enforcement responsibility for this subpart.

(a) *Who must give public notice?* 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. 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 this part 141. Appendix A to this subpart identifies the tier assignment for each specific violation or situation requiring a public notice.

TABLE 1 TO §141.201—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A PUBLIC NOTICE

(1) NPDWR violations:
- (i) Failure to comply with an applicable maximum contaminant level (MCL) or maximum residual disinfectant level (MRDL).
- (ii) Failure to comply with a prescribed treatment technique (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.

(2) Variance and exemptions under sections 1415 and 1416 of SDWA:
- (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.

(3) Special public notices:

TABLE 1 TO § 141.201—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A PUBLIC NOTICE—Continued

(i) Occurrence of a waterborne disease outbreak or other waterborne emergency.
(ii) Exceedance of the nitrate MCL by non-community water systems (NCWS), 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.

(b) *What type of public notice is required for each violation or situation?* 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.

TABLE 2 TO § 141.201—DEFINITION OF PUBLIC NOTICE TIERS

(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.
(2) *Tier 2 public notice*—required for all other NPDWR violations and situations with potential to have serious adverse effects on human health.
(3) *Tier 3 public notice*—required for all other NPDWR violations and situations not included in Tier 1 and Tier 2.

(c) *Who must be notified?*

(1) Each public water system must provide public notice to persons served by the water system, in accordance with this subpart. Public water systems that sell or otherwise provide drinking water to other public water systems (i.e., to 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.

(2) If a public water system 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 of the notice must be granted in writing.

(3) A copy of the notice must also be sent to the primacy agency, in accordance with the requirements under § 141.31(d).

§ 141.202 Tier 1 Public Notice—Form, manner, and frequency of notice.

(a) *Which violations or situations require a Tier 1 public notice?* 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.

TABLE 1 TO § 141.202—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 1 PUBLIC NOTICE

(1) Violation of the MCL for total coliforms when fecal coliform or E. coli are present in the water distribution system (as specified in § 141.63(b)), or when the water system fails to test for fecal coliforms or E. coli when any repeat sample tests positive for coliform (as specified in § 141.21(e));
(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);

TABLE 1 TO § 141.202—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 1 PUBLIC NOTICE—Continued

(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;
(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);
(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;
(6) Violation of the Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR) or Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) 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;
(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);
(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.

(b) *When is the Tier 1 public notice to be provided?* What additional steps are required? Public water systems must:

(1) Provide a public notice as soon as practical but no later than 24 hours after the system learns of the violation;

(2) Initiate consultation with the primacy agency as soon as practical, but no later than 24 hours after the public water system learns of the violation or situation, to determine additional public notice requirements; and

(3) Comply with any additional public notification requirements (including any repeat notices or direction on the duration of the 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.

(c) *What is the form and manner of the public notice?* Public water systems 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 public water system are to fit the specific situation, but must be designed to reach residential, transient, and non-transient users of the water system. In order to reach all persons served, water systems are to use, at a minimum, one or more of the following forms of delivery:

(1) Appropriate broadcast media (such as radio and television);

(2) Posting of the notice in conspicuous locations throughout the area served by the water system;

(3) Hand delivery of the notice to persons served by the water system; or

(4) Another delivery method approved in writing by the primacy agency.

[65 FR 26035, May 4, 2000, as amended at 67 FR 1836, Jan. 14, 2002]

§ 141.203 Tier 2 Public Notice—Form, manner, and frequency of notice.

(a) *Which violations or situations require a Tier 2 public notice?* 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.

TABLE 1 TO § 141.203—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 2 PUBLIC NOTICE

(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;
(2) Violations of the monitoring and testing procedure requirements, where the primacy agency determines that a Tier 2 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.

(b) *When is the Tier 2 public notice to be provided?*

(1) Public water systems must provide the public notice as soon as practical, but no later than 30 days after the system learns of the violation. 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. It is not appropriate for the primacy agency to grant an extension to the 30-day deadline for any unresolved violation or to allow across-the-board extensions by rule or policy for other violations or situations requiring a Tier 2 public notice. Extensions granted by the primacy agency must be in writing.

(2) The public water system 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. In no circumstance may the repeat notice be given less frequently than once per year. It is not appropriate for the primacy agency to allow less frequent repeat notice for an MCL violation under the Total Coliform Rule or a treatment technique violation under the Surface Water Treatment Rule or Interim Enhanced Surface Water Treatment Rule. It is also not appropriate for the primacy agency to allow through its rules or policies across-the-board reductions in the repeat notice frequency for other ongoing violations requiring a Tier 2 repeat notice. Primacy agency determinations allowing repeat notices to be given less frequently than once every three months must be in writing.

(3) For the turbidity violations specified in this paragraph, public water systems must consult with the primacy agency as soon as practical but no later than 24 hours after the public water system learns of the violation, to determine whether a Tier 1 public notice under § 141.202(a) is required to protect public health. 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). Consultation with the primacy agency is required for:

(i) Violation of the turbidity MCL under § 141.13(b); or

(ii) Violation of the SWTR, IESWTR or LT1ESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit.

(c) *What is the form and manner of the Tier 2 public notice?* Public water systems 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:

(1) Unless directed otherwise by the primacy agency in writing, community water systems must provide notice by:

(i) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and

(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. 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.). 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 served by the system or on the Internet; or delivery to community organizations.

(2) Unless directed otherwise by the primacy agency in writing, non-community water systems must provide notice by:

(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

(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. 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).

[65 FR 26035, May 4, 2000, as amended at 67 FR 1836, Jan. 14, 2002]

§ 141.204 Tier 3 Public Notice—Form, manner, and frequency of notice.

(a) *Which violations or situations require a Tier 3 public notice?* Table 1 of this section lists 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.

TABLE 1 TO § 141.204—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 3 PUBLIC NOTICE

(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;
(2) Failure to comply with a testing procedure established in 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;
(3) Operation under a variance granted under Section 1415 or an exemption granted under Section 1416 of the Safe Drinking Water Act;
(4) Availability of unregulated contaminant monitoring results, as required under § 141.207; and
(5) Exceedance of the fluoride secondary maximum contaminant level (SMCL), as required under § 141.208.

(b) *When is the Tier 3 public notice to be provided?*

(1) Public water systems must provide the public notice not later than one year after the public water system learns of the violation or situation or begins operating under a variance or exemption. Following the initial notice, the public water system must repeat the notice annually for as long as the violation, variance, exemption, or other situation persists. 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).

(2) Instead of individual Tier 3 public notices, a public water system 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.

(c) *What is the form and manner of the Tier 3 public notice?* Public water systems 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:

(1) Unless directed otherwise by the primacy agency in writing, community water systems must provide notice by:

(i) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and

(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. 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.). 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.

(2) Unless directed otherwise by the primacy agency in writing, non-community water systems must provide notice by:

(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

(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. Such persons may include those who may not see a posted notice because the 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).

(d) *In what situations may the Consumer Confidence Report be used to meet the Tier 3 public notice requirements?* For community water systems, the Consumer Confidence Report (CCR) required under Subpart O of this part may be used as a vehicle for the initial Tier 3 public notice and all required repeat notices, as long as:

(1) The CCR is provided to persons served no later than 12 months after the system learns of the violation or situation as required under §141.204(b);

(2) The Tier 3 notice contained in the CCR follows the content requirements under §141.205; and

(3) The CCR is distributed following the delivery requirements under §141.204(c).

[65 FR 26035, May 4, 2000; 65 FR 38629, June 21, 2000]

§141.205 Content of the public notice.

(a) *What elements must be included in the public notice for violations of National Primary Drinking Water Regulations (NPDWR) or other situations requiring a public notice?* When a public water system violates a NPDWR or has a situation requiring public notification, each public notice must include the following elements:

(1) A description of the violation or situation, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) When the violation or situation occurred;

(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;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the system is doing to correct the violation or situation;

(8) When the water system expects to return to compliance or resolve the situation;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the public water system as a source of additional information concerning the notice; and

(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.

(b) *What elements must be included in the public notice for public water systems operating under a variance or exemption?*

(1) If a public water system has been granted a variance or an exemption, the public notice must contain:

(i) An explanation of the reasons for the variance or exemption;

(ii) The date on which the variance or exemption was issued;

(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

(iv) A notice of any opportunity for public input in the review of the variance or exemption.

(2) If a public water system violates the conditions of a variance or exemption, the public notice must contain the ten elements listed in paragraph (a) of this section.

(c) *How is the public notice to be presented?*

(1) Each public notice required by this section:

(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;

(iv) Must not contain language which nullifies the purpose of the notice.

(2) Each public notice required by this section must comply with multilingual requirements, as follows:

(i) For public water systems 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.

(ii) In cases where the primacy agency has not determined what constitutes a large proportion of non-English speaking consumers, the public water system 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.

(d) *What standard language must public water systems include in their public notice?* Public water systems are required to include the following standard language in their public notice:

(1) Standard health effects language for MCL or MRDL violations, treatment technique violations, and violations of the condition of a variance or exemption. Public water systems 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.

(2) Standard language for monitoring and testing procedure violations. Public water systems 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:

> 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.

(3) Standard language to encourage the distribution of the public notice to all persons served. Public water systems must include in their notice the following language (where applicable):

> 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.

§ 141.206 Notice to new billing units or new customers.

(a) *What is the requirement for community water systems?* Community water

systems 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 a public notice to all new billing units or new customers prior to or at the time service begins.

(b) *What is the requirement for non-community water systems?* Non-community water systems 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.

§ 141.207 Special notice of the availability of unregulated contaminant monitoring results.

(a) *When is the special notice to be given?* 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.

(b) *What is the form and manner of the special notice?* 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.

§ 141.208 Special notice for exceedance of the SMCL for fluoride.

(a) *When is the special notice to be given?* Community water systems that exceed the fluoride secondary maximum contaminant level (SMCL) of 2 mg/l as specified in §143.3 (determined by the last single sample taken in accordance with §141.23), but do not exceed the maximum contaminant level (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. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the State public health officer. The public water system must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the SMCL is exceeded, but in no case less than seven days (even if the exceedance is eliminated). On a case-by-case basis, the primacy agency may require an initial notice sooner than 12 months and repeat notices more frequently than annually.

(b) *What is the form and manner of the special notice?* The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in §141.204(c) and (d)(1) and (d)(3).

(c) *What mandatory language must be contained in the special notice?* The notice must contain the following language, including the language necessary to fill in the blanks:

This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [*name*] has a fluoride concentration of [*insert value*] mg/l.

Dental fluorosis, in its moderate or severe forms, may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.

Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem.

For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some

home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1–877–8–NSF–HELP."

§ 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)

(a) *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).

(b) *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.

§ 141.210 Notice by primacy agency on behalf of the public water system.

(a) *May the primacy agency give the notice on behalf of the public water system?* The primacy agency may give the notice required by this subpart on behalf of the owner and operator of the public water system if the primacy agency complies with the requirements of this subpart.

(b) *What is the responsibility of the public water system when notice is given by the primacy agency?* The owner or operator of the public water system remains responsible for ensuring that the requirements of this subpart are met.

APPENDIX A TO SUBPART Q OF PART 141—NPDWR VIOLATIONS AND OTHER SITUATIONS REQUIRING PUBLIC NOTICE [1]

Contaminant	MCL/MRDL/TT violations [2]		Monitoring & 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/E. coli	1	141.63(b)	[4] 1, 3	141.21(e)
3. Turbidity MCL	2	141.13(a)	3	141.22
4. Turbidity MCL (average of 2 days' samples >5 NTU)	[5] 2, 1	141.13(b)	3	141.22
5. Turbidity (for TT violations resulting from a single exceedance of maximum allowable turbidity level)	[6] 2, 1	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), 141.551(b)	3	141.74(a)(1), 141.74(b)(2), 141.74(c)(1), 141.174, 141.560(a)–(c), 141.561.
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)	[7] 2	141.170–141.173, 141.500–141.553	3	141.172, 141.174, 141.530–141.544, 141.560–141.564.
8. Filter Backwash Recycling Rule violations	2	141.76	3	141.76

Contaminant	MCL/MRDL/TT violations[2]		Monitoring & testing procedure violations	
	Tier of public notice required	Citation	Tier of public notice required	Citation
9. Long Term 1 Enhanced Surface Water Treatment Rule violations	2	141.500–141.553	3	141.530–141.544, 141.560–141.564.
B. Inorganic Chemicals (IOCs)				
1. Antimony	2	141.62(b)	3	141.23(a), (c)
2. Arsenic	2	[8]141.62(b)	3	[9]141.23(a), (c)
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)
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)	[10]1, 3	141.23(a), (d), 141.23(f)(2)
12. Nitrite	1	141.62(b)	[10]1, 3	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)
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)
22. Hexachlorocyclo-pentadiene	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. o-Dichlorobenzene	2	141.61(a)	3	141.24(f)
5. p-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. cis-1,2-Dichloroethylene	2	141.61(a)	3	141.24(f)
9. trans-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)

Contaminant	MCL/MRDL/TT violations[2]		Monitoring & testing procedure violations	
	Tier of public notice required	Citation	Tier of public notice required	Citation
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)
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	[9]2	141.66(e)	[10]3	141.25(a) 141.26(a)
G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals. 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).[11]				
1. Total trihalomethanes (TTHMs)	2	[12]141.12, 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)
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[13], 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	[14]1	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	141.172 141.530–141.544.
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:[15]				
A. Unregulated contaminants	N/A	N/A	3	141.40
B. Nickel	N/A	N/A	3	141.23(c), (k)
III. Public Notification for Variances and Exemptions:				
A. Operation under a variance or exemption	3	[16]1415, 1416,	N/A	N/A
B. Violation of conditions of a variance or exemption	2	1415, 1416, [17]142.307	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

Contaminant	MCL/MRDL/TT violations[2]		Monitoring & testing procedure violations	
	Tier of public notice required	Citation	Tier of public notice required	Citation
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[18]	1	N/A	N/A	N/A
F. Other situations as determined by primacy agency	[19] 1, 2, 3	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 primary 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 consult 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), the Interim Enhanced Surface Water Treatment Rule (IESWTR), or the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) are required to consult 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 early 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 uranium MCL Tier 2 violation citations are effective December 8, 2003 for all community water systems.

10. The uranium Tier 3 violation citations are effective December 8, 2000 for all community water systems.

11. The arsenic Tier 3 violation MCL citations are effective January 23, 2006. Until then, the citations are §141.23(a), (l).

12. 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.

13. Subpart H community and non-transient non-community systems serving ≥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 that must 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.

[65 FR 26035, May 4, 2000, as amended at 65 FR 76750, Dec.7, 2000; 66 FR 7065, Jan. 22, 2001; 66 FR 31104, June 8, 2001; 67 FR 1836, Jan. 14, 2002]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, appendix A to subpart Q of part 141 was amended in entry I.A.(8) by removing the citation in the third column "141.76" and adding in its place "141.76(c)" and by removing the citation in the fifth column "141.76" and adding in its place "141.76 (b), (d)", and in endnote 1 by removing the words "reporting violations and" from the first parenthetical phrase, effective July 29, 2004.

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/E. coli.	Zero	Zero	Fecal coliforms and E. coli 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 and LT1ESWTR 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), Interim Enhanced Surface Water Treatment Rule (IESWTR), Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) and the Filter Backwash Recycling Rule (FBRR) violations			
3. Giardia lamblia (SWTR/IESWTR/ LT1ESWTR). 4. Viruses (SWTR/ IESWTR/ LT1ESWTR). 5. Heterotrophic plate count (HPC) bacteria [9] (SWTR/ IESWTR/ LT1ESWTR). 6. Legionella (SWTR/ IESWTR/ LT1ESWTR). 7. Cryptosporidium (IESWTR/FBRR/ LT1ESWTR).	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.
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 [11]	0	0.010	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.
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.

Contaminant	MCLG [1] mg/L	MCL [2] mg/L	Standard health effects language for public notification
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.
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, or 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.
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 toxic effects such as weight loss, liver enlargement or possible reproductive difficulties.
34. Di(2-ethylhexyl) phthalate.	Zero	0.006	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.
35. Dibromochloropropane (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	MCLG [1] mg/L	MCL [2] 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. Hexachlorobenzene	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. Hexachlorocyclopentadiene.	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.
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.
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 (monochloro- benzene).	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. *o*-Dichlorobenzene	0.6	0.6	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.
59. *p*-Dichlorobenzene	0.075	0.075	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.

Contaminant	MCLG [1] mg/L	MCL [2] mg/L	Standard health effects language for public notification
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. *cis*-1,2-Dichloroethylene.	0.07	0.07	Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
63. *trans*-1,2-Dichloroethylene.	0.1	0.1	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.
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.
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. Tetrachloroethylene	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.
G. Radioactive Contaminants			
76. Beta/photon emitters.	Zero	4 mrem/yr [15]	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	Zero	15 pCi/L [16]	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 & 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.

Contaminant	MCLG [1] mg/L	MCL [2] mg/L	Standard health effects language for public notification
79. Uranium[16]	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: 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) [17]			
80. Total trihalomethanes (TTHMs).	N/A	0.10/0.080[17 18]	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 [20]	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
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 (MRDLG) [21]	4.0 (MRDL) [22]	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. *Add for public notification only:* 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.
86b. Chlorine dioxide, where one or more distribution system samples 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. *Add for public notification only:* 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.
87. Control of DBP precursors (TOC).	None	TT	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.
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.

Contaminant	MCLG [1] mg/L	MCL [2] mg/L	Standard health effects language for public notification
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, and the 1989 Surface Water Treatment Rule, the 1998 Interim Enhanced Surface Water Treatment Rule and the 2001 Long Term 1 Enhanced Surface Water Treatment Rule. The MCL for the montly 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, and the 1989 Surface Water Treatment Rule, the 1998 Interim Enhanced Surface Water Treatment Rule and the 2001 Long Term 1 Enhanced Surface Water Treatment Rule. 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), the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR) and the 2001 Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). 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 primacy agency. For systems subject to the LT1ESWTR (systems serving fewer than 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 14, 2005 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 LT1ESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the primacy 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, IESWTR, and LT1ESWTR treatment technique violations that involve turbidity exceedances may use the health effects language for turbidity instead.

11. These arsenic values are effective January 23, 2006. Until then, the MCL is 0.05 mg/L and there is no MCLG.

12. Millions fibers per liter.

13. Action Level = 0.015 mg/L

14. Action Level = 1.3 mg/L

15. Millirems per years

16. The uranium MCL is effective December 8, 2003 for all community water systems.

17. Picocuries per liter

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 ≥10,000 must comply with DBP MCLs and disinfectant maximum residual disinfectant levels (MRDLs) 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 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.

[65 FR 26043, May 4, 2000; 65 FR 38629, June 21, 2000; 65 FR 40521, 40522, June 30, 2000, as amended at 65 FR 76751, Dec. 7, 2000; 66 FR 7065, Jan. 22, 2001; 66 FR 31104, June 8, 2001; 67 FR 1838, Jan. 14, 2002; 67 FR 70857, Nov. 27, 2002; 68 FR 14507, Mar. 25, 2003]

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, appendix B to subpart Q of part 141 was amended by revising endnotes 4 and 8, effective July 29, 2004. For the convenience of the user, the revised text is set forth as follows:

APPENDIX B TO SUBPART Q OF PART 141—STANDARD HEALTH EFFECTS LANGUAGE FOR PUBLIC NOTIFICATION

* * * * *

4. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, and the 1989 Surface Water Treatment Rule, the 1998 Interim Enhanced Surface Water Treatment Rule and the 2002 Long Term 1 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).

* * * * *

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), the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR) and the 2002 Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). 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 primacy agency. For systems subject to the LT1ESWTR (systems serving fewer than 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, 2005, 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 LT1ESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the primacy agency.

* * * * *

APPENDIX C TO SUBPART Q OF PART 141—LIST OF ACRONYMS USED IN PUBLIC NOTIFICATION REGULATION

CCR Consumer Confidence Report
CWS Community Water System
DBP Disinfection Byproduct
EPA Environmental Protection Agency
HPC Heterotrophic Plate Count
IESWTR Interim Enhanced Surface Water Treatment Rule
IOC Inorganic Chemical
LCR Lead and Copper Rule
MCL Maximum Contaminant Level
MCLG Maximum Contaminant Level Goal
MRDL Maximum Residual Disinfectant Level
MRDLG Maximum Residual Disinfectant Level Goal
NCWS Non-Community Water System
NPDWR National Primary Drinking Water Regulation
NTNCWS Non-Transient Non-Community Water System
NTU Nephelometric Turbidity Unit
OGWDW Office of Ground Water and Drinking Water
OW Office of Water
PN Public Notification
PWS Public Water System

SDWA Safe Drinking Water Act
SMCL Secondary Maximum Contaminant Level
SOC Synthetic Organic Chemical
SWTR Surface Water Treatment Rule
TCR Total Coliform Rule
TT Treatment Technique
TWS Transient Non-Community Water System
VOC Volatile Organic Chemical

Subparts R–S [Reserved]

Subpart T—Enhanced Filtration and Disinfection—Systems Serving Fewer Than 10,000 People

SOURCE: 67 FR 1839, Jan. 14, 2002, unless otherwise noted.

GENERAL REQUIREMENTS

§ 141.500 General requirements.

The requirements of this subpart constitute national primary drinking water regulations. These regulations establish requirements for filtration and disinfection that are in addition to criteria under which filtration and disinfection are required under subpart H of this part. The regulations in this subpart establish or extend treatment technique requirements in lieu of maximum contaminant levels for the following contaminants: *Giardia lamblia*, viruses, heterotrophic plate count bacteria, *Legionella*, *Cryptosporidium* and turbidity. The treatment technique requirements consist of installing and properly operating water treatment processes which reliably achieve:

(a) At least 99 percent (2 log) removal of Cryptosporidium between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer for filtered systems, or *Cryptosporidium* control under the watershed control plan for unfiltered systems; and

(b) Compliance with the profiling and benchmark requirements in §§ 141.530 through 141.544.

§ 141.501 Who is subject to the requirements of subpart T?

You are subject to these requirements if your system:

(a) Is a public water system;

(b) Uses surface water or GWUDI as a source; and

(c) Serves fewer than 10,000 persons.

§ 141.502 When must my system comply with these requirements?

You must comply with these requirements in this subpart beginning January 14, 2005 except where otherwise noted.

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, § 141.502 was revised, effective July 29, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 141.502 When must my system comply with these requirements?

You must comply with these requirements in this subpart beginning January 1, 2005, except where otherwise noted.

§ 141.503 What does subpart T require?

There are seven requirements of this subpart, and you must comply with all requirements that are applicable to your system. These requirements are:

(a) You must cover any finished water reservoir that you began to construct on or after March 15, 2002 as described in §§ 141.510 and 141.511;

(b) If your system is an unfiltered system, you must comply with the updated watershed control requirements described in §§ 141.520–141.522;

(c) If your system is a community or non-transient non-community water systems you must develop a disinfection profile as described in §§ 141.530–141.536;

(d) If your system is considering making a significant change to its disinfection practices, you must develop a disinfection benchmark and consult with the State for approval of the change as described in §§ 141.540–141.544;

(e) If your system is a filtered system, you must comply with the combined filter effluent requirements as described in §§ 141.550–141.553;

(f) If your system is a filtered system that uses conventional or direct filtration, you must comply with the individual filter turbidity requirements as described in §§ 141.560–141.564; and

(g) You must comply with the applicable reporting and recordkeeping requirements as described in §§ 141.570 and 141.571.

FINISHED WATER RESERVOIRS

§ 141.510 Is my system subject to the new finished water reservoir requirements?

All subpart H systems which serve fewer than 10,000 are subject to this requirement.

§ 141.511 What is required of new finished water reservoirs?

If your system begins construction of a finished water reservoir on or after March 15, 2002 the reservoir must be covered. Finished water reservoirs for which your system began construction prior to March 15, 2002 are not subject to this requirement.

ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR UNFILTERED SYSTEMS

§ 141.520 Is my system subject to the updated watershed control requirements?

If you are a subpart H system serving fewer than 10,000 persons which does not provide filtration, you must continue to comply with all of the filtration avoidance criteria in §141.71, as well as the additional watershed control requirements in §141.521.

§ 141.521 What updated watershed control requirements must my unfiltered system implement to continue to avoid filtration?

Your system must take any additional steps necessary to minimize the potential for contamination by *Cryptosporidium* oocysts in the source water. Your system's watershed control program must, for *Cryptosporidium*:

(a) Identify watershed characteristics and activities which may have an adverse effect on source water quality; and

(b) Monitor the occurrence of activities which may have an adverse effect on source water quality.

§ 141.522 How does the State determine whether my system's watershed control requirements are adequate?

During an onsite inspection conducted under the provisions of §141.71(b)(3), the State must determine whether your watershed control program is adequate to limit potential contamination by *Cryptosporidium* oocysts. The adequacy of the program must be based on the comprehensiveness of the watershed review; the effectiveness of your program to monitor and control detrimental activities occurring in the watershed; and the extent to which your system has maximized land ownership and/or controlled land use within the watershed.

DISINFECTION PROFILE

§ 141.530 What is a disinfection profile and who must develop one?

A disinfection profile is a graphical representation of your system's level of *Giardia lamblia* or virus inactivation measured during the course of a year. If you are a subpart H community or non-transient non-community water systems which serves fewer than 10,000 persons, your system must develop a disinfection profile unless your State determines that your system's profile is unnecessary. Your State may approve the use of a more representative data set for disinfection profiling than the data set required under §§141.532–141.536.

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.530 was amended in the second sentence, by revising "water systems" to read "water system", effective July 29, 2004.

§ 141.531 What criteria must a State use to determine that a profile is unnecessary?

States may only determine that a system's profile is unnecessary if a system's TTHM and HAA5 levels are below 0.064 mg/L and 0.048 mg/L, respectively. To determine these levels, TTHM and HAA5 samples must be collected after January 1, 1998, during the month with the warmest water temperature, and at the point of maximum residence time in your distribution system.

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.531 was amended by adding a sentence to the end of the section, effective July 29, 2004. For the convenience of the user, the added text is set forth as follows:

§ 141.531 What criteria must a State use to determine that a profile is unnecessary?

* * * Your State may approve a more representative TTHM and HAA5 data set to determine these levels.

§ 141.532 How does my system develop a disinfection profile and when must it begin?

A disinfection profile consists of three steps:

(a) First, your system must collect data for several parameters from the plant as discussed in § 141.533 over the course of 12 months. If your system serves between 500 and 9,999 persons you must begin to collect data no later than July 1, 2003. If your system serves fewer than 500 persons you must begin to collect data no later than January 1, 2004.

(b) Second, your system must use this data to calculate weekly log inactivation as discussed in §§ 141.534 and 141.535; and

(c) Third, your system must use these weekly log inactivations to develop a disinfection profile as specified in § 141.536.

§ 141.533 What data must my system collect to calculate a disinfection profile?

Your system must monitor the following parameters to determine the total log inactivation using the analytical methods in § 141.74 (a), once per week on the same calendar day, over 12 consecutive months:

(a) The temperature of the disinfected water at each residual disinfectant concentration sampling point during peak hourly flow;

(b) If your system uses chlorine, the pH of the disinfected water at each residual disinfectant concentration sampling point during peak hourly flow;

(c) The disinfectant contact time(s) ("T") during peak hourly flow; and

(d) The residual disinfectant concentration(s) ("C") of the water before or at the first customer and prior to each additional point of disinfection during peak hourly flow.

§ 141.534 How does my system use this data to calculate an inactivation ratio?

Calculate the total inactivation ratio as follows, and multiply the value by 3.0 to determine log inactivation of *Giardia lamblia*:

If your system * * *	Your system must determine * * *
(a) Uses only one point of disinfectant application.	(1) One inactivation ratio ($CTcalc/CT_{99.9}$) before or at the first customer during peak hourly flow or (2) Successive $CTcalc/CT_{99.9}$ values, representing sequential inactivation ratios, between the point of disinfectant application and a point before or at the first customer during peak hourly flow. Under this alternative, your system must calculate the total inactivation ratio by determining ($CTcalc/CT_{99.9}$) for each sequence and then adding the ($CTcalc/CT_{99.9}$) values together to determine ($3CTcalc/CT_{99.9}$).
(b) Uses more than one point of disinfectant application before the first customer.	The ($CTcalc/CT_{99.9}$) value of each disinfection segment immediately prior to the next point of disinfectant application, or for the final segment, before or at the first customer, during peak hourly flow using the procedure specified in paragraph (a)(2) of this section.

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, § 141.534 was amended by revising the introductory paragraph, and in the table in paragraph (a)(2), by removing the "3" and adding in its place "Σ", effective July 29, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 141.534 How does my system use this data to calculate an inactivation ratio?

Use the tables in § 141.74(b)(3)(v) to determine the appropriate CT99.9 value. Calculate the total inactivation ratio as follows, and multiply the value by 3.0 to determine log inactivation of *Giardia lamblia:*

* * * * *

§ 141.535 What if my system uses chloramines, ozone, or chlorine dioxide for primary disinfection?

If your system uses chloramines, ozone, or chlorine dioxide for primary disinfection, you must also calculate the logs of inactivation for viruses and develop an additional disinfection profile for viruses using methods approved by the State.

§ 141.536 My system has developed an inactivation ratio; what must we do now?

Each log inactivation serves as a data point in your disinfection profile. Your system will have obtained 52 measurements (one for every week of the year). This will allow your system and the State the opportunity to evaluate how microbial inactivation varied over the course of the year by looking at all 52 measurements (your Disinfection Profile). Your system must retain the Disinfection Profile data in graphic form, such as a spreadsheet, which must be available for review by the State as part of a sanitary survey. Your system must use this data to calculate a benchmark if you are considering changes to disinfection practices.

DISINFECTION BENCHMARK

§ 141.540 Who has to develop a disinfection benchmark?

If you are a subpart H system required to develop a disinfection profile under §§141.530 through 141.536, your system must develop a Disinfection Benchmark if you decide to make a significant change to your disinfection practice. Your system must consult with the State for approval before you can implement a significant disinfection practice change.

§ 141.541 What are significant changes to disinfection practice?

Significant changes to disinfection practice include:

(a) Changes to the point of disinfection;

(b) Changes to the disinfectant(s) used in the treatment plant;

(c) Changes to the disinfection process; or

(d) Any other modification identified by the State.

§ 141.542 What must my system do if we are considering a significant change to disinfection practices?

If your system is considering a significant change to its disinfection practice, your system must calculate a disinfection benchmark(s) as described in §§141.543 and 141.544 and provide the benchmark(s) to your State. Your system may only make a significant disinfection practice change after consulting with the State for approval. Your system must submit the following information to the State as part of the consultation and approval process:

(a) A description of the proposed change;

(b) The disinfection profile for *Giardia lamblia* (and, if necessary, viruses) and disinfection benchmark;

(c) An analysis of how the proposed change will affect the current levels of disinfection; and

(d) Any additional information requested by the State.

§ 141.543 How is the disinfection benchmark calculated?

If your system is making a significant change to its disinfection practice, it must calculate a disinfection benchmark using the procedure specified in the following table.

To calculate a disinfection benchmark your system must perform the following steps
Step 1: Using the data your system collected to develop the Disinfection Profile, determine the average *Giardia lamblia* inactivation for each calendar month by dividing the sum of all *Giardia lamblia* inactivations for that month by the number of values calculated for that month.
Step 2: Determine the lowest monthly average value out of the twelve values. This value becomes the disinfection benchmark.

§ 141.544 What if my system uses chloramines, ozone, or chlorine dioxide for primary disinfection?

If your system uses chloramines, ozone or chlorine dioxide for primary disinfection your system must calculate the disinfection benchmark from the data your system collected for viruses to develop the disinfection profile in addition to the *Giardia lamblia* disinfection benchmark calculated under §141.543. This viral benchmark must be calculated in the same manner used to calculate the *Giardia lamblia* disinfection benchmark in §141.543.

COMBINED FILTER EFFLUENT REQUIREMENTS

§ 141.550 Is my system required to meet subpart T combined filter effluent turbidity limits?

All subpart H systems which serve populations fewer than 10,000, are required to filter, and utilize filtration other than slow sand filtration or diatomaceous earth filtration must meet the combined filter effluent turbidity requirements of §§ 141.551–141.553 . If your system uses slow sand or diatomaceous earth filtration you are not required to meet the combined filter effluent turbidity limits of subpart T, but you must continue to meet the combined filter effluent turbidity limits in § 141.73.

§ 141.551 What strengthened combined filter effluent turbidity limits must my system meet?

Your system must meet two strengthened combined filter effluent turbidity limits.

(a) The first combined filter effluent turbidity limit is a "95th percentile" turbidity limit that your system must meet in at least 95 percent of the turbidity measurements taken each month. Measurements must continue to be taken as described in § 141.74(a) and (c). Monthly reporting must be completed according to § 141.570. The following table describes the required limits for specific filtration technologies.

If your system consists of * * *	Your 95th percentile turbidity value is * * *
(1) Conventional Filtration or Direct Filtration.	0.3 NTU.
(2) All other "Alternative" Filtration	A value determined by the State (no to exceed 1 NTU) based on the demonstration described in § 141.552.

(b) The second combined filter effluent turbidity limit is a "maximum" turbidity limit which your system may at no time exceed during the month. Measurements must continue to be taken as described in § 141.74(a) and (c). Monthly reporting must be completed according to § 141.570. The following table describes the required limits for specific filtration technologies.

If your system consists of * * *	Your maximum turbidity value is * * *
(1) Conventional Filtration or Direct Filtration.	1 NTU.
(2) All other "Alternative"	A value determined by the State (not to exceed 5 NTU) based on the demonstration as described in § 141.552.

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, § 141.551 was amended in paragraph (a)(2) by removing "no" and adding in its place "not", and in paragraph (b)(2) by removing "Alternative" and adding in its place "Alternative Filtration", effective July 29, 2004.

§ 141.552 My system consists of "alternative filtration" and is required to conduct a demonstration—what is required of my system and how does the State establish my turbidity limits?

(a) If your system consists of alternative filtration(filtration other than slow sand filtration, diatomaceous earth filtration, conventional filtration, or direct filtration) you are required to conduct a demonstration (see tables in § 141.551). Your system must demonstrate to the State, using pilot plant studies or other means, that your system's filtration, in combination with disinfection treatment, consistently achieves:

(1) 99 percent removal of *Cryptosporidium* oocysts;

(2) 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts; and

(3) 99.99 percent removal and/or inactivation of viruses.

(b) [Reserved]

§ 141.553 My system practices lime softening—is there any special provision regarding my combined filter effluent?

If your system practices lime softening, you may acidify representative combined filter effluent turbidity samples prior to analysis using a protocol approved by the State.

INDIVIDUAL FILTER TURBIDITY REQUIREMENTS

§ 141.560 Is my system subject to individual filter turbidity requirements?

If your system is a subpart H system serving fewer than 10,000 people and utilizing conventional filtration or direct filtration, you must conduct continuous monitoring of turbidity for each individual filter at your system. The following requirements apply to continuous turbidity monitoring:

(a) Monitoring must be conducted using an approved method in §141.74(a);

(b) Calibration of turbidimeters must be conducted using procedures specified by the manufacturer;

(c) Results of turbidity monitoring must be recorded at least every 15 minutes;

(d) Monthly reporting must be completed according to §141.570; and

(e) Records must be maintained according to §141.571.

§ 141.561 What happens if my system's turbidity monitoring equipment fails?

If there is a failure in the continuous turbidity monitoring equipment, your system must conduct grab sampling every four hours in lieu of continuous monitoring until the turbidimeter is back on-line. Your system has 14 days to resume continuous monitoring before a violation is incurred.

§ 141.562 My system only has two or fewer filters—is there any special provision regarding individual filter turbidity monitoring?

Yes, if your system only consists of two or fewer filters, you may conduct continuous monitoring of combined filter effluent turbidity in lieu of individual filter effluent turbidity monitoring. Continuous monitoring must meet the same requirements set forth in §141.560(a) through (d) and §141.561.

§ 141.563 What follow-up action is my system required to take based on continuous turbidity monitoring?

Follow-up action is required according to the following tables:

If * * *	Your system must * * *
(a) The turbidity of an individual filter (or the turbidity of combined filter effluent (CFE) for systems with 2 filters that monitor CFE in lieu of individual filters) exceeds 1.0 NTU in two consecutive recordings 15 minutes apart.	Report to the State by the 10th of the following month and include the filter number(s), corresponding date(s), turbidity value(s) which exceeded 1.0 NTU, and the cause (if known) for the exceedance(s).

If a system was required to report to the State * * *	Your system must * * *
(b) For three months in a row and turbidity exceeded 1.0 NTU in two consecutive recordings 15 minutes apart at the same filter (or CFE for systems with 2 filters that monitor CFE in lieu of individual filters).	Conduct a self-assessment of the filter(s) within 14 days of the day the filter exceeded 1.0 NTU in two consecutive measurements for the third straight month unless a CPE as specified in paragraph (c) of this section was required. Systems with 2 filters that monitor CFE in lieu of individual filters must conduct a self assessment on both filters. The self-assessment must consist of at least the following components: assessment of filter performance; development of a filter profile; identification and prioritization of factors limiting filter performance; assessment of the applicability of corrections; and preparation of a filter self-assessment report. If a self-assessment is required, the date that it was triggered and the date that it was completed.
(c) For two months in a row and turbidity exceeded 2.0 BTU in 2 consecutive recordings 15 minutes apart at the same filter (or CFE for systems with 2 filters that monitor CFE in lieu of individual filters).	Arrange to have a comprehensive performance evaluation (CPE) conducted by the State or a third party approved by the State not later than 60 days following the day the filter exceeded 2.0 NTU in two consecutive measurements for the second straight month. If a CPE has been completed by the State or a third party approved by the State within the 12 prior months or the system and State are jointly participating in an ongoing Comprehensive Technical Assistance (CTA) project at the system, a new CPE is not required. If conducted, a CPE must be completed and submitted to the State no later than 120 days following the day the filter exceeded 2.0 NTU in two consecutive measurements for the second straight month.

EFFECTIVE DATE NOTE: At 69 FR 38856, June 29, 2004, §141.563 was amended in paragraph (b) by removing the last sentence in the second column of the table, and in paragraph (c) by removing "BTU" and adding in its place "NTU" in the first column of the table, effective July 29, 2004.

§ 141.564 My system practices lime softening—is there any special provision regarding my individual filter turbidity monitoring?

If your system utilizes lime softening, you may apply to the State for alternative turbidity exceedance levels for the levels specified in the table in § 141.563. You must be able to demonstrate to the State that higher turbidity levels are due to lime carryover only, and not due to degraded filter performance.

REPORTING AND RECORDKEEPING REQUIREMENTS

§ 141.570 What does subpart T require that my system report to the State?

This subpart T requires your system to report several items to the State. The following table describes the items which must be reported and the frequency of reporting. Your system is required to report the information described in the following table, if it is subject to the specific requirement shown in the first column.

Corresponding requirement	Description of information to report	Frequency
(a) Combined Filter Effluent Requirements. (§§ 141.550–141.553)	(1) The total number of filtered water turbidity measurements taken during the month.	By the 10th of the following month.
	(2) The number and percentage of filtered water turbidity measurements taken during the month which are less than or equal to your system's required 95th percentile limit.	By the 10th of the following month.
	(3) The date and value of any turbidity measurements taken during the month which exceed the maximum turbidity value for your filtration system.	By the 10th of the following month.
(b) Individual Turbidity Requirements. (§§ 141.560–141.564)	(1) That your system conducted individual filter turbidity monitoring during the month.	By the 10th of the following month.
	(2) The filter number(s), corresponding date(s), and the turbidity value(s) which exceeded 1.0 NTU during the month, but only if 2 consecutive measurements exceeded 1.0 NTU.	By the 10th of the following month.
	(3) If a self-assessment is required, the date that it was triggered and the date that it was completed.	By the 10th of the following month (or 14 days after the self-assessment was triggered only if the self-assessment was triggered during the last four days of the month)
	(4) If a CPE is required, that the CPE is required and the date that it was triggered.	By the 10th of the following month.
	(5) Copy of completed CPE report	Within 120 days after the CPE was triggered.
(c) Disinfection Profiling (§§ 141.530–141.536)	(1) Results of optional monitoring which show TTHM levels <0.064 mg/l and HAA5 levels <0.048 mg/l (Only if your system wishes to forgo profiling) or that your system has begun disinfection profiling.	(i) For systems serving 500–9,999 by July 1, 2003; (ii) For systems serving fewer than 500 by January 1, 2004.
(d) Disinfection Benchmarking. (§§ 141.540–141.544)	(1) A description of the proposed change in disinfection, your system's disinfection profile for Giardia lamblia (and, if necessary, viruses) and disinfection benchmark, and an analysis of how the proposed change will affect the current levels of disinfection.	Anytime your system is considering a significant change to its disinfection practice.

EFFECTIVE DATE NOTE: At 69 FR 38857, June 29, 2004, § 141.570 was amended by revising paragraph (b)(2) in the table, effective July 29, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 141.570 What does subpart T require that my system report to the State?

* * * * *

Corresponding requirement	Description of information to report	Frequency

Corresponding requirement	Description of information to report	Frequency
* *	* * *	* *
(b) Individual Filter Turbidity Requirements (§§ 141.560–141.564).	(2) The filter number(s), corresponding date(s), and the turbidity value(s) which exceeded 1.0 NTU during the month, and the cause (if known) for the exceedance(s), but only if 2 consecutive measurements exceeded 1.0 NTU.	By the 10th of the following month.
* *	* * *	* *

§ 141.571 What records does subpart T require my system to keep?

Your system must keep several types of records based on the requirements of subpart T, in addition to recordkeeping requirements under § 141.75. The following table describes the necessary records, the length of time these records must be kept, and for which requirement the records pertain. Your system is required to maintain records described in this table, if it is subject to the specific requirement shown in the first column.

Corresponding requirement	Description of necessary records	Duration of time records must be kept
(a) Individual Filter Turbidity Requirements (§§ 141.560–141.564)	Results of individual filter monitoring	At least 3 years.
(b) Disinfection Profiling (§§ 141.530–141.536)	Results of Profile (including raw data and analysis)	Indefinitely.
(c) Disinfection Benchmarking (§§ 141.540–141.544)	Benchmark (including raw data and analysis)	Indefinitely.

PART 142—NATIONAL PRIMARY DRINKING WATER REGULATIONS IMPLEMENTATION

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EPA REVIEW AND APPROVAL OF SMALL SYSTEM VARIANCES

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AUTHORITY: 42 U.S.C. 300f, 300g–1, 300g–2, 300g–3, 300g–4, 300g–5, 300g–6, 300j–4, 300j–9, and 300j–11.

SOURCE: 41 FR 2918, Jan. 20, 1976, unless otherwise noted.

Subpart A—General Provisions

§ 142.1 Applicability.

This part sets forth, pursuant to sections 1413 through 1416, 1445, and 1450 of the Public Health Service Act, as amended by the Safe Drinking Water Act, Public Law 93–523, regulations for the implementation and enforcement of the national primary drinking water regulations contained in part 141 of this chapter.

§ 142.2 Definitions.

As used in this part, and except as otherwise specifically provided:

Act means the Public Health Service Act.

Administrator means the Administrator of the United States Environmental Protection Agency or his authorized representative.

Agency means the United States Environmental Protection Agency.

Approved State primacy program consists of those program elements listed in §142.11(a) that were submitted with the initial State application for primary enforcement authority and approved by the EPA Administrator and all State program revisions thereafter that were approved by the EPA Administrator.

Contaminant means any physical, chemical, biological, or radiological substance or matter in water.

Federal agency means any department, agency, or instrumentality of the United States.

Indian Tribe means any Indian Tribe having a Federally recognized governing body carrying out substantial governmental duties and powers over a defined area.

Interstate Agency means an agency of two or more States established by or under an agreement or compact approved by the Congress, or any other agency of two or more States or Indian Tribes having substantial powers or duties pertaining to the control of pollution as determined and approved by the Administrator.

Maximum contaminant level means the maximum permissible level of a contaminant in water which is delivered to the free flowing outlet of the ultimate user of a public water system; except in the case of turbidity where the maximum permissible level is measured at the point of entry to the distribution system. Contaminants added to the water under circumstances controlled by the user, except for those resulting from corrosion of piping and plumbing caused by water quality are excluded from this definition.

Municipality means a city, town, or other public body created by or pursuant to State law, or an Indian Tribe which does not meet the requirements of subpart H of this part.

National primary drinking water regulation means any primary drinking water regulation contained in part 141 of this chapter.

Person means an individual; corporation; company; association; partnership; municipality; or State, federal, or Tribal agency.

Primary enforcement responsibility means the primary responsibility for administration and enforcement of primary drinking water regulations and related requirements applicable to public water systems within a State.

Public water system or *PWS* means a system for the provision to the public of water for human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Such term includes:

Any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "noncommunity water system" as defined in §141.2.

Sanitary survey means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

Service connection, as used in the definition of *public water system,* does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if:

(1) The water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, and cooking, or other similar uses);

(2) The Administrator or the State exercising primary enforcement responsibility for public water systems, determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking

water regulation is provided for residential or similar uses for drinking and cooking; or

(3) The Administrator or the State exercising primary enforcement responsibility for public water systems, determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

Special irrigation district means an irrigation district in existence prior to May 18, 1994 that provides primarily agricultural service through a piped water system with only incidental residential or similar use where the system or the residential or similar users of the system comply with the exclusion provisions in section 1401(4)(B)(i)(II) or (III).

State means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, or an eligible Indian tribe.

State primary drinking water regulation means a drinking water regulation of a State which is comparable to a national primary drinking water regulation.

State program revision means a change in an approved State primacy program.

Supplier of water means any person who owns or operates a public water system.

Treatment technique requirement means a requirement of the national primary drinking water regulations which specifies for a contaminant a specific treatment technique(s) known to the Administrator which leads to a reduction in the level of such contaminant sufficient to comply with the requirements of part 141 of this chapter.

[41 FR 2918, Jan. 20, 1976, as amended at 53 FR 37410, Sept. 26, 1988; 54 FR 52137, Dec. 20, 1989; 59 FR 64344, Dec. 14, 1994; 63 FR 23367, Apr. 28, 1998]

§ 142.3 Scope.

(a) Except where otherwise provided, this part applies to each public water system in each State; except that this part shall not apply to a public water system which meets all of the following conditions:

(1) Which consists only of distribution and storage facilities (and does not have any collection and treatment facilities);

(2) Which obtains all of its water from, but is not owned or operated by, a public water system to which such regulations apply;

(3) Which does not sell water to any person; and

(4) Which is not a carrier which conveys passengers in interstate commerce.

(b) In order to qualify for primary enforcement responsibility, a State's program for enforcement of primary drinking water regulations must apply to all other public water systems in the State, except for:

(1) Public water systems on carriers which convey passengers in interstate commerce;

(2) Public water systems on Indian land with respect to which the State does not have the necessary jurisdiction or its jurisdiction is in question; or

(c) Section 1451 of the SDWA authorizes the Administrator to delegate primary enforcement responsibility for public water systems to Indian Tribes. An Indian Tribe must meet the statutory criteria at 42 U.S.C. 300j–11(b)(1) before it is eligible to apply for Public Water System Supervision grants and primary enforcement responsibility. All primary enforcement responsibility requirements of parts 141 and 142 apply to Indian Tribes except where specifically noted.

[41 FR 2918, Jan. 20, 1976, as amended at 53 FR 37410, Sept. 26, 1988; 59 FR 64344, Dec. 14, 1994; 67 FR 70858, Nov. 27, 2002]

§ 142.4 State and local authority.

Nothing in this part shall diminish any authority of a State or political subdivision to adopt or enforce any law or regulation respecting drinking water regulations or public water systems, but no such law or regulation

shall relieve any person of any requirements otherwise applicable under this part.

Subpart B—Primary Enforcement Responsibility

§ 142.10 Requirements for a determination of primary enforcement responsibility.

A State has primary enforcement responsibility for public water systems in the State during any period for which the Administrator determines, based upon a submission made pursuant to §142.11, and submission under §142.12, that such State, pursuant to appropriate State legal authority:

(a) Has adopted drinking water regulations which are no less stringent than the national primary drinking water regulations (NPDWRs) in effect under part 141 of this chapter;

(b) Has adopted and is implementing adequate procedures for the enforcement of such State regulations, such procedures to include:

(1) Maintenance of an inventory of public water systems.

(2) A systematic program for conducting sanitary surveys of public water systems in the State, with priority given to sanitary surveys of public water systems not in compliance with State primary drinking water regulations.

(3)(i) The establishment and maintenance of a State program for the certification of laboratories conducting analytical measurements of drinking water contaminants pursuant to the requirements of the State primary drinking water regulations including the designation by the State of a laboratory officer, or officers, certified by the Administrator, as the official(s) responsible for the State's certification program. The requirements of this paragraph may be waived by the Administrator for any State where all analytical measurements required by the State's primary drinking water regulations are conducted at laboratories operated by the State and certified by the Agency. Until such time as the Agency establishes a National quality assurance program for laboratory certification the State shall maintain an interim program for the purpose of approving those laboratories from which the required analytical measurements will be acceptable.

(ii) Upon a showing by an Indian Tribe of an intergovernmental or other agreement to have all analytical tests performed by a certified laboratory, the Administrator may waive this requirement.

(4) Assurance of the availability to the State of laboratory facilities certified by the Administrator and capable of performing analytical measurements of all contaminants specified in the State primary drinking water regulations. Until such time as the Agency establishes a National quality assurance program for laboratory certification the Administrator will approve such State laboratories on an interim basis.

(5) The establishment and maintenance of an activity to assure that the design and construction of new or substantially modified public water system facilities will be capable of compliance with the State primary drinking water regulations.

(6) Statutory or regulatory enforcement authority adequate to compel compliance with the State primary drinking water regulations in appropriate cases, such authority to include:

(i) Authority to apply State primary drinking water regulations to all public water systems in the State covered by the national primary drinking water regulations, except for interstate carrier conveyances and systems on Indian land with respect to which the State does not have the necessary jurisdiction or its jurisdiction is in question.

(ii) Authority to sue in courts of competent jurisdiction to enjoin any threatened or continuing violation of the State primary drinking water regulations.

(iii) Right of entry and inspection of public water systems, including the right to take water samples, whether or not the State has evidence that the system is in violation of an applicable legal requirement.

(iv) Authority to require suppliers of water to keep appropriate records and make appropriate reports to the State.

(v) Authority to require public water systems to give public notice that is no

less stringent than the EPA requirements in Subpart Q of Part 141 of this chapter and §142.16(a).

(vi) Authority to assess civil or criminal penalties for violation of the State's primary drinking water regulations and public notification requirements, including the authority to assess daily penalties or multiple penalties when a violation continues;

(vii) Authority to require community water systems to provide consumer confidence reports as required under 40 CFR part 141, subpart O.

(c) Has established and will maintain record keeping and reporting of its activities under paragraphs (a), (b) and (d) in compliance with §§142.14 and 142.15;

(d) *Variances and exemptions.* (1) If it permits small system variances pursuant to Section 1415(e) of the Act, it must provide procedures no less stringent than the Act and Subpart K of this part.

(2) If it permits variances (other than small system variances) or exemptions, or both, from the requirements of the State primary drinking water regulations, it shall do so under conditions and in a manner no less stringent than the requirements of Sections 1415 and 1416 of the Act. In granting these variances, the State must adopt the Administrator's findings of best available technology, treatment techniques, or other means available as specified in Subpart G of this part. (States with primary enforcement responsibility may adopt procedures different from those set forth in Subparts E and F of this part, which apply to the issuance of variances (other than small system variances) and exemptions by the Administrator in States that do not have primary enforcement responsibility, provided that the State procedures meet the requirements of this paragraph); and

(e) Has adopted and can implement an adequate plan for the provision of safe drinking water under emergency circumstances including, but not limited to, earthquakes, floods, hurricanes, and other natural disasters.

(f)(1) Has adopted authority for assessing administrative penalties unless the constitution of the State prohibits the adoption of such authority. For public water systems serving a population of more than 10,000 individuals, States must have the authority to impose a penalty of at least $1,000 per day per violation. For public water systems serving a population of 10,000 or fewer individuals, States must have penalties that are adequate to ensure compliance with the State regulations as determined by the State.

(2) As long as criteria in paragraph (f)(1) of this section are met, States may establish a maximum administrative penalty per violation that may be assessed on a public water system.

(g) An Indian Tribe shall not be required to exercise criminal enforcement jurisdiction to meet the requirements for primary enforcement responsibility.

[41 FR 2918, Jan. 20, 1976, as amended at 43 FR 5373, Feb. 8, 1978; 52 FR 20675, June 2, 1987; 52 FR 41550, Oct. 28, 1987; 53 FR 37410, Sept. 26, 1988; 54 FR 15188, Apr. 17, 1989; 54 FR 52138, Dec. 20, 1989; 63 FR 23367, Apr. 28, 1998; 63 FR 43846, Aug. 14, 1998; 63 FR 44535, Aug. 19, 1998; 65 FR 26048, May 4, 2000]

§142.11 Initial determination of primary enforcement responsibility.

(a) A State may apply to the Administrator for a determination that the State has primary enforcement responsibility for public water systems in the State pursuant to section 1413 of the Act. The application shall be as concise as possible and include a side-by-side comparison of the Federal requirements and the corresponding State authorities, including citations to the specific statutes and administrative regulations or ordinances and, wherever appropriate, judicial decisions which demonstrate adequate authority to meet the requirements of §142.10. The following information is to be included with the State application.

(1) The text of the State's primary drinking water regulations, with references to those State regulations that vary from comparable regulations set forth in part 141 of this chapter, and a demonstration that any different State regulation is at least as stringent as the comparable regulation contained in part 141.

(2) A description, accompanied by appropriate documentation, of the State's procedures for the enforcement

of the State primary drinking water regulations. The submission shall include:

(i) A brief description of the State's program to maintain a current inventory of public water systems.

(ii) A brief description of the State's program for conducting sanitary surveys, including an explanation of the priorities given to various classes of public water systems.

(iii) A brief description of the State's laboratory approval or certification program, including the name(s) of the responsible State laboratory officer(s) certified by the Administrator.

(iv) Identification of laboratory facilities, available to the State, certified or approved by the Administrator and capable of performing analytical measurements of all contaminants specified in the State's primary drinking water regulations.

(v) A brief description of the State's program activity to assure that the design and construction of new or substantially modified public water system facilities will be capable of compliance with the requirements of the State primary drinking water regulations.

(vi) Copies of State statutory and regulatory provisions authorizing the adoption and enforcement of State primary drinking water regulations, and a brief description of State procedures for administrative or judicial action with respect to public water systems not in compliance with such regulations.

(3) A statement that the State will make such reports and will keep such records as may be required pursuant to §§ 142.14 and 142.15.

(4) If the State permits variances or exemptions from its primary drinking water regulations, the text of the State's statutory and regulatory provisions concerning variances and exemptions.

(5) A brief description of the State's plan for the provision of safe drinking water under emergency conditions.

NOTE: In satisfaction of this requirement, for public water supplies from groundwater sources, EPA will accept the contingency plan for providing alternate drinking water supplies that is part of a State's Wellhead Protection Program, where such program has been approved by EPA pursuant to section 1428 of the SDWA.

(6)(i) A copy of the State statutory and regulatory provisions authorizing the executive branch of the State government to impose an administrative penalty on all public water systems, and a brief description of the State's authority for administrative penalties that will ensure adequate compliance of systems serving a population of 10,000 or fewer individuals.

(ii) In instances where the State constitution prohibits the executive branch of the State government from assessing any penalty, the State shall submit a copy of the applicable part of its constitution and a statement from its Attorney General confirming this interpretation.

(7)(i) A statement by the State Attorney General (or the attorney for the State primacy agency if it has independent legal counsel) or the attorney representing the Indian tribe that certifies that the laws and regulations adopted by the State or tribal ordinances to carry out the program were duly adopted and are enforceable. State statutes and regulations cited by the State Attorney General and tribal ordinances cited by the attorney representing the Indian tribe shall be in the form of lawfully adopted State statutes and regulations or tribal ordinances at the time the certification is made and shall be fully effective by the time the program is approved by EPA. To qualify as "independent legal counsel," the attorney signing the statement required by this section shall have full authority to independently represent the State primacy agency or Indian tribe in court on all matters pertaining to the State or tribal program.

(ii) After EPA has received the documents required under paragraph (a) of this section, EPA may selectively require supplemental statements by the State Attorney General (or the attorney for the State primacy agency if it has independent legal counsel) or the attorney representing the Indian tribe. Each supplemental statement shall address all issues concerning the adequacy of State authorities to meet the requirements of § 142.10 that have been

identified by EPA after thorough examination as unresolved by the documents submitted under paragraph (a) of this section.

(b)(1) The administrator shall act on an application submitted pursuant to §142.11 within 90 days after receiving such application, and shall promptly inform the State in writing of this action. If he denies the application, his written notification to the State shall include a statement of reasons for the denial.

(2) A final determination by the Administrator that a State has met or has not met the requirements for primary enforcement responsibility shall take effect in accordance with the public notice requirements and related procedures under §142.13.

(3) When the Administrator's determination becomes effective pursuant to §142.13, it shall continue in effect unless terminated pursuant to §142.17.

[41 FR 2918, Jan. 20, 1976, as amended at 54 FR 52138, Dec. 20, 1989; 60 FR 33661, June 28, 1995; 63 FR 23367, Apr. 28, 1998]

§142.12 Revision of State programs.

(a) *General requirements.* Either EPA or the primacy State may initiate actions that require the State to revise its approved State primacy program. To retain primary enforcement responsibility, States must adopt all new and revised national primary drinking water regulations promulgated in part 141 of this chapter and any other requirements specified in this part.

(1) Whenever a State revises its approved primacy program to adopt new or revised Federal regulations, the State must submit a request to the Administrator for approval of the program revision, using the procedures described in paragraphs (b), (c), and (d) of this section. The Administrator shall approve or disapprove each State request for approval of a program revision based on the requirements of the Safe Drinking Water Act and of this part.

(2) For all State program revisions not covered under §142.12(a)(1), the review procedures outlined in §142.17(a) shall apply.

(b) *Timing of State requests for approval of program revisions to adopt new or revised Federal regulations.* (1) Complete and final State requests for approval of program revisions to adopt new or revised EPA regulations must be submitted to the Administrator not later than 2 years after promulgation of the new or revised EPA regulations, unless the State requests an extension and the Administrator has approved the request pursuant to paragraph (b)(2) of this section. If the State expects to submit a final State request for approval of a program revision to EPA more than 2 years after promulgation of the new or revised EPA regulations, the State shall request an extension of the deadline before the expiration of the 2-year period.

(2) The final date for submission of a complete and final State request for a program revision may be extended by EPA for up to a two-year period upon a written application by the State to the Administrator. In the extension application the State must demonstrate it is requesting the extension because it cannot meet the original deadline for reasons beyond its control despite a good faith effort to do so. The application must include a schedule for the submission of a final request by a certain time and provide sufficient information to demonstrate that the State:

(i)(A) Currently lacks the legislative or regulatory authority to enforce the new or revised requirements, or

(B) Currently lacks the program capability adequate to implement the new or revised requirements; or

(C) Is requesting the extension to group two or more program revisions in a single legislative or regulatory action; and

(ii) Is implementing the EPA requirements to be adopted by the State in its program revision pursuant to paragraph (b)(3) of this section within the scope of its current authority and capabilities.

(3) To be granted an extension, the State must agree with EPA to meet certain requirements during the extension period, which may include the following types of activities as determined appropriate by the Administrator on a case-by-case basis:

(i) Informing public water systems of the new EPA (and upcoming State) requirements and that EPA will be overseeing implementation of the requirements until the State, if eligible for interim primacy, submits a complete and final primacy revision request to EPA, or in all other cases, until EPA approves the State program revision;

(ii) Collecting, storing and managing laboratory results, public notices, and other compliance and operation data required by the EPA regulations;

(iii) Assisting EPA in the development of the technical aspects of enforcement actions and conducting informal follow-up on violations (telephone calls, letters, etc.);

(iv) Providing technical assistance to public water systems;

(v) Providing EPA with all information prescribed by §142.15 of this part on State reporting; and

(vi) For States whose request for an extension is based on a current lack of program capability adequate to implement the new requirements, taking steps agreed to by EPA and the State during the extension period to remedy the deficiency.

(c) *Contents of a State request for approval of a program revision.* (1) The State request for EPA approval of a program revision shall be concise and must include:

(i) The documentation necessary (pursuant to §142.11(a)) to update the approved State primacy program, and identification of those elements of the approved State primacy program that have not changed because of the program revision. The documentation shall include a side-by-side comparison of the Federal requirements and the corresponding State authorities, including citations to the specific statutes and administrative regulations or ordinances and, wherever appropriate, judicial decisions which demonstrate adequate authority to meet the requirements of §142.10 as they apply to the program revision.

(ii) Any additional materials that are listed in §142.16 of this part for a specific EPA regulation, as appropriate; and

(iii) For a complete and final State request only, unless one of the conditions listed in paragraph (c)(2) of this section are met, a statement by the State Attorney General (or the attorney for the State primacy agency if it has independent legal counsel) or the attorney representing the Indian tribe that certifies that the laws and regulations adopted by the State or tribal ordinances to carry out the program revision were duly adopted and are enforceable. State statutes and regulations cited by the State Attorney General and tribal ordinances cited by the attorney for the Indian tribe shall be in the form of lawfully adopted State statutes and regulations or tribal ordinances at the time the certification is made and shall be fully effective by the time the request for program revision is approved by EPA. To qualify as "independent legal counsel," the attorney signing the statement required by this section shall have full authority to independently represent the State primacy agency or tribe in court on all matters pertaining to the State or tribal program.

(2) An Attorney General's statement will be required as part of the State request for EPA approval of a program revision unless EPA specifically waives this requirement for a specific regulation at the time EPA promulgates the regulation, or by later written notice from the Administrator to the State.

(3) After EPA has received the documents required under paragraph (c)(1) of this section, EPA may selectively require supplemental statements by the State Attorney General (or the attorney for the State primacy agency if it has independent legal counsel) or the attorney representing the Indian tribe. Each supplemental statement shall address all issues concerning the adequacy of State authorities to meet the requirements of §142.10 that have been identified by EPA after thorough examination as unresolved by the documents submitted under paragraph (c)(1) of this section.

(d) *Procedures for review of a State request for approval of a program revision—*(1) *Preliminary request.* (i) The State may submit to the Administrator for his or her review a preliminary request for approval of each program revision, containing the information listed in paragraph (c)(1) of this section, *in draft form.* The preliminary request does not

require an Attorney General's statement in draft form, but does require draft State statutory or regulatory changes and a side-by-side comparison of State authorities with EPA requirements to demonstrate that the State program revision meets EPA requirements under §142.10 of this part. The preliminary request should be submitted to the Administrator as soon as practicable after the promulgation of the EPA regulations.

(ii) The Administrator will review the preliminary request submitted in accordance with paragraph (d)(1)(i) of this section and make a tentative determination on the request. The Administrator will send the tentative determination and other comments or suggestions to the State for its use in developing the State's final request under paragraph (d)(2) of this section.

(2) *Final request.* The State must submit a complete and final request for approval of a program revision to the Administrator for his or her review and approval. The request must contain the information listed in paragraph (c)(1) of this section *in complete and final form,* in accordance with any tentative determination EPA may have issued. Complete and final State requests for program revisions shall be submitted within two years of the promulgation of the new or revised EPA regulations, as specified in paragraph (b) of this section.

(3) *EPA's determination on a complete and final request.* (i) The Administrator shall act on a State's request for approval of a program revision within 90 days after determining that the State request is complete and final and shall promptly notify the State of his/her determination.

(ii) If the Administrator disapproves a final request for approval of a program revision, the Administrator will notify the State in writing. Such notification will include a statement of the reasons for disapproval.

(iii) A final determination by the Administrator on a State's request for approval of a program revision shall take effect in accordance with the public notice requirements and related procedures under §142.13.

(e) *Interim primary enforcement authority.* A State with an approved primacy program for each existing national primary drinking water regulation shall be considered to have interim primary enforcement authority with respect to each new or revised national drinking water regulation that it adopts beginning when the new or revised State regulation becomes effective or when the complete primacy revision application is submitted to the Administrator, whichever is later, and shall end when the Administrator approves or disapproves the State's revised primacy program.

[54 FR 52138, Dec. 20, 1989, as amended at 63 FR 23367, Apr. 28, 1998; 66 FR 3780, Jan. 16, 2001]

§142.13 Public hearing.

(a) The Administrator shall provide an opportunity for a public hearing before a final determination pursuant to §142.11 that the State meets or does not meet the requirements for obtaining primary enforcement responsibility, or a final determination pursuant to §142.12(d)(3) to approve or disapprove a State request for approval of a program revision, or a final determination pursuant to §142.17 that a State no longer meets the requirements for primary enforcement responsibility.

(b) The Administrator shall publish notice of any determination specified in paragraph (a) of this section in the FEDERAL REGISTER and in a newspaper or newspapers of general circulation in the State involved within 15 days after making such determination, with a statement of his reasons for the determination. Such notice shall inform interested persons that they may request a public hearing on the Administrator's determination. Such notice shall also indicate one or more locations in the State where information submitted by the State pursuant to §142.11 is available for inspection by the general public. A public hearing may be requested by any interested person other than a Federal agency. Frivolous or insubstantial requests for hearing may be denied by the Administrator.

(c) Requests for hearing submitted pursuant to paragraph (b) of this section shall be submitted to the Administrator within 30 days after publication of notice of opportunity for hearing in the FEDERAL REGISTER. Such requests

shall include the following information:

(1) The name, address and telephone number of the individual, organization or other entity requesting a hearing.

(2) A brief statement of the requesting person's interest in the Administrator's determination and of information that the requesting person intends to submit at such hearing.

(3) The signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

(d) The Administrator shall give notice in the FEDERAL REGISTER and in a newspaper or newspapers of general circulation in the State involved of any hearing to be held pursuant to a request submitted by an interested person or on his own motion. Notice of the hearing shall also be sent to the person requesting a hearing, if any, and to the State involved. Notice of the hearing shall include a statement of the purpose of the hearing, information regarding the time and location or locations for the hearing and the address and telephone number of an office at which interested persons may obtain further information concerning the hearing. At least one hearing location specified in the public notice shall be within the involved State. Notice of hearing shall be given not less than 15 days prior to the time scheduled for the hearing.

(e) Hearings convened pursuant to paragraph (d) of this section shall be conducted before a hearing officer to be designated by the Administrator. The hearing shall be conducted by the hearing officer in an informal, orderly and expeditious manner. The hearing officer shall have authority to call witnesses, receive oral and written testimony and take such other action as may be necessary to assure the fair and efficient conduct of the hearing. Following the conclusion of the hearing, the hearing officer shall forward the record of the hearing to the Administrator.

(f) After reviewing the record of the hearing, the Administrator shall issue an order affirming the determination referred to in paragraph (a) of this section or rescinding such determination. If the determination is affirmed, it shall become effective as of the date of the Administrator's order.

(g) If no timely request for hearing is received and the Administrator does not determine to hold a hearing on his own motion, the Administrator's determination shall become effective 30 days after notice is issued pursuant to paragraph (b) of this section.

(h) If a determination of the Administrator that a State no longer meets the requirements for primary enforcement responsibility becomes effective, the State may subsequently apply for a determination that it meets such requirements by submitting to the Administrator information demonstrating that it has remedied the deficiencies found by the Administrator without adversely sacrificing other aspects of its program required for primary enforcement responsibility.

[41 FR 2918, Jan. 20, 1976, as amended at 54 FR 52140, Dec. 20, 1989; 60 FR 33661, June 28, 1995]

§ 142.14 Records kept by States.

(a) Each State which has primary enforcement responsibility shall maintain records of tests, measurements, analyses, decisions, and determinations performed on each public water system to determine compliance with applicable provisions of State primary drinking water regulations.

(1) Records of microbiological analyses shall be retained for not less than 1 year. Actual laboratory reports may be kept or data may be transferred to tabular summaries, provided that the information retained includes:

(i) The analytical method used;

(ii) The number of samples analyzed each month;

(iii) The analytical results, set forth in a form which makes possible comparison with the limits specified in §§ 141.63, 141.71, and 141.72 of this chapter.

(2) Records of microbiological analyses of repeat or special samples shall be retained for not less than one year in the form of actual laboratory reports or in an appropriate summary form.

(3) Records of turbidity measurements must be kept for not less than

one year. The information retained must be set forth in a form which makes possible comparison with the limits specified in §§141.71, 141.73, 141.173 and 141.175, 141.550–141.553 and 141.560–141.564 of this chapter. Until June 29, 1993, for any public water system which is providing filtration treatment and until December 30, 1991, for any public water system not providing filtration treatment and not required by the State to provide filtration treatment, records kept must be set forth in a form which makes possible comparison with the limits contained in §141.13 of this chapter.

(4)(i) Records of disinfectant residual measurements and other parameters necessary to document disinfection effectiveness in accordance with §§141.72 and 141.74 of this chapter and the reporting requirements of §§141.75, 141.175, and 141.570, of this chapter must be kept for not less than one year.

(ii) Records of decisions made on a system-by-system and case-by-case basis under provisions of part 141, subpart H, subpart P, or subpart T of this chapter, must be made in writing and kept by the State.

(A) Records of decisions made under the following provisions shall be kept for 40 years (or until one year after the decision is reversed or revised) and a copy of the decision must be provided to the system:

(*1*) Section 141.73(a)(1)—Any decision to allow a public water system using conventional filtration treatment or direct filtration to substitute a turbidity limit greater than 0.5 NTU;

(*2*) Section 141.73(b)(1)—Any decision to allow a public water system using slow sand filtration to substitute a turbidity limit greater than 1 NTU;

(*3*) Section 141.74(b)(2)—Any decision to allow an unfiltered public water system to use continuous turbidity monitoring;

(*4*) Section 141.74(b)(6)(i)—Any decision to allow an unfiltered public water system to sample residual disinfectant concentration at alternate locations if it also has ground water source(s);

(*5*) Section 141.74(c)(1)—Any decision to allow a public water system using filtration treatment to use continuous turbidity monitoring; or a public water system using slow sand filtration or filtration treatment other than conventional treatment, direct filtration or diatomaceous earth filtration to reduce turbidity sampling to once per day; or for systems serving 500 people or fewer to reduce turbidity sampling to once per day;

(*6*) Section 141.74(c)(3)(i)—Any decision to allow a filtered public water system to sample disinfectant residual concentration at alternate locations if it also has ground water source(s);

(*7*) Section 141.75(a)(2)(ix)—Any decision to allow reduced reporting by an unfiltered public water system;

(*8*) Section 141.75(b)(2)(iv)—Any decision to allow reduced reporting by a filtered public water system; and

(*9*) Section 141.76—Any decisions made to approve alternate recycle locations, require modifications to recycle return locations, or require modifications to recycle practices.

(B) Records of decisions made under the following provisions shall be kept for one year after the decision is made:

(*1*) Section 141.71(b)(1)(i)—Any decision that a violation of monthly CT compliance requirements was caused by circumstances that were unusual and unpredictable.

(*2*) Section 141.71(b)(1)(iv)—Any decision that a violation of the disinfection effectiveness criteria was not caused by a deficiency in treatment of the source water;

(*3*) Section 141.71(b)(5)—Any decision that a violation of the total coliform MCL was not caused by a deficiency in treatment of the source water;

(*4*) Section 141.74(b)(1)—Any decision that total coliform monitoring otherwise required because the turbidity of the source water exceeds 1 NTU is not feasible, except that if such decision allows a system to avoid monitoring without receiving State approval in each instance, records of the decision shall be kept until one year after the decision is rescinded or revised.

(C) Records of decisions made under the following provisions shall be kept for the specified period or 40 years, whichever is less.

(*1*) Section 141.71(a)(2)(i)—Any decision that an event in which the source water turbidity which exceeded 5 NTU for an unfiltered public water system

was unusual and unpredictable shall be kept for 10 years.

(*2*) Section 141.71(b)(1)(iii)—Any decision by the State that failure to meet the disinfectant residual concentration requirements of §141.72(a)(3)(i) was caused by circumstances that were unusual and unpredictable, shall be kept unless filtration is installed. A copy of the decision must be provided to the system.

(*3*) Section 141.71(b)(2)—Any decision that a public water system's watershed control program meets the requirements of this section shall be kept until the next decision is available and filed.

(*4*) Section 141.70(c)—Any decision that an individual is a qualified operator for a public water system using a surface water source or a ground water source under the direct influence of surface water shall be maintained until the qualification is withdrawn. The State may keep this information in the form of a list which is updated periodically. If such qualified operators are classified by category, the decision shall include that classification.

(*5*) Section 141.71(b)(3)—Any decision that a party other than the State is approved by the State to conduct on-site inspections shall be maintained until withdrawn. The State may keep this information in the form of a list which is updated periodically.

(*6*) Section 141.71(b)(4)—Any decision that an unfiltered public water system has been identified as the source of a waterborne disease outbreak, and, if applicable, that it has been modified sufficiently to prevent another such occurrence shall be kept until filtration treatment is installed. A copy of the decision must be provided to the system.

(*7*) Section 141.72—Any decision that certain interim disinfection requirements are necessary for an unfiltered public water system for which the State has determined that filtration is necessary, and a list of those requirements, shall be kept until filtration treatment is installed. A copy of the requirements must be provided to the system.

(*8*) Section 141.72(a)(2)(ii)—Any decision that automatic shut-off of delivery of water to the distribution system of an unfiltered public water system would cause an unreasonable risk to health or interfere with fire protection shall be kept until rescinded.

(*9*) Section 141.72(a)(4)(ii)—Any decision by the State, based on site-specific considerations, that an unfiltered system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by §141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, so that the disinfection requirements contained in §141.72(a)(4)(i) do not apply, and the basis for the decision, shall be kept until the decision is reversed or revised. A copy of the decision must be provided to the system.

(*10*) Section 141.72(b)(3)(ii)—Any decision by the State, based on site-specific conditions, that a filtered system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by §141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, so that the disinfection requirements contained in §141.72(b)(3)(i) do not apply, and the basis for the decision, shall be kept until the decision is reversed or revised. A copy of the decision must be provided to the system.

(*11*) Section 141.73(d)—Any decision that a public water system, having demonstrated to the State that an alternative filtration technology, in combination with disinfection treatment, consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts and 99.99 percent removal and/or inactivation of viruses, may use such alternative filtration technology, shall be kept until the decision is reversed or revised. A copy of the decision must be provided to the system.

(*12*) Section 141.74(b), table 3.1—Any decision that a system using either preformed chloramines or chloramines formed by the addition of ammonia prior to the addition of chlorine has demonstrated that 99.99 percent removal and/or inactivation of viruses has been achieved at particular CT values, and a list of those values, shall be

kept until the decision is reversed or revised. A copy of the list of required values must be provided to the system.

(*13*) Section 141.74(b)(3)(v)—Any decision that a system using a disinfectant other than chlorine may use $CT_{99.9}$ values other than those in tables 2.1 or 3.1 and/or other operational parameters to determine if the minimum total inactivation rates required by §141.72(a)(1) are being met, and what those values or parameters are, shall be kept until the decision is reversed or revised. A copy of the list of required values or parameters must be provided to the system.

(*14*) Section 142.16(b)(2)(i)(B)—Any decision that a system using a ground water source is under the direct influence of surface water.

(iii) Records of any determination that a public water system supplied by a surface water source or a ground water source under the direct influence of surface water is not required to provide filtration treatment shall be kept for 40 years or until withdrawn, whichever is earlier. A copy of the determination must be provided to the system.

(5) Records of each of the following decisions made pursuant to the total coliform provisions of part 141 shall be made in writing and retained by the State.

(i) Records of the following decisions must be retained for 5 years.

(A) Section 141.21(b)(1)—Any decision to waive the 24-hour time limit for collecting repeat samples after a total coliform-positive routine sample if the public water system has a logistical problem in collecting the repeat sample that is beyond the system's control, and what alternative time limit the system must meet.

(B) Section 141.21(b)(5)—Any decision to allow a system to waive the requirement for five routine samples the month following a total coliform-positive sample. If the waiver decision is made as provided in §141.21(b)(5), the record of the decision must contain all the items listed in that paragraph.

(C) Section 141.21(c)—Any decision to invalidate a total coliform-positive sample. If the decision to invalidate a total coliform-positive sample as provided in §141.21(c)(1)(iii) is made, the record of the decision must contain all the items listed in that paragraph.

(ii) Records of each of the following decisions must be retained in such a manner so that each system's current status may be determined.

(A) Section 141.21(a)(2)—Any decision to reduce the total coliform monitoring frequency for a community water system serving 1,000 persons or fewer, that has no history of total coliform contamination in its current configuration and had a sanitary survey conducted within the past five years showing that the system is supplied solely by a protected groundwater source and is free of sanitary defects, to less than once per month, as provided in §141.21(a)(2); and what the reduced monitoring frequency is. A copy of the reduced monitoring frequency must be provided to the system.

(B) Section 141.21(a)(3)(i)—Any decision to reduce the total coliform monitoring frequency for a non-community water system using only ground water and serving 1,000 persons or fewer to less than once per quarter, as provided in §141.21(a)(3)(i), and what the reduced monitoring frequency is. A copy of the reduced monitoring frequency must be provided to the system.

(C) Section 141.21(a)(3)(ii)—Any decision to reduce the total coliform monitoring frequency for a non-community water system using only ground water and serving more than 1,000 persons during any month the system serves 1,000 persons or fewer, as provided in §141.21(a)(3)(ii). A copy of the reduced monitoring frequency must be provided to the system.

(D) Section 141.21(a)(5)—Any decision to waive the 24-hour limit for taking a total coliform sample for a public water system which uses surface water, or ground water under the direct influence of surface water, and which does not practice filtration in accordance with part 141, subpart H, and which measures a source water turbidity level exceeding 1 NTU near the first service connection as provided in §141.21(a)(5).

(E) Section 141.21(d)(1)—Any decision that a non-community water system is using only protected and disinfected ground water and therefore may reduce the frequency of its sanitary survey to

less than once every five years, as provided in §141.21(d), and what that frequency is. A copy of the reduced frequency must be provided to the system.

(F) Section 141.21(d)(2)—A list of agents other than the State, if any, approved by the State to conduct sanitary surveys.

(G) Section 141.21(e)(2)—Any decision to allow a public water system to forgo fecal coliform or *E. coli* testing on a total coliform-positive sample if that system assumes that the total coliform-positive sample is fecal coliform-positive or *E. coli*- positive, as provided in §141.21(e)(2).

(6) Records of analysis for other than microbiological contaminants (including total coliform, fecal coliform, and heterotrophic plate count), residual disinfectant concentration, other parameters necessary to determine disinfection effectiveness (including temperature and pH measurements), and turbidity shall be retained for not less than 12 years and shall include at least the following information:

(i) Date and place of sampling.

(ii) Date and results of analyses.

(7) Any decisions made pursuant to the provisions of part 141, subpart P or subpart T of this chapter.

(i) Records of systems consulting with the State concerning a modification to disinfection practice under §§141.170(d), 141.172(c), and 141.542 of this chapter, including the status of the consultation.

(ii) Records of decisions that a system using alternative filtration technologies, as allowed under §§141.173(b) and §141.552 of this chapter, can consistently achieve a 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts, 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts. The decisions must include State-set enforceable turbidity limits for each system. A copy of the decision must be kept until the decision is reversed or revised. The State must provide a copy of the decision to the system.

(iii) Records of systems required to do filter self-assessment, CPE, or CCP under the requirements of §§141.175 and 141.563 of this chapter.

(b) Records required to be kept pursuant to paragraph (a) of this section must be in a form admissible as evidence in State enforcement proceedings.

(c) Each State which has primary enforcement responsibility shall maintain current inventory information for every public water system in the State and shall retain inventory records of public water systems for not less than 12 years.

(d) Each State which has primary enforcement responsibility shall retain, for not less than 12 years, files which shall include for each such public water system in the State:

(1) Reports of sanitary surveys;

(2) Records of any State approvals;

(3) Records of any enforcement actions.

(4) A record of the most recent vulnerability determination, including the monitoring results and other data supporting the determination, the State's findings based on the supporting data and any additional bases for such determination; except that it shall be kept in perpetuity or until a more current vulnerability determination has been issued.

(5) A record of all current monitoring requirements and the most recent monitoring frequency decision pertaining to each contaminant, including the monitoring results and other data supporting the decision, the State's findings based on the supporting data and any additional bases for such decision; except that the record shall be kept in perpetuity or until a more recent monitoring frequency decision has been issued.

(6) A record of the most recent asbestos repeat monitoring determination, including the monitoring results and other data supporting the determination, the State's findings based on the supporting data and any additional bases for the determination and the repeat monitoring frequency; except that these records shall be maintained in perpetuity or until a more current repeat monitoring determination has been issued.

(7) Records of annual certifications received from systems pursuant to part 141, subpart K demonstrating the system's compliance with the treatment

techniques for acrylamide and/or epichlorohydrin in §14.111.

(8) Records of the currently applicable or most recent State determinations, including all supporting information and an explanation of the technical basis for each decision, made under the following provisions of 40 CFR, part 141, subpart I for the control of lead and copper:

(i) Section 141.81(b)—for any water system deemed to be optimized under §141.81(b)(1) or (b)(3) of this chapter, any conditions imposed by the State on specific water systems to ensure the continued operation and maintenance of corrosion control treatment in place;

(ii) Section 141.82(b)—decisions to require a water system to conduct corrosion control treatment studies;

(iii) Section 141.82(d)—designations of optimal corrosion control treatment;

(iv) Section 141.82(f)—designations of optimal water quality parameters;

(v) Section 141.82(h)—decisions to modify a public water system's optimal corrosion control treatment or water quality parameters;

(vi) Section 141.83(b)(2)—determinations of source water treatment;

(vii) Section 141.83(b)(4)—designations of maximum permissible concentrations of lead and copper in source water;

(viii) Section 141.84(e)—determinations establishing shorter lead service line service line replacement schedules under §141.84;

(ix) Sections 141.81(b)(3)(iii), 141.86(d)(4)(vii), and 141.86(g)(4)(iii)—determinations of additional monitoring requirements and/or other actions required to maintain optimal corrosion control by systems monitoring for lead and copper at the tap less frequently than once every six months that change treatment or add a new source of water;

(x) Section 141.85—system-specific decisions regarding the content of written public education materials and/or the distribution of these materials;

(xi) Section 141.86(b)(5)—system-specific determinations regarding use of non-first-draw samples at non-transient non-community water systems, and community water systems meeting the criteria of §§141.85(c)(7)(i) and (ii) of this chapter, that operate 24 hours a day;

(xii) Section 141.86(c)—system-specific designations of sampling locations for systems subject to reduced monitoring;

(xiii) Section 141.86(d)(iv)(A)—system-specific determinations pertaining to alternative sample collection periods for systems subject to reduced monitoring;

(xiv) Section 141.86(g)—determinations of small system monitoring waivers, waiver recertifications, and waiver revocations;

(xv) Section 141.87(c)(3)—determinations regarding representative entry point locations at ground water systems;

(xvi) Section 141.90(e)(4)—system-specific determinations regarding the submission of information to demonstrate compliance with partial lead service line replacement requirements; and

(xvii) Section 141.90(f)—system-specific decisions regarding the resubmission of detailed documentation demonstrating completion of public education requirements.

(9) Records of reports and any other information submitted by PWSs under §141.90 of this chapter, including records of any 90th percentile values calculated by the State under §141.90(h) of this chapter.

(10) Records of State activities, and the results thereof, to:

(i) Verify compliance with State determinations issued under §§141.82(f) of this chapter, 141.82(h) of this chapter, 141.83(b)(2) of this chapter, and 141.83(b)(4) of this chapter;

(ii) Verify compliance with the requirements related to partial lead service line replacement under §141.84(d) of this chapter and compliance with lead service line replacement schedules under §141.84(e) of this chapter; and

(iii) Invalidate tap water lead and copper samples under §141.86(f) of this chapter.

(11) Records of each system's currently applicable or most recently designated monitoring requirements. If, for the records identified in paragraphs (d)(8)(i) through (d)(8)(xvii) of this section, no change is made to State determinations during a 12-year retention period, the State shall retain the

record until a new decision, determination, or designation has been issued.

(12) Records of the currently applicable or most recent State determinations, including all supporting information and an explanation of the technical basis for each decision, made under the following provisions of 40 CFR part 141, subpart L for the control of disinfectants and disinfection byproducts. These records must also include interim measures toward installation.

(i) States must keep records of systems that are installing GAC or membrane technology in accordance with §141.64(b)(2) of this chapter. These records must include the date by which the system is required to have completed installation.

(ii) States must keep records of systems that are required, by the State, to meet alternative minimum TOC removal requirements or for whom the State has determined that the source water is not amenable to enhanced coagulation in accordance with §141.135(b)(3) and (4) of this chapter, respectively. These records must include the alternative limits and rationale for establishing the alternative limits.

(iii) States must keep records of subpart H systems using conventional treatment meeting any of the alternative compliance criteria in §141.135(a)(2) or (3) of this chapter.

(iv) States must keep a register of qualified operators that have met the State requirements developed under §142.16(f)(2).

(13) Records of systems with multiple wells considered to be one treatment plant in accordance with §141.132(a)(2) of this chapter and §142.16(f)(5).

(14) Monitoring plans for subpart H systems serving more than 3,300 persons in accordance with §141.132(f) of this chapter.

(15) List of laboratories approved for analyses in accordance with §141.131(b) of this chapter.

(16) List of systems required to monitor for disinfectants and disinfection byproducts in accordance with part 141, subpart L of this chapter. The list must indicate what disinfectants and DBPs, other than chlorine, TTHM, and HAA5, if any, are measured.

(e) Each State which has primary enforcement responsibility shall retain records pertaining to each variance and exemption granted by it for a period of not less than 5 years following the expiration of such variance or exemption.

(f) Public notification records under Subpart Q of Part 141 of this chapter received from public water systems (including certifications of compliance and copies of public notices) and any state determinations establishing alternative public notification requirements for the water systems must be retained for three years.

(g) Records required to be kept under this section shall be available to the Regional Administrator upon request. The records required to be kept under this section shall be maintained and made available for public inspection by the State, or, the State at its option may require suppliers of water to make available for public inspection those records maintained in accordance with §141.33.

[41 FR 2918, Jan. 20, 1976, as amended at 54 FR 27537, June 29, 1989; 55 FR 25065, June 19, 1990; 56 FR 3595, Jan. 30, 1991; 56 FR 26562, June 7, 1991; 63 FR 69475, 69519, Dec. 16, 1998; 65 FR 2014, Jan. 12, 2000; 65 FR 26048, May 4, 2000; 66 FR 31105, June 8, 2001; 67 FR 1843, Jan. 14, 2002]

EFFECTIVE DATE NOTE: At 69 FR 38857, June 29, 2004, §142.14 was amended in paragraph (d)(12)(iv) by removing the citation "§142.16(f)(2)" and adding in its place "§142.16(h)(2)", and in paragraph (d)(13) by removing the citation "§142.16(f)(5)" and adding in its place "§142.16(h)(5)", effective July 29, 2004.

§142.15 Reports by States.

Each State which has primary enforcement responsibility shall submit to the Administrator the following information:

(a) 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, consisting of the following information:

(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 of this chapter;

(2) New enforcement actions taken by the State during the previous quarter against public water systems with respect to State regulations adopted to incorporate the requirements of national primary drinking water regulations;

(3) Notification of any new variance or exemption granted during the previous quarter. The notice shall include a statement of reasons for the granting of the variance or exemption, including documentation of the need for the variance or exemption and the finding that the granting of the variance or exemption will not result in an unreasonable risk to health. The State may use a single notification statement to report two or more similar variances or exemptions.

(b) Each State which has primary enforcement responsibility shall submit annual reports to the Administrator on a schedule and in a format prescribed by the Administrator, consisting of the following information:

(1) All additions or corrections to the State's inventory of public water systems;

(2) A summary of the status of each variance and exemption currently in effect.

(c) *Special reports.* (1) *Surface Water Treatment Rule.* (i)(A) A list identifying the name, PWS identification number and date of the determination for each public water system supplied by a surface water source or a ground water source under the direct influence of surface water, which the State has determined is not required to provide filtration treatment.

(B) A list identifying the name and PWS identification number of each public water system supplied by a surface water source or ground water source under the direct influence of surface water, which the State has determined, based on an evaluation of site-specific considerations, has no means of having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified in §141.74(a)(3) and is providing adequate disinfection in the distribution system, regardless of whether the system is in compliance with the criteria of §141.72 (a)(4)(i) or (b)(3)(i) of this chapter, as allowed by §141.72 (a)(4)(ii) and (b)(3)(ii). The list must include the effective date of each determination.

(ii) Notification within 60 days of the end of the calendar quarter of any determination that a public water system using a surface water source or a ground water source under the direct influence of surface water is not required to provide filtration treatment. The notification must include a statement describing the system's compliance with each requirement of the State's regulations that implement §141.71 and a summary of comments, if any, received from the public on the determination. A single notification may be used to report two or more such determinations.

(2) *Total coliforms.* A list of public water systems which the State is allowing to monitor less frequently than once per month for community water systems or less frequently than once per quarter for non-community water systems as provided in §141.21(a), including the effective date of the reduced monitoring requirement for each system.

(3) [Reserved]

(4) States shall report quarterly, in a format and on a schedule prescribed by the Administrator, the following information related to each system's compliance with the treatment techniques for lead and copper under 40 CFR part 141, subpart I during the preceding calendar quarter. Specifically, States shall report as follows:

(i) For any reports provided prior to May 15, 2000, States shall report the name and PWS identification number:

(A) Each public water system which exceeded the lead and copper action levels and the date upon which the exceedance occurred;

(B) Each public water system required to complete the corrosion control evaluation specified in §141.82(c) and the date the State received the results of the evaluations from each system;

(C) Each public water system for which the State has designated optimal corrosion control treatment under §141.82(d), the date of the determination, and each system that completed

installation of treatment as certified under §141.90(c)(3);

(D) Each public water system for which the State has designated optimal water quality parameters under §141.82(f) and the date of the determination;

(E) Each public water system which the State has required to install source water treatment under §141.83(b)(2), the date of the determination, and each system that completed installation of treatment as certified under §141.90(d)(2);

(F) Each public water system for which the State has specified maximum permissible source water levels under §141.83(b)(4); and

(G) Each public water system required to begin replacing lead service lines as specified in §141.84, each public water system for which the State has established a replacement schedule under §141.84(f), and each system reporting compliance with its replacement schedule under §141.90(e)(2).

(ii) For any reports provided after May 14, 2000 and before January 14, 2002, States may report in accordance with either paragraph (c)(4)(i) or (c)(4)(iii) of this section.

(iii) For all reports submitted on or after January 14, 2002, States shall report the PWS identification number of each public water system identified in paragraphs (c)(4)(iii)(A) through (F) of this section.

(A) For each large and medium-size public water system, all 90th percentile lead levels calculated during each monitoring period specified in §141.86 of this chapter, and the first and last day of the monitoring period for which the 90th percentile lead level was calculated;

(B) For each small public water system, the 90th percentile lead level calculated during each monitoring period in which the system exceeds the lead action level, and the first and last day of each monitoring period in which an exceedance occurred;

(C) For each public water system (regardless of size), the 90th percentile copper level calculated during each monitoring period in which the system exceeds the copper action level, and the first and last day of each monitoring period in which an exceedance occurred;

(D) For each public water system for which the State has designated optimal water quality parameters under §141.82(f) of this chapter, or which the State has deemed to have optimized corrosion control under §141.81(b)(1) or (b)(3) of this chapter, the date of the determination and the paragraph(s) under which the State made its determination;

(E) For each public water system required to begin replacing lead service lines as specified in §141.84 of this chapter and the date each system must begin replacement; and

(F) For each public water system that has implemented optimal corrosion control, completed applicable source water treatment requirements pursuant to §141.83 of this chapter and/or completed lead service line replacement requirements pursuant to §141.84 of this chapter, and the date of the State's determination that these requirements have been met. The date reported shall be the latest of the following events:

(*1*) The date the State designates optimal water quality parameters under §141.82(f) of this chapter or deems the system to have optimized corrosion control pursuant to §141.81(b)(1) or (b)(3) of this chapter;

(*2*) For systems triggered into source water treatment, the date the State designates maximum permissible source water levels under §141.83(b)(4) of this chapter or determines pursuant to §141.83(b)(2) of this chapter that source water treatment is not required; or

(*3*) For systems triggered into lead service line replacement, the date the system completes lead service line replacement or becomes eligible to cease lead service line replacement pursuant to §141.84(f) of this chapter.

(5) *Sanitary surveys.* A list of subpart H systems that have had a sanitary survey completed during the previous year and an annual evaluation of the State's program for conducting sanitary surveys under §142.16(b)(3) of this chapter.

(d) The reports submitted pursuant to this section shall be made available

by the State to the public for inspection at one or more locations within the State.

[41 FR 2918, Jan. 20, 1976, as amended at 43 FR 5373, Feb. 8, 1978; 54 FR 27539, June 29, 1989; 55 FR 52140, Dec. 20, 1989; 55 FR 25065, June 19, 1990; 56 FR 3595, Jan. 30, 1991; 56 FR 26562, June 7, 1991; 63 FR 69520, Dec. 16, 1998; 64 FR 50620, Sept. 17, 1999; 65 FR 2014, Jan. 12, 2000; 65 FR 20313, Apr. 14, 2000; 65 FR 26048, May 4, 2000; 66 FR 3780, Jan. 16, 2001]

§ 142.16 Special primacy requirements.

(a) *State public notification requirements.*

(1) Each State that has primary enforcement authority under this part must submit complete and final requests for approval of program revisions to adopt the requirements of Subpart Q of Part 141 of this chapter, using the procedures in §142.12(b) through (d). 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 of this chapter. The alternative requirements must provide the same type and amount of information required under Subpart Q and must meet the primacy requirements under §142.10.

(2) As part of the revised primacy program, a State must also establish enforceable requirements and procedures when the State adds to or changes the requirements under:

(i) *Table 1 to 40 CFR 141.201(a)(Item (3)(v))*—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 this chapter;

(ii) *40 CFR 141.201(c)(2)*—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) *Table 1 of 40 CFR 141.202(a) (Items (5), (6), and (8))*—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 this chapter;

(iv) *40 CFR 141.202(b)(3)*—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) *40 CFR 141.202(c), 141.203(c) and 141.204(c)*—To require a different form and manner of delivery for Tier 1, 2 and 3 public notices.

(vi) *Table 1 to 40 CFR 141.203(a) (Item (2))*—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;

(vii) *40 CFR 141.203(b)(1)*—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) *40 CFR 141.203(b)(2)*—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) *40 CFR 141.203(b)(3)*—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) *40 CFR 141.205(c)*—To determine the specific multilingual requirement for a public water system, including defining "large proportion of non-English-speaking consumers."

(b) *Requirements for States to adopt 40 CFR part 141, subpart H Filtration and Disinfection.* In addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that State provisions are no less stringent than the federal requirements, an application for approval of a State program revision that adopts 40 CFR part 141, subpart H Filtration and Disinfection, must contain the information specified in this paragraph (b), except that States which require without exception all public water systems using a surface water source or a ground water source under the direct

influence of surface water to provide filtration need not demonstrate that the State program has provisions that apply to systems which do not provide filtration treatment. However, such States must provide the text of the State statutes or regulations which specifies that all public water systems using a surface water source or a ground water source under the direct influence of surface water must provide filtration.

(1) *Enforceable requirements.* (i) In addition to adopting criteria no less stringent than those specified in part 141, subpart H of this chapter, the State's application must include enforceable design and operating criteria for each filtration treatment technology allowed or a procedure for establishing design and operating conditions on a system-by-system basis (e.g., a permit system).

(ii) States must have the appropriate rules or other authority to assure that PWSs respond in writing to significant deficiencies outlined in sanitary survey reports required under paragraph (b)(3) of this section no later than 45 days after receipt of the report, indicating how and on what schedule the system will address significant deficiencies noted in the survey.

(iii) States must have the appropriate rules or other authority to assure that PWSs take necessary steps to address significant deficiencies identified in sanitary survey reports required under paragraph (b)(3) of this section, if such deficiencies are within the control of the PWS and its governing body.

(2) *State practices or procedures.* (i) A State application for program revision approval must include a description of how the State will accomplish the following:

(A) Section 141.70(c) (qualification of operators)—Qualify operators of systems using a surface water source or a ground water source under the direct influence of surface water.

(B) Determine which systems using a ground water source are under the direct influence of surface water by June 29, 1994 for community water systems and by June 29, 1999 for non-community water systems.

(C) Section 141.72(b)(1) (achieving required *Giardia lamblia* and virus removal in filtered systems)—Determine that the combined treatment process incorporating disinfection treatment and filtration treatment will achieve the required removal and/or inactivation of *Giardia lamblia* and viruses.

(D) Section 141.74(a) (State approval of parties to conduct analyses)—approve parties to conduct pH, temperature, turbidity, and residual disinfectant concentration measurements.

(E) Determine appropriate filtration treatment technology for source waters of various qualities.

(ii) For a State which does not require all public water systems using a surface water source or ground water source under the direct influence of surface water to provide filtration treatment, a State application for program revision approval must include a description of how the State will accomplish the following:

(A) Section 141.71(b)(2) (watershed control program)—Judge the adequacy of watershed control programs.

(B) Section 141.71(b)(3) (approval of on-site inspectors)—Approve on-site inspectors other than State personnel and evaluate the results of on-site inspections.

(iii) For a State which adopts any of the following discretionary elements of part 141 of this chapter, the application must describe how the State will:

(A) Section 141.72 (interim disinfection requirements)—Determine interim disinfection requirements for unfiltered systems which the State has determined must filter which will be in effect until filtration is installed.

(B) Section 141.72 (a)(4)(ii) and (b)(3)(ii) (determination of adequate disinfection in system without disinfectant residual)—Determine that a system is unable to measure HPC but is still providing adequate disinfection in the distribution system, as allowed by §141.72(a)(4)(ii) for systems which do not provide filtration treatment and §141.72(b)(3)(ii) for systems which do provide filtration treatment.

(C) Section 141.73 (a)(1) and (b)(1) (alternative turbidity limit)—Determine whether an alternative turbidity limit is appropriate and what the level should be as allowed by §141.73(a)(1) for a system using conventional filtration treatment or direct filtration and by

§141.73(b)(1) for a system using slow sand filtration.

(D) Section 141.73(d) (alternative filtration technologies)—Determine that a public water system has demonstrated that an alternate filtration technology, in combination with disinfection treatment, achieves adequate removal and/or disinfection of *Giardia lamblia* and viruses.

(E) Section 141.74(a)(5) (alternate analytical method for chlorine)—Approve DPD colorimetric test kits for free and combined chlorine measurement or approve calibration of automated methods by the Indigo Method for ozone determination.

(F) Section 141.74 (b)(2) and (c)(1) (approval of continuous turbidity monitoring)—Approve continuous turbidity monitoring, as allowed by §141.74(b)(2) for a public water system which does not provide filtration treatment and §141.74(c)(1) for a system which does provide filtration treatment.

(G) Section 141.74 (b)(6)(i) and (c)(3)(i) (approval of alternate disinfectant residual concentration sampling plans)—Approve alternate disinfectant residual concentration sampling plans for systems which have a combined ground water and surface water or ground water and ground water under the direct influence of a surface water distribution system, as allowed by §141.74(b)(6)(i) for a public water system which does not provide filtration treatment and §141.74(c)(3)(i) for a public water system which does provide filtration treatment.

(H) Section 141.74(c)(1) (reduction of turbidity monitoring)—Decide whether to allow reduction of turbidity monitoring for systems using slow sand filtration, an approved alternate filtration technology or serving 500 people or fewer.

(I) Section 141.75 (a)(2)(ix) and (b)(2)(iv) (reduced reporting)—Determine whether reduced reporting is appropriate, as allowed by §141.75(a)(2)(ix) for a public water system which does not provide filtration treatment and §141.75(b)(2)(iv) for a public water system which does provide filtration treatment.

(iv) For a State which does not require all public water systems using a surface water source or ground water source under the direct influence of surface water to provide filtration treatment and which uses any of the following discretionary provisions, the application must describe how the State will:

(A) Section 141.71(a)(2)(i) (source water turbidity requirements)—Determine that an exceedance of turbidity limits in source water was caused by circumstances that were unusual and unpredictable.

(B) Section 141.71(b)(1)(i) (monthly CT compliance requirements)—Determine whether failure to meet the requirements for monthly CT compliance in §141.72(a)(1) was caused by circumstances that were unusual and unpredictable.

(C) Section 141.71(b)(1)(iii) (residual disinfectant concentration requirements)—Determine whether failure to meet the requirements for residual disinfectant concentration entering the distribution system in §141.72(a)(3)(i) was caused by circumstances that were unusual and unpredictable.

(D) Section 141.71(b)(1)(iv) (distribution system disinfectant residual concentration requirements)—Determine whether failure to meet the requirements for distribution system residual disinfectant concentration in §141.72(a)(4) was related to a deficiency in treatment.

(E) Section 141.71(b)(4) (system modification to prevent waterborne disease outbreak)—Determine that a system, after having been identified as the source of a waterborne disease outbreak, has been modified sufficiently to prevent another such occurrence.

(F) Section 141.71(b)(5) (total coliform MCL)—Determine whether a total coliform MCL violation was caused by a deficiency in treatment.

(G) Section 141.72(a)(1) (disinfection requirements)—Determine that different ozone, chloramine, or chlorine dioxide $CT_{99.9}$ values or conditions are adequate to achieve required disinfection.

(H) Section 141.72(a)(2)(ii) (shut-off of water to distribution system)—Determine whether a shut-off of water to the distribution system when the disinfectant residual concentration entering the distribution system is less than 0.2 mg/

1 will cause an unreasonable risk to health or interfere with fire protection.

(I) Section 141.74(b)(1) (coliform monitoring)—Determine that coliform monitoring which otherwise might be required is not feasible for a system.

(J) Section 141.74(b), table 3.1 (disinfection with chloramines)—Determine the conditions to be met to insure 99.99 percent removal and/or inactivation of viruses in systems which use either preformed chloramines or chloramines for which ammonia is added to the water before chlorine, as allowed by table 3.1.

(3) *Sanitary survey*. In addition to the general requirements for sanitary surveys contained in §142.10(b)(2), an application must describe how the State will implement a sanitary survey program that meets the requirements in paragraphs (b)(3)(i) through (v) of this section. For the purposes of this paragraph, "sanitary survey" means an onsite review of the water source (identifying sources of contamination using results of source water assessments where available), facilities, equipment, operation, maintenance, and monitoring compliance of a public water system to evaluate the adequacy of the system, its sources and operations and the distribution of safe drinking water.

(i) The State must conduct sanitary surveys for all surface water systems (including groundwater under the influence) that address the eight sanitary survey components listed in paragraphs (b)(3)(i)(A) through (H) of this section no less frequently than every three years for community systems and no less frequently than every five years for noncommunity systems. The State may allow sanitary surveys conducted after December 1995 to serve as the first set of required sanitary surveys if the surveys address the eight sanitary survey components listed in paragraphs (b)(3)(i)(A) through (H) of this section.

(A) Source.

(B) Treatment.

(C) Distribution system.

(D) Finished water storage.

(E) Pumps, pump facilities, and controls.

(F) Monitoring and reporting and data verification.

(G) System management and operation.

(H) Operator compliance with State requirements.

(ii) For community systems determined by the State to have outstanding performance based on prior sanitary surveys, subsequent sanitary surveys may be conducted no less than every five years. In its primacy application, the State must describe how it will decide whether a system has outstanding performance and is thus eligible for sanitary surveys at a reduced frequency.

(iii) Components of a sanitary survey may be completed as part of a staged or phased state review process within the established frequency.

(iv) When conducting sanitary surveys for systems required to comply with the disinfection profiling requirements in §141.172 of this chapter, the State must also review the disinfection profile as part of the sanitary survey.

(v) In its primacy application, the State must describe how it will decide whether a deficiency identified during a sanitary survey is significant for the purposes of paragraph (b)(1)(ii) of this section.

(c) *Total coliform requirements*. In addition to meeting the general primacy requirements of this part, an application for approval of a State program revision that adopts the requirements of the national primary drinking water regulation for total coliforms must contain the following information:

(1) The application must describe the State's plan for determining whether sample siting plans are acceptable (including periodic reviews), as required by §141.21(a)(1).

(2) The national primary drinking water regulation for total coliforms in part 141 gives States the option to impose lesser requirements in certain circumstances, which are listed below. If a State chooses to exercise any of these options, its application for approval of a program revision must include the information listed below (the State need only provide the information listed for those options it has chosen to use).

(i) Section 141.21(a)(2) (Reduced monitoring requirements for community water systems serving 1,000 or fewer

persons)—A description of how the State will determine whether it is appropriate to reduce the total coliform monitoring frequency for such systems using the criteria in §141.21(a)(2) and how it will determine the revised frequency.

(ii) Section 141.21(a)(3)(i) (Reduced monitoring requirements for non-community water systems using ground water and serving 1,000 persons or fewer)—A description of how the State will determine whether it is appropriate to reduce the total coliform monitoring frequency for such systems using the criteria in §141.21(a)(3)(i) and how it will determine the revised frequency.

(iii) Section 141.21(a)(3)(ii) (Reduced monitoring for non-community water systems using ground water and serving more than 1,000 persons)—A description of how the State will determine whether it is appropriate to reduce the total coliform monitoring frequency for non-community water systems using only ground water and serving more than 1,000 persons during any month the system serves 1,000 persons or fewer and how it will determine the revised frequency.

(iv) Section 141.21(a)(5) (Waiver of time limit for sampling after a turbidity sampling result exceeds 1 NTU)—A description of how the State will determine whether it is appropriate to waive the 24-hour time limit.

(v) Section 141.21(b)(1) (Waiver of time limit for repeat samples)—A description of how the State will determine whether it is appropriate to waive the 24-hour time limit and how it will determine what the revised time limit will be.

(vi) Section 141.21(b)(3) (Alternative repeat monitoring requirements for systems with a single service connection)—A description of how the State will determine whether it is appropriate to allow a system with a single service connection to use an alternative repeat monitoring scheme, as provided in §141.21(b)(3), and what the alternative requirements will be.

(vii) Section 141.21(b)(5) (Waiver of requirement to take five routine samples the month after a system has a total coliform-positive sample)—A description of how the State will determine whether it is appropriate to waive the requirement for certain systems to collect five routine samples during the next month it serves water to the public, using the criteria in §141.21(b)(5).

(viii) Section 141.21(c) (Invalidation of total coliform-positive samples)—A description of how the State will determine whether it is appropriate to invalidate a total coliform-positive sample, using the criteria in §141.21(c).

(ix) Section 141.21(d) (Sanitary surveys)—A description of the State's criteria and procedures for approving agents other than State personnel to conduct sanitary surveys.

(x) Section 141.21(e)(2) (Waiver of fecal coliform or *E. coli* testing on a total coliform-positive sample)—A description of how the State will determine whether it is appropriate to waive fecal coliform or *E. coli* testing on a total coliform-positive sample.

(d) Requirements for States to adopt 40 CFR part 141, subpart I—Control of Lead and Copper. An application for approval of a State program revision which adopts the requirements specified in 40 CFR part 141, subpart I, must contain (in addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that State regulations be at least as stringent as the federal requirements) a description of how the State will accomplish the following program requirements:

(1) Section 141.82—State designation of optimal corrosion control.

(i) Sections 141.82(d), 141.82(f), and 141.82(h)—Designating optimal corrosion control treatment methods, optimal water quality parameters, and modifications thereto.

(ii) Section 141.82(g)—Designating an alternative approach for aggregating multiple measurements collected during the same day for a water quality parameter at a sampling location, if the State elects to adopt a formula other than the one specified in §141.82(g)(1) of this chapter.

(2) Sections 141.83(b)(2) and 141.83(b)(4)—Designating source water treatment methods, maximum permissible source water levels for lead and copper and modifications thereto.

(3) Section 141.90(e)—Verifying compliance with lead service line replacement schedules and completion of all partial lead service line replacement activities.

(4) Section 141.86(d)(4)(iv)(A)—Designating an alternative period for sample collection for community water systems subject to reduced monitoring.

(e) An application for approval of a State program revision which adopts the requirements specified in §§141.11, 141.23, 141.24, 141.32, 141.40, 141.61 and 141.62 for a newly regulated contaminant must contain the following (in addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that State regulations be at least as stringent as the federal requirements):

(1) If a State chooses to issue waivers from the monitoring requirements in §§141.23 and 141.24, the State shall describe the procedures and criteria which it will use to review waiver applications and issue waiver determinations.

(i) The procedures for each contaminant or class of contaminants shall include a description of:

(A) The waiver application requirements;

(B) The State review process for "use" waivers and for "susceptibility" waivers; and

(C) The State decision criteria, including the factors that will be considered in deciding to grant or deny waivers. The decision criteria must include the factors specified in §§141.24(f)(8) and 141.24(h)(6).

(ii) The State must specify the monitoring data and other documentation required to demonstrate that the contaminant is eligible for a "use" and/or "susceptibility" waiver.

(2) A monitoring plan for the initial monitoring period by which the State will assure all systems complete the required initial monitoring within the regulatory deadlines.

NOTE: States may update their monitoring plan submitted under the Phase II Rule or simply note in their application that they will use the same monitoring plan for the Phase V Rule.

(i) The initial monitoring plan must describe how systems will be scheduled during the initial monitoring period and demonstrate that the analytical workload on certified laboratories for each of the three years has been taken into account, to assure that the State's plan will result in a high degree of monitoring compliance and that as a result there is a high probability of compliance and will be updated as necessary.

(ii) The State must demonstrate that the initial monitoring plan is enforceable under State law.

(f) *Consumer Confidence Report requirements.* (1) Each State that has primary enforcement responsibility must adopt the requirements of 40 CFR part 141, subpart O no later than August 21, 2000. States must submit revised programs to EPA for approval using the procedures in §142.12(b) through (d).

(2) Each State that has primary enforcement responsibility must make reports submitted to the States in compliance with 40 CFR 141.155(c) available to the public upon request.

(3) Each State that has primary enforcement responsibility must maintain a copy of the reports for a period of one year and the certifications obtained pursuant to 40 CFR 141.155(c) for a period of 5 years.

(4) Each State that has primary enforcement responsibility must report violations of this subpart in accordance with the requirements of §142.15(a)(1).

(g) *Requirements for States to adopt 40 CFR part 141, Subpart P—Enhanced Filtration and Disinfection—Systems Serving 10,000 or More People.* In addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that State provisions are no less stringent than the Federal requirements, an application for approval of a State program revision that adopts 40 CFR part 141, Subpart P Enhanced Filtration and Disinfection—Systems Serving 10,000 or More People, must contain the information specified in this paragraph:

(1) *Enforceable requirements.* States must have the appropriate rules or other authority to require PWSs to conduct a Composite Correction Program (CCP) and to assure that PWSs implement any followup recommendations that result as part of the CCP. The CCP consists of two elements—a

Comprehensive Performance Evaluation (CPE) and Comprehensive Technical Assistance (CTA). A CPE is a thorough review and analysis of a plant's performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. A CTA is the performance improvement phase that is implemented if the CPE results indicate improved performance potential. During the CTA phase, the system must identify and systematically address plant-specific factors. The CTA is a combination of utilizing CPE results as a basis for followup, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

(2) *State practices or procedures.* (i) Section 141.172(a)(3) of this chapter—How the State will approve a more representative annual data set than the data set determined under §141.172 (a)(1) or (2) of this chapter for the purpose of determining applicability of the requirements of §141.172 of this chapter.

(ii) Section 141.172(b)(5) of this chapter—How the State will approve a method to calculate the logs of inactivation for viruses for a system that uses either chloramines or ozone for primary disinfection.

(iii) Section 141.172(c) of this chapter—How the State will consult with PWSs to evaluate modifications to disinfection practice.

(iv) Section 141.173(b) of this chapter—For filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration, how the State will determine that a public water system may use a filtration technology if the PWS demonstrates to the State, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of §141.172(b) of this chapter, consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts and 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts. For a system that makes this demonstration, how the State will set turbidity performance requirements that the system must meet 95 percent of the time and that the system may not exceed at any time at a level that consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts, 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts.

(h) *Requirements for States to adopt 40 CFR part 141, subpart L.* In addition to the general primacy requirements elsewhere in this part, including the requirement that State regulations be at least as stringent as federal requirements, an application for approval of a State program revision that adopts 40 CFR part 141, subpart L, must contain a description of how the State will accomplish the following program requirements:

(1) Section 141.64(b)(2) of this chapter (interim treatment requirements). Determine any interim treatment requirements for those systems electing to install GAC or membrane filtration and granted additional time to comply with §141.64 of this chapter.

(2) Section 141.130(c) of this chapter (qualification of operators). Qualify operators of public water systems subject to 40 CFR part 141, subpart L. Qualification requirements established for operators of systems subject to 40 CFR part 141, subpart H—Filtration and Disinfection may be used in whole or in part to establish operator qualification requirements for meeting 40 CFR part 141, subpart L requirements if the State determines that the 40 CFR part 141, subpart H requirements are appropriate and applicable for meeting subpart L requirements.

(3) Section 141.131(c)(2) of this chapter (DPD colorimetric test kits). Approve DPD colorimetric test kits for free and total chlorine measurements. State approval granted under §141.74(a)(2) of this chapter for the use of DPD colorimetric test kits for free chlorine testing is acceptable for the use of DPD test kits in measuring free

chlorine residuals as required in 40 CFR part 141, subpart L.

(4) Sections 141.131(c)(3) and (d) of this chapter (State approval of parties to conduct analyses). Approve parties to conduct pH, bromide, alkalinity, and residual disinfectant concentration measurements. The State's process for approving parties performing water quality measurements for systems subject to 40 CFR part 141, subpart H requirements in paragraph (b)(2)(i)(D) of this section may be used for approving parties measuring water quality parameters for systems subject to subpart L requirements, if the State determines the process is appropriate and applicable.

(5) Section 141.132(a)(2) of this chapter (multiple wells as a single source). Define the criteria to use to determine if multiple wells are being drawn from a single aquifer and therefore be considered a single source for compliance with monitoring requirements.

(6) Approve alternate minimum TOC removal (Step 2) requirements, as allowed under the provisions of §141.135(b) of this chapter.

(i) *Requirements for States to adopt 40 CFR part 141, §141.76 Recycle provisions.* In addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that the State provisions are no less stringent than the federal requirements, an application for approval of a State program revision that adopts 40 CFR part 141, §141.76 Recycle Provisions must contain the information specified in this paragraph:

(1) *State practices or procedures.* (i) Section 141.76(d) of this chapter—States must have the proper rules and authority to use Sanitary Surveys, comprehensive performance evaluations (CPEs), other inspections, or other activities to evaluate recycle data maintained by systems under §141.76(d) of this chapter and require modifications to recycle practices.

(ii) [Reserved]

(2) [Reserved]

(j) *Requirements for States to adopt 40 CFR part 141, Subpart T—Enhanced Filtration and Disinfection—Systems Serving Fewer than 10,000 People.* In addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that State provisions are no less stringent than the Federal requirements, an application for approval of a State program revision that adopts 40 CFR part 141, Subpart T Enhanced Filtration and Disinfection—Systems Serving Fewer than 10,000 People, must contain the information specified in this paragraph:

(1) *Enforceable requirements.* States must have rules or other authority to require systems to participate in a Comprehensive Technical Assistance (CTA) activity, the performance improvement phase of the Composite Correction Program (CCP). The State must determine whether a CTA must be conducted based on results of a CPE which indicate the potential for improved performance, and a finding by the State that the system is able to receive and implement technical assistance provided through the CTA. A CPE is a thorough review and analysis of a system's performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance. During the CTA phase, the system must identify and systematically address factors limiting performance. The CTA is a combination of utilizing CPE results as a basis for follow-up, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

(2) *State practices or procedures.* (i) Section 141.530–141.536—How the State will approve a more representative data set for optional TTHM and HAA5 monitoring and profiling.

(ii) Section 141.536 of this chapter—How the State will approve a method to calculate the logs of inactivation for viruses for a system that uses either chloramines, ozone, or chlorine dioxide for primary disinfection.

(iii) Section 141.542 of this chapter—How the State will consult with the system and approve significant changes to disinfection practices.

(iv) Section 141.552 of this chapter—For filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration, how the

State will determine that a public water system may use a filtration technology if the PWS demonstrates to the State, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of §141.72(b) of this chapter, consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts and 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts. For a system that makes this demonstration, how the State will set turbidity performance requirements that the system must meet 95 percent of the time and that the system may not exceed at any time at a level that consistently achieves 99.9 percent removal and/or inactivation of *Giardia lamblia* cysts, 99.99 percent removal and/or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts.

EDITORIAL NOTE: At 67 FR 1844, Jan. 14, 2002, the above paragraph (j) was added, effective Feb. 13, 2002. However, at 66 FR 7066, Jan. 22, 2001, paragraph (j) had already been added, effective Jan. 22, 2004. The paragraph (j) effective Jan. 22, 2004, follows.

(j) An application for approval of a State program revision which adopts the requirements specified in §§141.11, 141.23, 141.24, 141.32, 141.40, 141.61 and 141.62 for an existing regulated contaminant must contain the following (in addition to the general primacy requirements enumerated elsewhere in this part, including the requirement that State regulations be at least as stringent as the federal requirements):

(1) If a State chooses to issue waivers from the monitoring requirements in §§141.23, 141.24, and 141.40, the State shall describe the procedures and criteria which it will use to review waiver applications and issue wavier determinations. The State shall provide the same information required in paragraph (e)(1)(i) and (ii) of this section. States may update their existing waiver criteria or use the requirements submitted under the National Primary Drinking Water Regulations for the inorganic and organic contaminants (i.e., Phase II/V rule) in 16(e) of this section. States may simply note in their application any revisions to existing waiver criteria or note that the same procedures to issue waivers will be used.

(2) A monitoring plan by which the State will ensure all systems complete the required monitoring by the regulatory deadlines. States may update their existing monitoring plan or use the same monitoring plan submitted under the National Primary Drinking Water Regulations for the inorganic and organic contaminants (i.e. Phase II/V rule) in 16(e) of this section. States may simply note in their application any revisions to an existing monitoring plan or note that the same monitoring plan will be used. The State must demonstrate that the monitoring plan is enforceable under State law.

(k) States establish the initial monitoring requirements for new systems and new sources. States must explain their initial monitoring schedules and how these monitoring schedules ensure that public water systems and sources comply with MCL's and monitoring requirements. States must also specify the time frame in which new systems will demonstrate compliance with the MCLs.

(l) An application for approval of a State program revision for radionuclides which adopts the requirements specified in §141.26(a)(2)(ii)(C) of this chapter must contain the following (in addition to the general primacy requirements enumerated in this part, including that State regulations be at least as stringent as the Federal requirements):

(1) If a State chooses to use grandfathered data in the manner described in §141.26(a)(2)(ii)(C) of this chapter, then the State must describe the procedures and criteria which it will use to make these determinations (whether distribution system or entry point sampling points are used).

(i) The decision criteria that the State will use to determine that data collected in the distribution system are representative of the drinking water supplied from each entry point to the distribution system. These determinations must consider:

(A) All previous monitoring data.

(B) The variation in reported activity levels.

(C) Other factors affecting the representativeness of the data (e.g. geology).

(ii) [Reserved]

(2) A monitoring plan by which the State will assure all systems complete the required monitoring within the regulatory deadlines. States may update their existing monitoring plan or use the same monitoring plan submitted for the requirements in §142.16(e)(5) under the national primary drinking water regulations for the inorganic and organic contaminants (*i.e.* the phase II/V rules). States may note in their application any revision to an existing monitoring plan or note that the same monitoring plan will be used. The State must demonstrate that the monitoring plan is enforceable under State law.

[54 FR 15188, Apr. 17, 1989, as amended at 54 FR 27539, June 29, 1989; 55 FR 25065, June 19, 1990; 56 FR 3595, Jan. 30, 1991; 56 FR 26563, June 7, 1991; 57 FR 31847, July 17, 1992; 59 FR 33864, June 30, 1994; 63 FR 44535, Aug. 19, 1998; 63 FR 69475, 69520, Dec. 16, 1998; 64 FR 34733, June 29, 1999; 64 FR 50620, Sept. 17, 1999; 65 FR 2015, Jan. 12, 2000; 65 FR 26048, 26049, May 4, 2000; 65 FR 76751, Dec. 7, 2000; 66 FR 7066, Jan. 22, 2001; 66 FR 31105, June 8, 2001; 67 FR 1844, Jan. 14, 2002]

EFFECTIVE DATE NOTE: At 69 FR 38857, June 29, 2004, §142.16 was amended in paragraph (l)(2) by removing the citation "§142.16(e)(5)" and adding in its place "§142.16(e)(2)"; by adding and reserving paragraphs (m), (n), and (o); by redesignating the first paragraph (j) as paragraph (p); and in newly designated paragraph (p)(2)(ii) by removing the citation "141.536" and adding in its place "141.535", effective July 29, 2004.

§142.17 Review of State programs and procedures for withdrawal of approved primacy programs.

(a)(1) At least annually the Administrator shall review, with respect to each State determined to have primary enforcement responsibility, the compliance of the State with the requirements set forth in 40 CFR part 142, subpart B, and the approved State primacy program. At the time of this review, the State shall notify the Administrator of any State-initiated program changes (i.e., changes other than those to adopt new or revised EPA regulations), and of any transfer of all or part of its program from the approved State agency to any other State agency.

(2) When, on the basis of the Administrator's review or other available information, the Administrator determines that a State no longer meets the requirements set forth in 40 CFR part 142, subpart B, the Administrator shall initiate proceedings to withdraw primacy approval. Among the factors the Administrator intends to consider as relevant to this determination are the following, where appropriate: whether the State has requested and has been granted, or is awaiting EPA's decision on, an extension under §142.12(b)(2) of the deadlines for meeting those requirements; and whether the State is taking corrective actions that may have been required by the Administrator. The Administrator shall notify the State in writing that EPA is initiating primacy withdrawal proceedings and shall summarize in the notice the information available that indicates that the State no longer meets such requirements.

(3) The State notified pursuant to paragraph (a)(2) of this section may, within 30 days of receiving the Administrator's notice, submit to the Administrator evidence demonstrating that the State continues to meet the requirements for primary enforcement responsibility.

(4) After reviewing the submission of the State, if any, made pursuant to paragraph (a)(3) of this section, the Administrator shall make a final determination either that the State no longer meets the requirements of 40 CFR part 142, subpart B, or that the State continues to meet those requirements, and shall notify the State of his or her determination. Any final determination that the State no longer meets the requirements of 40 CFR part 142, subpart B, shall not become effective except as provided in §142.13.

(b) If a State which has primary enforcement responsibility decides to relinquish that authority, it may do so by notifying the Administrator in writing of the State's decision at least 90 days before the effective date of the decision.

[54 FR 52140, Dec. 20, 1989, as amended at 60 FR 33661, June 28, 1995]

§ 142.18 EPA review of State monitoring determinations.

(a) A Regional Administrator may annul a State monitoring determination for the types of determinations identified in §§ 141.23(b), 141.23(c), 141.24(f), 141.24(h), and 141.40(n) in accordance with the procedures in paragraph (b) of this section.

(b) When information available to a Regional Administrator, such as the results of an annual review, indicate a State determination fails to apply the standards of the approved State program, he may propose to annul the State monitoring determination by sending the State and the affected PWS a draft Rescission Order. The draft order shall:

(1) Identify the PWS, the State determination, and the provisions at issue;

(2) Explain why the State determination is not in compliance with the State program and must be changed; and

(3) Describe the actions and terms of operation the PWS will be required to implement.

(c) The State and PWS shall have 60 days to comment on the draft Rescission Order.

(d) The Regional Administrator may not issue a Rescission Order to impose conditions less stringent than those imposed by the State.

(e) The Regional Administrator shall also provide an opportunity for comment upon the draft Rescission Order, by

(1) Publishing a notice in a newspaper in general circulation in communities served by the affected system; and

(2) Providing 30 days for public comment on the draft order.

(f) The State shall demonstrate that the determination is reasonable, based on its approved State program.

(g) The Regional Administrator shall decide within 120 days after issuance of the draft Rescission Order to:

(1) Issue the Rescission Order as drafted;

(2) Issue a modified Rescission Order; or

(3) Cancel the Rescission Order.

(h) The Regional Administrator shall set forth the reasons for his decision, including a responsiveness summary addressing significant comments from the State, the PWS and the public.

(i) The Regional Administrator shall send a notice of his final decision to the State, the PWS and all parties who commented upon the draft Rescission Order.

(j) The Rescission Order shall remain in effect until cancelled by the Regional Administrator. The Regional Administrator may cancel a Rescission Order at any time, so long as he notifies those who commented on the draft order.

(k) The Regional Administrator may not delegate the signature authority for a final Rescission Order or the cancellation of an order.

(l) Violation of the actions, or terms of operation, required by a Rescission Order is a violation of the Safe Drinking Water Act.

[56 FR 3595, Jan. 30, 1991]

§ 142.19 EPA review of State implementation of national primary drinking water regulations for lead and copper.

(a) Pursuant to the procedures in this section, the Regional Administrator may review state determinations establishing corrosion control or source water treatment requirements for lead or copper and may issue an order establishing federal treatment requirements for a public water system pursuant to § 141.82 (d) and (f) and § 141.83(b) (2) and (4) where the Regional Administrator finds that:

(1) A State has failed to issue a treatment determination by the applicable deadline;

(2) A State has abused its discretion in making corrosion control or source water treatment determinations in a substantial number of cases or in cases affecting a substantial population, or

(3) The technical aspects of State's determination would be indefensible in an expected federal enforcement action taken against a system.

(b) If the Regional Administrator determines that review of state determination(s) under this section may be appropriate, he shall request the State to

forward to EPA the state determination and all information that was considered by the State in making its determination, including public comments, if any, within 60 days of the Regional Adminstrator's request.

(c) Proposed review of state determinations:

(1) Where the Regional Administrator finds that review of a state determination under paragraph (a) of this section is appropriate, he shall issue a proposed review order which shall:

(i) Identify the public water system(s) affected, the State determination being reviewed and the provisions of state and/or federal law at issue;

(ii) Identify the determination that the State failed to carry out by the applicable deadline, or identify the particular provisions of the State determination which, in the Regional Administrator's judgment, fail to carry out properly applicable treatment requirements, and explain the basis for the Regional Administrator's conclusion;

(iii) Identify the treatment requirements which the Regional Administrator proposes to apply to the affected system(s), and explain the basis for the proposed requirements;

(iv) Request public comment on the proposed order and the supporting record.

(2) The Regional Administrator shall provide notice of the proposed review order by:

(i) Mailing the proposed order to the affected public water system(s), the state agency whose order is being reviewed, and any other parties of interest known to the Regional Administrator; and

(ii) Publishing a copy of the proposed order in a newspaper of general circulation in the affected communities.

(3) The Regional Administrator shall make available for public inspection during the comment period the record supporting the proposed order, which shall include all of the information submitted by the State to EPA under paragraph (b) of this section, all other studies, monitoring data and other information considered by the Agency in developing the proposed order.

(d) Final review order:

(1) Based upon review of all information obtained regarding the proposed review order, including public comments, the Regional Administrator shall issue a final review order within 120 days after issuance of the proposed order which affirms, modifies, or withdraws the proposed order. The Regional Administrator may extend the time period for issuing the final order for good cause. If the final order modifies or withdraws the proposed order, the final order shall explain the reasons supporting the change.

(2) The record of the final order shall consist of the record supporting the proposed order, all public comments, all other information considered by the Regional Administrator in issuing the final order and a document responding to all significant public comments submitted on the proposed order. If new points are raised or new material supplied during the public comment period, the Regional Administrator may support the responses on those matters by adding new materials to the record. The record shall be complete when the final order is issued.

(3) Notice of the final order shall be provided by mailing the final order to the affected system(s), the State, and all parties who commented on the proposed order.

(4) Upon issuance of the final order, its terms constitute requirements of the national primary drinking water regulation for lead and/or copper until such time as the Regional Administrator issues a new order (which may include recision of the previous order) pursuant to the procedures in this section. Such requirements shall supersede any inconsistent treatment requirements established by the State pursuant to the national primary drinking water regulations for lead and copper.

(5) The Regional Administrator may not issue a final order to impose conditions less stringent than those imposed by the State.

(e) The Regional Administrator may not delegate authority to sign the final order under this section.

(f) Final action of the Regional Administrator under paragraph (d) of this section shall constitute action of the

Administrator for purposes of 42 U.S.C. §300j–7(a)(2).

[56 FR 26563, June 7, 1991]

Subpart C—Review of State-Issued Variances and Exemptions

§ 142.20 State-issued variances and exemptions under Section 1415(a) and Section 1416 of the Act.

(a) States with primary enforcement responsibility may issue variances to public water systems (other than small system variances) from the requirements of primary drinking water regulations under conditions and in a manner which are not less stringent than the requirements under Section 1415(a) of the Act. In States that do not have primary enforcement responsibility, variances may be granted by the Administrator pursuant to Subpart E of this part.

(1) A State must document all findings that are required under Section 1415(a) of the Act.

(2) If a State prescribes a schedule pursuant to section 1415(a) of the Act requiring compliance with a contaminant level for which the variance is granted later than five years from the date of issuance of the variance the State must—

(i) Document its rationale for the extended compliance schedule;

(ii) Discuss the rationale for the extended compliance schedule in the required public notice and opportunity for public hearing; and

(iii) Provide the shortest practicable time schedule feasible under the circumstances.

(b) States with primary enforcement responsibility may issue exemptions from the requirements of primary drinking water regulations under conditions and in a manner which are not less stringent than the requirements under Section 1416 of the Act. In States that do not have primary enforcement responsibility, exemptions may be granted by the Administrator pursuant to Subpart F of this part.

(1) A State must document all findings that are required under Section 1416 of the Act:

(i) Before finding that management and restructuring changes cannot be made, a State must consider the following measures, and the availability of State Revolving Loan Fund assistance, or any other Federal or State program, that is reasonably likely to be available within the period of the exemption to implement these measures:

(A) Consideration of rate increases, accounting changes, the appointment of a State-certified operator under the State's Operator Certification program, contractual agreements for joint operation with one or more public water systems;

(B) Activities consistent with the State's Capacity Development Strategy to help the public water system acquire and maintain technical, financial, and managerial capacity to come into compliance with the Act; and

(C) Ownership changes, physical consolidation with another public water system, or other feasible and appropriate means of consolidation which would result in compliance with the Act;

(ii) The State must consider the availability of an alternative source of water, including the feasibility of partnerships with neighboring public water systems, as identified by the public water system or by the State consistent with the Capacity Development Strategy.

(2) In the case of a public water system serving a population of not more than 3,300 persons and which needs financial assistance for the necessary improvements under the initial compliance schedule, an exemption granted by the State under section 1416(b)(2)(B)(i) or (ii) of the Act may be renewed for one or more additional 2-year periods, but not to exceed a total of 6 additional years, only if the State establishes that the public water system is taking all practicable steps to meet the requirements of Section 1416(b)(2)(B) of the Act and the established compliance schedule to achieve full compliance with the contaminant level or treatment technique for which the exemption was granted. A State must document its findings in granting an extension under this paragraph.

[63 FR 43847, Aug. 14, 1998]

§ 142.21 State consideration of a variance or exemption request.

A State with primary enforcement responsibility shall act on any variance or exemption request submitted to it, within 90 days of receipt of the request.

§ 142.22 Review of State variances, exemptions and schedules.

(a) Not later than 18 months after the effective date of the interim national primary drinking water regulations the Administrator shall complete a comprehensive review of the variances and exemptions granted (and schedules prescribed pursuant thereto) by the States with primary enforcement responsibility during the one-year period beginning on such effective date. The Administrator shall conduct such subsequent reviews of exemptions and schedules as he deems necessary to carry out the purposes of this title, but at least one review shall be completed within each 3–year period following the completion of the first review under this paragraph.

(b) Notice of a proposed review shall be published in the FEDERAL REGISTER. Such notice shall (1) provide information respecting the location of data and other information respecting the variances and exemptions to be reviewed (including data and other information concerning new scientific matters bearing on such variances and exemptions), and (2) advise of the opportunity to submit comments on the variances and exemptions reviewed and on the need for continuing them. Upon completion of any such review, the Administrator shall publish in the FEDERAL REGISTER the results of his review, together with findings responsive to any comments submitted in connection with such review.

§ 142.23 Notice to State.

(a) If the Administrator finds that a State has, in a substantial number of instances, abused its discretion in granting variances or exemptions under section 1415(a) or section 1416(a) of the Act or failed to prescribe schedules in accordance with section 1415(a) or section 1416(b) of the Act, he shall notify the State of his findings. Such notice shall:

(1) Identify each public water system for which the finding was made;

(2) Specify the reasons for the finding; and

(3) As appropriate, propose revocation of specific variances or exemptions, or propose revised schedules for specific public water systems.

(b) The Administrator shall also notify the State of a public hearing to be held on the provisions of the notice required by paragraph (a) of this section. Such notice shall specify the time and location for the hearing. If, upon notification of a finding by the Administrator, the State takes adequate corrective action, the Administrator shall rescind his notice to the State of a public hearing, provided that the Administrator is notified of the corrective action prior to the hearing.

(c) The Administrator shall publish notice of the public hearing in the FEDERAL REGISTER and in a newspaper or newspapers of general circulation in the involved State including a summary of the findings made pursuant to paragraph (a) of this section, a statement of the time and location for the hearing, and the address and telephone number of an office at which interested persons may obtain further information concerning the hearing.

(d) Hearings convened pursuant to paragraphs (b) and (c) of this section shall be conducted before a hearing officer to be designated by the Administrator. The hearing shall be conducted by the hearing officer in an informal, orderly and expeditious manner. The hearing officer shall have authority to call witnesses, receive oral and written testimony and take such other action as may be necessary to assure the fair and efficient conduct of the hearing. Following the conclusion of the hearing, the hearing officer shall forward the record of the hearing to the Administrator.

(e) Within 180 days after the date notice is given pursuant to paragraph (b) of this section, the Administrator shall:

(1) Rescind the finding for which the notice was given and promptly notify the State of such rescission, or

(2) Promulgate with any modifications as appropriate such revocation and revised schedules proposed in such

notice and promptly notify the State of such action.

(f) A revocation or revised schedule shall take effect 90 days after the State is notified under paragraph (e)(2) of this section.

§ 142.24 Administrator's rescission.

If, upon notification of a finding by the Administrator under § 142.23, the State takes adequate corrective action before the effective date of the revocation or revised schedule, the Administrator shall rescind the application of his finding to that variance, exemption or schedule.

Subpart D—Federal Enforcement

§ 142.30 Failure by State to assure enforcement.

(a) The Administrator shall notify a State and the appropriate supplier of water whenever he finds during a period in which the State has primary enforcement responsibility for public water systems that a public water system within such State is not in compliance with any primary drinking water regulation contained in part 141 of this chapter or with any schedule or other requirements imposed pursuant to a variance or exemption granted under section 1415 or 1416 of the Act: *Provided*, That the State will be deemed to have been notified of a violation referred to in a report submitted by the State.

(b) The Administrator shall provide advice and technical assistance to such State and public water system as may be appropriate to bring the system into compliance by the earliest feasible time.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987]

§ 142.31 [Reserved]

§ 142.32 Petition for public hearing.

(a) If the Administrator makes a finding of noncompliance pursuant to § 142.30 with respect to a public water system in a State which has primary enforcement responsibility, the Administrator may, for the purpose of assisting that State in carrying out such responsibility and upon the petition of such State or public water system or persons served by such system, hold, after appropriate notice, public hearings for the purpose of gathering information as described in § 142.33.

(b) A petition for a public hearing pursuant to paragraph (a) of this section shall be filed with the Administrator and shall include the following information:

(1) The name, address and telephone number of the individual or other entity requesting a hearing.

(2) If the petition is filed by a person other than the State or public water system, a statement that the person is served by the system.

(3) A brief statement of information that the requesting person intends to submit at the requested hearing.

(4) The signature of the individual submitting the petition; or, if the petition is filed on behalf of a State, public water system or other entity, the signature of a responsible official of the State or other entity.

§ 142.33 Public hearing.

(a) If the Administrator grants the petition for public hearing, he shall give appropriate public notice of such hearing. Such notice shall be by publication in the FEDERAL REGISTER and in a newspaper of general circulation or by other appropriate communications media covering the area served by such public water system.

(b) A hearing officer designated by the Administrator shall gather during the public hearing information from technical or other experts, Federal, State, or other public officials, representatives of the public water system, persons served by the system, and other interested persons on:

(1) The ways in which the system can within the earliest feasible time be brought into compliance, and

(2) The means for the maximum feasible protection of the public health during any period in which such system is not in compliance.

(c) On the basis of the hearing and other available information the Administrator shall issue recommendations which shall be sent to the State and public water system and shall be made available to the public and communications media.

§ 142.34 Entry and inspection of public water systems.

(a) Any supplier of water or other person subject to a national primary drinking water regulation shall, at any time, allow the Administrator, or a designated representative of the Administrator, upon presenting appropriate credentials and a written notice of inspection, to enter any establishment, facility or other property of such supplier or other person to determine whether such supplier or other person has acted or is acting in compliance with the requirements of the Act or subchapter D of this chapter. Such inspection may include inspection, at reasonable times, of records, files, papers, processes, controls and facilities, or testing of any feature of a public water system, including its raw water source.

(b) Prior to entry into any establishment, facility or other property within a State which has primary enforcement responsibility, the Administrator shall notify, in writing, the State agency charged with responsibility for safe drinking water of his intention to make such entry and shall include in his notification a statement of reasons for such entry. The Administrator shall, upon a showing by the State agency that such an entry will be detrimental to the administration of the State's program of primary enforcement responsibility, take such showing into consideration in determining whether to make such entry. The Administrator shall in any event offer the State agency the opportunity of having a representative accompany the Administrator or his representative on such entry.

(c) No State agency which receives notice under paragraph (b) of this section may use the information contained in the notice to inform the person whose property is proposed to be entered of the proposed entry; if a State so uses such information, notice to the agency under paragraph (b) of this section is not required for subsequent inspections of public water systems until such time as the Administrator determines that the agency has provided him satisfactory assurances that it will no longer so use information contained in a notice received under paragraph (b) of this section.

Subpart E—Variances Issued by the Administrator Under Section 1415(a) of the Act

§ 142.40 Requirements for a variance.

(a) The Administrator may grant one or more variances to any public water system within a State that does not have primary enforcement responsibility from any requirement respecting a maximum contaminant level of an applicable national primary drinking water regulation upon a finding that:

(1) Because of characteristics of the raw water sources which are reasonably available to the system, the system cannot meet the requirements respecting the maximum contaminant levels of such drinking water regulations despite application of the best technology, treatment techniques, or other means, which the Administrator finds are generally available (taking costs into consideration); and

(2) The granting of a variance will not result in an unreasonable risk to the health of persons served by the system.

(b) The Administrator may grant one or more variances to any public water system within a State that does not have primary enforcement responsibility from any requirement of a specified treatment technique of an applicable national primary drinking water regulation upon a finding that the public water system applying for the variance has demonstrated that such treatment technique is not necessary to protect the health of persons because of the nature of the raw water source of such system.

§ 142.41 Variance request.

A supplier of water may request the granting of a variance pursuant to this subpart for a public water system within a State that does not have primary enforcement responsibility by submitting a request for a variance in writing to the Administrator. Suppliers of water may submit a joint request for variances when they seek similar variances under similar circumstances. Any written request for a variance or

variances shall include the following information:

(a) The nature and duration of variance requested.

(b) Relevant analytical results of water quality sampling of the system, including results of relevant tests conducted pursuant to the requirements of the national primary drinking water regulations.

(c) For any request made under §142.40(a):

(1) Explanation in full and evidence of the best available treatment technology and techniques.

(2) Economic and legal factors relevant to ability to comply.

(3) Analytical results of raw water quality relevant to the variance request.

(4) A proposed compliance schedule, including the date each step toward compliance will be achieved. Such schedule shall include as a minimum the following dates:

(i) Date by which arrangement for alternative raw water source or improvement of existing raw water source will be completed.

(ii) Date of initiation of the connection of the alternative raw water source or improvement of existing raw water source.

(iii) Date by which final compliance is to be achieved.

(5) A plan for the provision of safe drinking water in the case of an excessive rise in the contaminant level for which the variance is requested.

(6) A plan for additional interim control measures during the effective period of variance.

(d) For any request made under §142.40(b), a statement that the system will perform monitoring and other reasonable requirements prescribed by the Administrator as a condition to the variance.

(e) Other information, if any, believed to be pertinent by the applicant.

(f) Such other information as the Administrator may require.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987]

§142.42 Consideration of a variance request.

(a) The Administrator shall act on any variance request submitted pursuant to §142.41 within 90 days of receipt of the request.

(b) In his consideration of whether the public water system is unable to comply with a contaminant level required by the national primary drinking water regulations because of the nature of the raw water source, the Administrator shall consider such factors as the following:

(1) The availability and effectiveness of treatment methods for the contaminant for which the variance is requested.

(2) Cost and other economic considerations such as implementing treatment, improving the quality of the source water or using an alternate source.

(c) A variance may be issued to a public water system on the condition that the public water system install the best technology, treatment techniques, or other means, which the Administrator finds are available (taking costs into consideration) and based upon an evaluation satisfactory to the Administrator that indicates that alternative sources of water are not reasonably available to the public water system.

(d) In his consideration of whether a public water system should be granted a variance to a required treatment technique because such treatment is unnecessary to protect the public health, the Administrator shall consider such factors as the following:

(1) Quality of the water source including water quality data and pertinent sources of pollution.

(2) Source protection measures employed by the public water system.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987; 63 FR 43847, Aug. 14, 1998]

§142.43 Disposition of a variance request.

(a) If the Administrator decides to deny the application for a variance, he shall notify the applicant of his intention to issue a denial. Such notice shall include a statement of reasons for the proposed denial, and shall offer the applicant an opportunity to present, within 30 days of receipt of the notice, additional information or argument to the Administrator. The Administrator

shall make a final determination on the request within 30 days after receiving any such additional information or argument. If no additional information or argument is submitted by the applicant the application shall be denied.

(b) If the Administrator proposes to grant a variance request submitted pursuant to §142.41, he shall notify the applicant of his decision in writing. Such notice shall identify the variance, the facility covered, and shall specify the period of time for which the variance will be effective.

(1) For the type of variance specified in §142.40(a) such notice shall provide that the variance will be terminated when the system comes into compliance with the applicable regulation, and may be terminated upon a finding by the Administrator that the system has failed to comply with any requirements of a final schedule issued pursuant to §142.44.

(2) For the type of variance specified in §142.40(b) such notice shall provide that the variance may be terminated at any time upon a finding that the nature of the raw water source is such that the specified treatment technique for which the variance was granted is necessary to protect the health of persons or upon a finding that the public water system has failed to comply with monitoring and other requirements prescribed by the Administrator as a condition to the granting of the variance.

(c) For a variance specified in §142.40(a)(1) the Administrator shall propose a schedule for:

(1) Compliance (including increments of progress) by the public water system with each contaminant level requirement covered by the variance; and,

(2) Implementation by the public water system of such additional control measures as the Administrator may require for each contaminant covered by the variance.

(d) The proposed schedule for compliance shall specify dates by which steps towards compliance are to be taken, including at the minimum, where applicable:

(1) Date by which arrangement for an alternative raw water source or improvement of existing raw water source will be completed.

(2) Date of initiation of the connection for the alternative raw water source or improvement of the existing raw water source.

(3) Date by which final compliance is to be achieved.

(e) The proposed schedule may, if the public water system has no access to an alternative raw water source, and can effect or anticipate no adequate improvement of the existing raw water source, specify an indefinite time period for compliance until a new and effective treatment technology is developed at which time a new compliance schedule shall be prescribed by the Administrator.

(f) The proposed schedule for implementation of additional interim control measures during the period of variance shall specify interim treatment techniques, methods and equipment, and dates by which steps toward meeting the additional interim control measures are to be met.

(g) The schedule shall be prescribed by the Administrator at the time of granting of the variance, subsequent to provision of opportunity for hearing pursuant to §142.44.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987]

§142.44 Public hearings on variances and schedules.

(a) Before a variance and schedule proposed by the Administrator pursuant to §142.43 may take effect, the Administrator shall provide notice and opportunity for public hearing on the variance and schedule. A notice given pursuant to the preceding sentence may cover the granting of more than one variance and a hearing held pursuant to such notice shall include each of the variances covered by the notice.

(b) Public notice of an opportunity for hearing on a variance and schedule shall be circulated in a manner designed to inform interested and potentially interested persons of the proposed variance and schedule, and shall include at least the following:

(1) Posting of a notice in the principal post office of each municipality or area served by the public water system, and publishing of a notice in a

newspaper or newspapers of general circulation in the area served by the public water system; and

(2) Mailing of a notice to the agency of the State in which the system is located which is responsible for the State's water supply program, and to other appropriate State or local agencies at the Administrator's discretion.

(3) Such notice shall include a summary of the proposed variance and schedule and shall inform interested persons that they may request a public hearing on the proposed variance and schedule.

(c) Requests for hearing may be submitted by any interested person other than a Federal agency. Frivolous or insubstantial requests for hearing may be denied by the Administrator. Requests must be submitted to the Administrator within 30 days after issuance of the public notices provided for in paragraph (b) of this section. Such requests shall include the following information:

(1) The name, address and telephone number of the individual, organization or other entity requesting a hearing;

(2) A brief statement of the interest of the person making the request in the proposed variance and schedule, and of information that the requester intends to submit at such hearing;

(3) The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

(d) The Administrator shall give notice in the manner set forth in paragraph (b) of this section of any hearing to be held pursuant to a request submitted by an interested person or on his own motion. Notice of the hearing shall also be sent to the persons requesting the hearing, if any. Notice of the hearing shall include a statement of the purpose of the hearing, information regarding the time and location for the hearing, and the address and telephone number of an office at which interested persons may obtain further information concerning the hearing. At least one hearing location specified in the public notice shall be within the involved State. Notice of hearing shall be given not less than 15 days prior to the time scheduled for the hearing.

(e) A hearing convened pursuant to paragraph (d) of this section shall be conducted before a hearing officer to be designated by the Administrator. The hearing shall be conducted by the hearing officer in an informal, orderly and expeditious manner. The hearing officer shall have authority to call witnesses, receive oral and written testimony and take such other action as may be necessary to assure the fair and efficient conduct of the hearing. Following the conclusion of the hearing, the hearing officer shall forward the record of the hearing to the Administrator.

(f) The variance and schedule shall become effective 30 days after notice of opportunity for hearing is given pursuant to paragraph (b) of this section if no timely request for hearing is submitted and the Administrator does not determine to hold a public hearing on his own motion.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987]

§ 142.45 Action after hearing.

Within 30 days after the termination of the public hearing held pursuant to § 142.44, the Administrator shall, taking into consideration information obtained during such hearing and relevant information, confirm, revise or rescind the proposed variance and schedule.

[52 FR 20675, June 2, 1987]

§ 142.46 Alternative treatment techniques.

The Administrator may grant a variance from any treatment technique requirement of a national primary drinking water regulation to a supplier of water, whether or not the public water system for which the variance is requested is located in a State which has primary enforcement responsibility, upon a showing from any person that an alternative treatment technique not included in such requirement is at least as efficient in lowering the level of the contaminant with respect to

which such requirements was prescribed. A variance under this paragraph shall be conditioned on the use of the alternative treatment technique which is the basis of the variance.

Subpart F—Exemptions Issued by the Administrator

§ 142.50 Requirements for an exemption.

(a) The Administrator may exempt any public water system within a State that does not have primary enforcement responsibility from any requirement regarding a maximum contaminant level or any treatment technique requirement, or from both, of an applicable national primary drinking water regulation upon a finding that—

(1) Due to compelling factors (which may include economic factors, including qualification of the public water system as a system serving a disadvantaged community pursuant to section 1452(d) of the Act), the public water system is unable to comply with such contaminant level or treatment technique requirement or to implement measures to develop an alternative source of water supply;

(2) The public water system was in operation on the effective date of such contaminant level or treatment technique requirement, or for a public water system that was not in operation by that date, no reasonable alternative source of drinking water is available to such new public water system;

(3) The granting of the exemption will not result in an unreasonable risk to health; and

(4) Management or restructuring changes (or both), as provided in §142.20(b)(1)(i), cannot reasonably be made that will result in compliance with the applicable national primary drinking water regulation or, if compliance cannot be achieved, improve the quality of the drinking water.

(b) No exemption shall be granted unless the public water system establishes that the public water system is taking all practicable steps to meet the standard; and

(1) The public water system cannot meet the standard without capital improvements which cannot be completed prior to the date established pursuant to Section 1412(b)(10) of the Act;

(2) In the case of a public water system which needs financial assistance for the necessary improvements, the public water system has entered into an agreement to obtain such financial assistance or assistance pursuant to Section 1452 of the Act, or any other Federal or State program that is reasonably likely to be available within the period of the exemption; or

(3) The public water system has entered into an enforceable agreement to become a part of a regional public water system.

(c) A public water system may not receive an exemption under this subpart if the public water system was granted a variance under Section 1415(e) of the Act.

[63 FR 43847, Aug. 14, 1998]

§ 142.51 Exemption request.

A supplier of water may request the granting of an exemption pursuant to this subpart for a public water system within a State that does not have primary enforcement responsibility by submitting a request for exemption in writing to the Administrator. Suppliers of water may submit a joint request for exemptions when they seek similar exemptions under similar circumstances. Any written request for an exemption or exemptions shall include the following information:

(a) The nature and duration of exemption requested.

(b) Relevant analytical results of water quality sampling of the system, including results of relevant tests conducted pursuant to the requirements of the national primary drinking water regulations.

(c) Explanation of the compelling factors such as time or economic factors which prevent such system from achieving compliance.

(d) Other information, if any, believed by the applicant to be pertinent to the application.

(e) A proposed compliance schedule, including the date when each step toward compliance will be achieved.

(f) Such other information as the Administrator may require.

§ 142.52 Consideration of an exemption request.

(a) The Administrator shall act on any exemption request submitted pursuant to § 142.51 within 90 days of receipt of the request.

(b) In his consideration of whether the public water system is unable to comply due to compelling factors, the Administrator shall consider such factors as the following:

(1) Construction, installation, or modification of the treatment equipment or systems.

(2) The time needed to put into operation a new treatment facility to replace an existing system which is not in compliance.

(3) Economic feasibility of compliance.

§ 142.53 Disposition of an exemption request.

(a) If the Administrator decides to deny the application for an exemption, he shall notify the applicant of his intention to issue a denial. Such notice shall include a statement of reasons for the proposed denial, and shall offer the applicant an opportunity to present, within 30 days of receipt of the notice, additional information or argument to the Administrator. The Administrator shall make a final determination on the request within 30 days after receiving any such additional information or argument. If no additional information or argument is submitted by the applicant, the application shall be denied.

(b) If the Administrator grants an exemption request submitted pursuant to § 142.51, he shall notify the applicant of his decision in writing. Such notice shall identify the facility covered, and shall specify the termination date of the exemption. Such notice shall provide that the exemption will be terminated when the system comes into compliance with the applicable regulation, and may be terminated upon a finding by the Administrator that the system has failed to comply with any requirements of a final schedule issued pursuant to § 142.55.

(c) The Administrator shall propose a schedule for:

(1) Compliance (including increments of progress or measures to develop an alternative source of water supply) by the public water system with each contaminant level requirement or treatment technique requirement with respect to which the exemption was granted; and

(2) Implementation by the public water system of such control measures as the Administrator may require for each contaminant covered by the exemption.

(d) The schedule shall be prescribed by the Administrator at the time the exemption is granted, subsequent to provision of opportunity for hearing pursuant to § 142.54.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987; 63 FR 43848, Aug. 14, 1998]

§ 142.54 Public hearings on exemption schedules.

(a) Before a schedule proposed by the Administrator pursuant to § 142.53 may take effect, the Administrator shall provide notice and opportunity for public hearing on the schedule. A notice given pursuant to the preceding sentence may cover the proposal of more than one such schedule and a hearing held pursuant to such notice shall include each of the schedules covered by the notice.

(b) Public notice of an opportunity for hearing on an exemption schedule shall be circulated in a manner designed to inform interested and potentially interested persons of the proposed schedule, and shall include at least the following:

(1) Posting of a notice in the principal post office of each municipality or area served by the public water system, and publishing of a notice in a newspaper or newspapers of general circulation in the area served by the public water system.

(2) Mailing of a notice to the agency of the State in which the system is located which is responsible for the State's water supply program and to other appropriate State or local agencies at the Administrator's discretion.

(3) Such notices shall include a summary of the proposed schedule and shall inform interested persons that they may request a public hearing on the proposed schedule.

(c) Requests for hearing may be submitted by any interested person other than a Federal agency. Frivolous or insubstantial requests for hearing may be denied by the Administrator. Requests must be submitted to the Administrator within 30 days after issuance of the public notices provided for in paragraph (b) of this section. Such requests shall include the following information:

(1) The name, address and telephone number of the individual, organization or other entity requesting a hearing;

(2) A brief statement of the interest of the person making the request in the proposed schedule and of information that the requesting person intends to submit at such hearing; and

(3) The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsibile official of the organization or other entity.

(d) The Administrator shall give notice in the manner set forth in paragraph (b) of this section of any hearing to be held pursuant to a request submitted by an interested person or on his own motion. Notice of the hearing shall also be sent to the person requesting the hearing, if any. Notice of the hearing shall include a statement of the purpose of the hearing, information regarding the time and location of the hearing, and the address and telephone number of an office at which interested persons may obtain further information concerning the hearing. At least one hearing location specified in the public notice shall be within the involved State. Notice of the hearing shall be given not less than 15 days prior to the time scheduled for the hearing.

(e) A hearing convened pursuant to paragraph (d) of this section shall be conducted before a hearing officer to be designated by the Administrator. The hearing shall be conducted by the hearing officer in an informal, orderly and expeditious manner. The hearing officer shall have authority to call witnesses, receive oral and written testimony and take such action as may be necessary to assure the fair and efficient conduct of the hearing. Following the conclusion of the hearing, the hearing officer shall forward the record of the hearing to the Administrator.

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987]

§ 142.55 Final schedule.

(a) Within 30 days after the termination of the public hearing pursuant to § 142.54, the Administrator shall, taking into consideration information obtained during such hearing, revise the proposed schedule as necessary and prescribe the final schedule for compliance and interim measures for the public water system granted an exemption under § 142.52.

(b) Such schedule must require compliance with each contaminant level and treatment technique requirement with respect to which the exemption was granted as expeditiously as practicable but not later than 3 years after the otherwise applicable compliance date established in section 1412(b)(10) of the Act.

(c) [Reserved]

[41 FR 2918, Jan. 20, 1976, as amended at 52 FR 20675, June 2, 1987; 63 FR 43848, Aug. 14, 1998]

§ 142.56 Extension of date for compliance.

In the case of a public water system which serves a population of not more than 3,300 persons and which needs financial assistance for the necessary improvements, an exemption granted under § 142.50(b) (1) or (2) may be renewed for one or more additional 2-year periods, but not to exceed a total of 6 additional years, if the public water system establishes that the public water system is taking all practicable steps to meet the requirements of section 1416(b)(2)(B) of the Act and the established compliance schedule.

[63 FR 43848, Aug. 14, 1998]

§ 142.57 Bottled water, point-of-use, and point-of-entry devices.

(a) A State may require a public water system to use bottled water, point-of-use devices, or point-of-entry devices as a condition of granting an exemption from the requirements of §§ 141.61 (a) and (c), and 141.62 of this chapter.

(b) Public water systems using bottled water as a condition of obtaining an exemption from the requirements of §§141.61 (a) and (c) and 141.62(b) must meet the requirements in §142.62(g).

(c) Public water systems that use point-of-use or point-of-entry devices as a condition for receiving an exemption must meet the requirements in §141.62(h).

[56 FR 3596, Jan. 30, 1991, as amended at 56 FR 30280, July 1, 1991]

Subpart G—Identification of Best Technology, Treatment Techniques or Other Means Generally Available

§142.60 Variances from the maximum contaminant level for total trihalomethanes.

(a) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the following as the best technology, treatment techiques or other means generally available for achieving compliance with the maximum contaminant level for total trihalomethanes (§141.12(c)):

(1) Use of chloramines as an alternate or supplemental disinfectant or oxidant.

(2) Use of chlorine dioxide as an alternate or supplemental disinfectant or oxidant.

(3) Improved existing clarification for THM precursor reduction.

(4) Moving the point of chlorination to reduce TTHM formation and, where necessary, substituting for the use of chlorine as a pre-oxidant chloramines, chlorine dioxide or potassium permanganate.

(5) Use of powdered activated carbon for THM precursor or TTHM reduction seasonally or intermittently at dosages not to exceed 10 mg/L on an annual average basis.

(b) The Administrator in a state that does not have primary enforcement responsibility or a state with primary enforcement responsibility (primacy state) that issues variances shall require a community water system to install and/or use any treatment method identified in §142.60(a) as a condition for granting a variance unless the Administrator or primacy state determines that such treatment method identified in §142.60(a) is not available and effective for TTHM control for the system. A treatment method shall not be considered to be "available and effective" for an individual system if the treatment method would not be technically appropriate and technically feasible for that system or would only result in a marginal reduction in TTHM for the system. If, upon application by a system for a variance, the Administrator or primacy state that issues variances determines that none of the treatment methods identified in §142.60(a) is available and effective for the system, that system shall be entitled to a variance under the provisions of section 1415(a)(1)(A) of the Act. The Administrator's or primacy state's determination as to the availability and effectiveness of such treatment methods shall be based upon studies by the system and other relevant information. If a system submits information intending to demonstrate that a treatment method is not available and effective for TTHM control for that system, the Administrator or primacy state shall make a finding whether this information supports a decision that such treatment method is not available and effective for that system before requiring installation and/or use of such treatment method.

(c) Pursuant to §142.43 (c) through (g) or corresponding state regulations, the Administrator or primacy state that issues variances shall issue a schedule of compliance that may require the system being granted the variance to examine the following treatment methods (1) to determine the probability that any of these methods will significantly reduce the level of TTHM for that system, and (2) if such probability exists, to determine whether any of these methods are technically feasible and economically reasonable, and that the TTHM reductions obtained will be commensurate with the costs incurred with the installation and use of such treatment methods for that system:

Introduction of off-line water storage for THM precursor reduction.

Aeration for TTHM reduction, where geographically and environmentally appropriate.

Introduction of clarification where not currently practiced.
Consideration of alternative sources of raw water.
Use of ozone as an alternate or supplemental disinfectant or oxidant.

(d) If the Administrator or primacy state that issues variances determines that a treatment method identified in §142.60(c) is technically feasible, economically reasonable and will achieve TTHM reductions commensurate with the costs incurred with the installation and/or use of such treatment method for the system, the Administrator or primacy state shall require the system to install and/or use that treatment method in connection with a compliance schedule issued under the provisions of section 1415(a)(1)(A) of the Act. The Administrator's or primacy state's determination shall be based upon studies by the system and other relevant information. In no event shall the Administrator require a system to install and/or use a treatment method not described in §142.60 (a) or (c) to obtain or maintain a variance from the TTHM Rule or in connection with any variance compliance schedule.

[48 FR 8414, Feb. 28, 1983]

§142.61 Variances from the maximum contaminant level for fluoride.

(a) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the following as the best technology, treatment techniques or other means generally available for achieving compliance with the Maximum Contaminant Level for fluoride.

(1) Activated alumina absorption, centrally applied

(2) Reverse osmosis, centrally applied

(b) The Administrator in a state that does not have primary enforcement responsibility or a state with primary enforcement responsibility (primacy state) that issues variances shall require a community water system to install and/or use any treatment method identified in §142.61(a) as a condition for granting a variance unless the Administrator or the primacy state determines that such treatment method identified in §142.61(a) as a condition for granting a variance is not available and effective for fluoride control for the system. A treatment method shall not be considered to be "available and effective" for an individual system if the treatment method would not be technically appropriate and technically feasible for that system. If, upon application by a system for a variance, the Administrator or primacy state that issues variances determines that none of the treatment methods identified in §142.61(a) are available and effective for the system, that system shall be entitled to a variance under the provisions of section 1415(a)(1)(A) of the Act. The Administrator's or primacy state's determination as to the availability and effectiveness of such treatment methods shall be based upon studies by the system and other relevant information. If a system submits information to demonstrate that a treatment method is not available and effective for fluoride control for that system, the Administrator or primacy state shall make a finding whether this information supports a decision that such treatment method is not available and effective for that system before requiring installation and/or use of such treatment method.

(c) Pursuant to §142.43 (c)–(g) or corresponding state regulations, the Administrator or primacy state that issues variances shall issue a schedule of compliance that may require the system being granted the variance to examine the following treatment methods (1) to determine the probability that any of these methods will significantly reduce the level of fluoride for that system, and (2) if such probability exists, to determine whether any of these methods are technically feasible and economically reasonable, and that the fluoride reductions obtained will be commensurate with the costs incurred with the installation and use of such treatment methods for that system:

(1) Modification of lime softening;
(2) Alum coagulation;
(3) Electrodialysis;
(4) Anion exchange resins;
(5) Well field management;
(6) Alternate source;
(7) Regionalization.

(d) If the Administrator or primary state that issues variances determines that a treatment method identified in §142.61(c) or other treatment method is

technically feasible, economically reasonable, and will achieve fluoride reductions commensurate with the costs incurred with the installation and/or use of such treatment method for the system, the Administrator or primacy state shall require the system to install and/or use that treatment method in connection with a compliance schedule issued under the provisions of section 1415(a)(1)(A) of the Act. The Administrator's or primacy state's determination shall be based upon studies by the system and other relevant information.

[51 FR 11411, Apr. 2, 1986]

§ 142.62 Variances and exemptions from the maximum contaminant levels for organic and inorganic chemicals.

(a) The Administrator, pursuant to section 1415(a)(1)(A) of the Act hereby identifies the technologies listed in paragraphs (a)(1) through (a)(54) of this section as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for organic chemicals listed in §141.61 (a) and (c):

Contaminant	Best available technologies		
	PTA [1]	GAC [2]	OX [3]
(1) Benzene	X	X	
(2) Carbon tetrachloride	X	X	
(3) 1,2-Dichloroethane	X	X	
(4) Trichloroethylene	X	X	
(5) para-Dichlorobenzene	X	X	
(6) 1,1-Dichloroethylene	X	X	
(7) 1,1,1-Trichloroethane	X	X	
(8) Vinyl chloride	X		
(9) cis-1,2-Dichloroethylene	X	X	
(10) 1,2-Dichloropropane	X	X	
(11) Ethylbenzene	X	X	
(12) Monochlorobenzene	X	X	
(13) o-Dichlorobenzene	X	X	
(14) Styrene	X	X	
(15) Tetrachloroethylene	X	X	
(16) Toluene	X	X	
(17) trans-1,2-Dichloroethylene	X	X	
(18) Xylense (total)	X	X	
(19) Alachlor		X	
(20) Aldicarb		X	
(21) Aldicarb sulfoxide		X	
(22) Aldicarb sulfone		X	
(23) Atrazine		X	
(24) Carbofuran		X	
(25) Chlordane		X	
(26) Dibromochloropropane	X	X	
(27) 2,4-D		X	
(28) Ethylene dibromide	X	X	
(29) Heptachlor		X	
(30) Heptachlor epoxide		X	
(31) Lindane		X	
(32) Methoxychlor		X	
(33) PCBs		X	
(34) Pentachlorophenol		X	
(35) Toxaphene		X	
(36) 2,4,5-TP		X	
(37) Benzo[a]pyrene		X	
(38) Dalapon		X	
(39) Dichloromethane	X		
(40) Di(2-ethylhexyl)adipate	X	X	
(41) Di(2-ethylhexyl)phthalate		X	
(42) Dinoseb		X	
(43) Diquat		X	
(44) Endothall		X	
(45) Endrin		X	
(46) Glyphosate			X
(47) Hexachlorobenzene		X	
(48) Hexachlorocyclopentadiene	X	X	
(49) Oxamyl (Vydate)		X	
(50) Picloram		X	
(51) Simazine		X	

Contaminant	Best available technologies		
	PTA [1]	GAC [2]	OX [3]
(52) 1,2,4-Trichlorobenzene	X	X	
(53) 1,1,2-Trichloroethane	X	X	
(54) 2,3,7,8-TCDD (Dioxin)		X	

[1] Packed Tower Aeration
[2] Granular Activated Carbon
[3] Oxidation (Chlorination or Ozonation)

(b) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the inorganic chemicals listed in §141.62:

BAT FOR INORGANIC COMPOUNDS LISTED IN §141.62(B)

Chemical name	BAT(s)
Antimony	2,7
Arsenic [4]	[5] 1, 2, 5, 6, 7, 9, 12
Asbestos	2,3,8
Barium	5,6,7,9
Beryllium	1,2,5,6,7
Cadmium	2,5,6,7
Chromium	2,5,6 [2],7
Cyanide	5,7,10
Mercury	2 [1],4,6 [1],7 [1]
Nickel	5,6,7
Nitrite	5,7,9
Nitrate	5,7
Selenium	1,2 [3],6,7,9
Thallium	1,5

[1] BAT only if influent Hg concentrations ≤10μg/1.
[2] BAT for Chromium III only.
[3] BAT for Selenium IV only.
[4] BATs for Arsenic V. Pre-oxidation may be required to convert Arsenic III to Arsenic V.
[5] To obtain high removals, iron to arsenic ratio must be at least 20:1.

Key to BATS in Table

1=Activated Alumina
2=Coagulation/Filtration (not BAT for systems <500 service connections)
3=Direct and Diatomite Filtration
4=Granular Activated Carbon
5=Ion Exchange
6=Lime Softening (not BAT for systems <500 service connections)
7=Reverse Osmosis
8=Corrosion Control
9=Electrodialysis
10=Chlorine
11=Ultraviolet
12=Oxidation/Filtration

(c) A State shall require community water systems and non-transient, non-community water systems to install and/or use any treatment method identified in §142.62 (a) and (b) as a condition for granting a variance except as provided in paragraph (d) of this section. If, after the system's installation of the treatment method, the system cannot meet the MCL, that system shall be eligible for a variance under the provisions of section 1415(a)(1)(A) of the Act.

(d) If a system can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treament methods identified in §142.62 (a) and (b) would only achieve a *de minimis* reduction in contaminants, the State may issue a schedule of compliance that requires the system being granted the variance to examine other treatment methods as a condition of obtaining the variance.

(e) If the State determines that a treatment method identified in paragraph (d) of this section is technically feasible, the Administrator or primacy State may require the system to install and/or use that treatment method in connection with a compliance schedule issued under the provisions of section 1415(a)(1)(A) of the Act. The State's determination shall be based upon studies by the system and other relevant information.

(f) The State may require a public water system to use bottled water, point-of-use devices, point-of-entry devices or other means as a condition of granting a variance or an exemption from the requirements of §§141.61 (a) and (c) and 141.62, to avoid an unreasonable risk to health. The State may require a public water system to use bottled water and point-of-use devices or other means, *but not point-of-entry devices*, as a condition for granting an exemption from corrosion control treatment requirements for lead and copper in §§141.81 and 141.82 to avoid an unreasonable risk to health. The State

may require a public water system to use point-of-entry devices as a condition for granting an exemption from the source water and lead service line replacement requirements for lead and copper under §§141.83 or 141.84 to avoid an unreasonable risk to health.

(g) Public water systems that use bottled water as a condition for receiving a variance or an exemption from the requirements of §§141.61 (a) and (c) and 141.62, or an exemption from the requirements of §§141.81–141.84 must meet the requirements specified in either paragraph (g)(1) or (g)(2) and paragraph (g)(3) of this section:

(1) The Administrator or primacy State must require and approve a monitoring program for bottled water. The public water system must develop and put in place a monitoring program that provides reasonable assurances that the bottled water meets all MCLs. The public water system must monitor a representative sample of the bottled water for all contaminants regulated under §§141.61 (a) and (c) and 141.62 during the first three-month period that it supplies the bottled water to the public, and annually thereafter. Results of the monitoring program shall be provided to the State annually.

(2) The public water system must receive a certification from the bottled water company that the bottled water supplied has been taken from an "approved source" as defined in 21 CFR 129.3(a); the bottled water company has conducted monitoring in accordance with 21 CFR 129.80(g) (1) through (3); and the bottled water does not exceed any MCLs or quality limits as set out in 21 CFR 103.35, part 110, and part 129. The public water system shall provide the certification to the State the first quarter after it supplies bottled water and annually thereafter. At the State's option a public water system may satisfy the requirements of this subsection if an approved monitoring program is already in place in another State.

(3) The public water system is fully responsible for the provision of sufficient quantities of bottled water to every person supplied by the public water system via door-to-door bottled water delivery.

(h) Public water systems that use point-of-use or point-of-entry devices as a condition for obtaining a variance or an exemption from NPDWRs must meet the following requirements:

(1) It is the responsibility of the public water system to operate and maintain the point-of-use and/or point-of-entry treatment system.

(2) Before point-of-use or point-of-entry devices are installed, the public water system must obtain the approval of a monitoring plan which ensures that the devices provide health protection equivalent to that provided by central water treatment.

(3) The public water system must apply effective technology under a State-approved plan. The microbiological safety of the water must be maintained at all times.

(4) The State must require adequate certification of performance, field testing, and, if not included in the certification process, a rigorous engineering design review of the point-of-use and/or point-of-entry devices.

(5) The design and application of the point-of-use and/or point-of-entry devices must consider the potential for increasing concentrations of heterotrophic bacteria in water treated with activated carbon. It may be necessary to use frequent backwashing, post-contactor disinfection, and Heterotrophic Plate Count monitoring to ensure that the microbiological safety of the water is not compromised.

(6) The State must be assured that buildings connected to the system have sufficient point-of-use or point-of-entry devices that are properly installed, maintained, and monitored such that all consumers will be protected.

(7) In requiring the use of a point-of-entry device as a condition for granting an exemption from the treatment requirements for lead and copper under §§141.83 or 141.84, the State must be assured that use of the device will not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

[56 FR 3596, Jan. 30, 1991, as amended at 56 FR 26563, June 7, 1991; 57 FR 31848, July 17, 1992; 59 FR 33864, June 30, 1994; 59 FR 34325, July 1, 1994; 66FR 7066, Jan. 22, 2001]

EFFECTIVE DATE NOTE: At 69 FR 38857, June 29, 2004, § 142.62 was amended by removing the citation "103.35" and adding in its place "165.110", effective July 29, 2004.

§ 142.63 Variances and exemptions from the maximum contaminant level for total coliforms.

(a) No variances or exemptions from the maximum contaminant level in § 141.63 of this chapter are permitted.

(b) EPA has stayed the effective date of this section relating to the total coliform MCL of § 141.63(a) of this chapter for systems that demonstrate to the State that the violation of the total coliform MCL is due to a persistent growth of total coliforms in the distribution system rather than fecal or pathogenic contamination, a treatment lapse or deficiency, or a problem in the operation or maintenance of the distribution system.

[54 FR 27568, June 29, 1989, as amended at 56 FR 1557, Jan. 15, 1991]

§ 142.64 Variances and exemptions from the requirements of part 141, subpart H—Filtration and Disinfection.

(a) No variances from the requirements in part 141, subpart H are permitted.

(b) No exemptions from the requirements in § 141.72 (a)(3) and (b)(2) to provide disinfection are permitted.

[54 FR 27540, June 29, 1989]

§ 142.65 Variances and exemptions from the maximum contaminant levels for radionuclides.

(a)(1) Variances and exemptions from the maximum contaminant levels for combined radium-226 and radium-228, uranium, gross alpha particle activity (excluding Radon and Uranium), and beta particle and photon radioactivity.

(i) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in § 141.66(b), (c), (d), and (e) of this chapter, for the purposes of issuing variances and exemptions, as shown in Table A to this paragraph.

TABLE A—BAT FOR RADIONUCLIDES LISTED IN § 141.66

Contaminant	BAT
Combined radium-226 and radium-228.	Ion exchange, reverse osmosis, lime softening.
Uranium	Ion exchange, reverse osmosis, lime softening, coagulation/filtration.
Gross alpha particle activity (excluding radon and uranium).	Reverse osmosis.
Beta particle and photon radioactivity.	Ion exchange, reverse osmosis.

(ii) In addition, the Administrator hereby identifies the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in § 141.66(b), (c), (d), and (e) of this chapter, for the purposes of issuing variances and exemptions to small drinking water systems, defined here as those serving 10,000 persons or fewer, as shown in Table C to this paragraph.

TABLE B—LIST OF SMALL SYSTEMS COMPLIANCE TECHNOLOGIES FOR RADIONUCLIDES AND LIMITATIONS TO USE

Unit technologies	Limitations (see footnotes)	Operator skill level required [1]	Raw water quality range & considerations [1]
1. Ion exchange (IE)	(a)	Intermediate	All ground waters.
2. Point of use (POU [2]) IE	(b)	Basic	All ground waters.
3. Reverse osmosis (RO)	(c)	Advanced	Surface waters usually require pre-filtration.
4. POU [2] RO	(b)	Basic	Surface waters usually require pre-filtration.
5. Lime softening	(d)	Advanced	All waters.
6. Green sand filtration	(e)	Basic.	
7. Co-precipitation with barium sulfate	(f)	Intermediate to Advanced	Ground waters with suitable water quality.
8. Electrodialysis/electrodialysis reversal		Basic to Intermediate	All ground waters.
9. Pre-formed hydrous manganese oxide filtration.	(g)	Intermediate	All ground waters.

TABLE B—LIST OF SMALL SYSTEMS COMPLIANCE TECHNOLOGIES FOR RADIONUCLIDES AND LIMITATIONS TO USE—Continued

Unit technologies	Limitations (see footnotes)	Operator skill level required [1]	Raw water quality range & considerations [1]
10. Activated alumina	([a]), ([h])	Advanced	All ground waters; competing anion concentrations may affect regeneration frequency.
11. Enhanced coagulation/filtration	([i])	Advanced	Can treat a wide range of water qualities.

[1] National Research Council (NRC). Safe Water from Every Tap: Improving Water Service to Small Communities. National Academy Press. Washington, D.C. 1997.

[2] A POU, or "point-of-use" technology is a treatment device installed at a single tap used for the purpose of reducing contaminants in drinking water at that one tap. POU devices are typically installed at the kitchen tap. See the April 21, 2000 NODA for more details.

Limitations Footnotes: Technologies for Radionuclides:

[a] The regeneration solution contains high concentrations of the contaminant ions. Disposal options should be carefully considered before choosing this technology.

[b] When POU devices are used for compliance, programs for long-term operation, maintenance, and monitoring must be provided by water utility to ensure proper performance.

[c] Reject water disposal options should be carefully considered before choosing this technology. See other RO limitations described in the SWTR compliance technologies table.

[d] The combination of variable source water quality and the complexity of the water chemistry involved may make this technology too complex for small surface water systems.

[e] Removal efficiencies can vary depending on water quality.

[f] This technology may be very limited in application to small systems. Since the process requires static mixing, detention basins, and filtration, it is most applicable to systems with sufficiently high sulfate levels that already have a suitable filtration treatment train in place.

[g] This technology is most applicable to small systems that already have filtration in place.

[h] Handling of chemicals required during regeneration and pH adjustment may be too difficult for small systems without an adequately trained operator.

[i] Assumes modification to a coagulation/filtration process already in place.

TABLE C—BAT FOR SMALL COMMUNITY WATER SYSTEMS FOR THE RADIONUCLIDES LISTED IN § 141.66

Contaminant	Compliance technologies [1] for system size categories (population served)		
	25–500	501–3,300	3,300–10,000
Combined radium-226 and radium-228	1, 2, 3, 4, 5, 6, 7, 8, 9 ..	1, 2, 3, 4, 5, 6, 7, 8, 9 ..	1, 2, 3, 4, 5, 6, 7, 8, 9.
Gross alpha particle activity	3, 4	3, 4	3, 4.
Beta particle activity and photon activity	1, 2, 3, 4	1, 2, 3, 4	1, 2, 3, 4.
Uranium	1, 2, 4, 10, 11	1, 2, 3, 4, 5, 10, 11	1, 2, 3, 4, 5, 10, 11.

[1] **Note:** Numbers correspond to those technologies found listed in the table B to this paragraph.

(2) A State shall require community water systems to install and/or use any treatment technology identified in Table A to this section, or in the case of small water systems (those serving 10,000 persons or fewer), Table B and Table C of this section, as a condition for granting a variance except as provided in paragraph (a)(3) of this section. If, after the system's installation of the treatment technology, the system cannot meet the MCL, that system shall be eligible for a variance under the provisions of section 1415(a)(1)(A) of the Act.

(3) If a community water system can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treatment technologies identified in this section would only achieve a de minimus reduction in the contaminant level, the State may issue a schedule of compliance that requires the system being granted the variance to examine other treatment technologies as a condition of obtaining the variance.

(4) If the State determines that a treatment technology identified under paragraph (a)(3) of this section is technically feasible, the Administrator or primacy State may require the system to install and/or use that treatment technology in connection with a compliance schedule issued under the provisions of section 1415(a)(1)(A) of the Act. The State's determination shall be based upon studies by the system and other relevant information.

(5) The State may require a community water system to use bottled water,

point-of-use devices, point-of-entry devices or other means as a condition of granting a variance or an exemption from the requirements of §141.66 of this chapter, to avoid an unreasonable risk to health.

(6) Community water systems that use bottled water as a condition for receiving a variance or an exemption from the requirements of §141.66 of this chapter must meet the requirements specified in either §142.62(g)(1) or §142.62(g)(2) and (g)(3).

(7) Community water systems that use point-of-use or point-of-entry devices as a condition for obtaining a variance or an exemption from the radionuclides NPDWRs must meet the conditions in §142.62(h)(1) through (h)(6).

(b) [Reserved]

[65 FR 76751, Dec. 7, 2000]

Subpart H—Indian Tribes

SOURCE: 53 FR 37411, Sept. 26, 1988, unless otherwise noted.

§142.72 Requirements for Tribal eligibility.

The Administrator is authorized to treat an Indian tribe as eligible to apply for primary enforcement for the Public Water System Program and the authority to waive the mailing requirements of §141.155(a) if it meets the following criteria:

(a) The Indian Tribe is recognized by the Secretary of the Interior.

(b) The Indian Tribe has a tribal governing body which is currently "carrying out substantial governmental duties and powers" over a defined area, (*i.e.*, is currently performing governmental functions to promote the health, safety, and welfare of the affected population within a defined geographic area).

(c) The Indian Tribe demonstrates that the functions to be performed in regulating the public water systems that the applicant intends to regulate are within the area of the Indian Tribal government's jurisdiction.

(d) The Indian Tribe is reasonably expected to be capable, in the Administrator's judgment, of administering (in a manner consistent with the terms and purposes of the Act and all applicable regulations) an effective Public Water System program.

[53 FR 37411, Sept. 26, 1988, as amended at 59 FR 64344, Dec. 14, 1994; 63 FR 44535, Aug. 19, 1998]

§142.76 Request by an Indian Tribe for a determination of eligibility.

An Indian Tribe may apply to the Administrator for a determination that it meets the criteria of section 1451 of the Act. The application shall be concise and describe how the Indian Tribe will meet each of the requirements of §142.72. The application shall consist of the following information:

(a) A statement that the Tribe is recognized by the Secretary of the Interior.

(b) A descriptive statement demonstrating that the Tribal governing body is currently carrying out substantial governmental duties and powers over a defined area. The statement should:

(1) Describe the form of the Tribal government;

(2) Describe the types of governmental functions currently performed by the Tribal governing body such as, but not limited to, the exercise of police powers affecting (or relating to) the health, safety, and welfare of the affected population; taxation; and the exercise of the power of eminent domain; and

(3) Identify the sources of the Tribal government's authority to carry out the governmental functions currently being performed.

(c) A map or legal description of the area over which the Indian Tribe asserts jurisdiction; a statement by the Tribal Attorney General (or equivalent official) which describes the basis for the Tribe's jurisdictional assertion (including the nature or subject matter of the asserted jurisdiction); a copy of those documents such as Tribal constitutions, by-laws, charters, executive orders, codes, ordinances, and/or resolutions which the Tribe believes are relevant to its assertions regarding jurisdiction; and a description of the locations of the public water systems the Tribe proposes to regulate.

(d) A narrative statement describing the capability of the Indian Tribe to

administer an effective Public Water System program. The narrative statement should include:

(1) A description of the Indian Tribe's previous management experience which may include, the administration of programs and services authorized by the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 *et seq.*), the Indian Mineral Development Act (25 U.S.C. 2101 *et seq.*), or the Indian Sanitation Facilities Construction Activity Act (42 U.S.C. 2004a).

(2) A list of existing environmental or public health programs administered by the Tribal governing body and a copy of related Tribal laws, regulations and policies.

(3) A description of the Indian Tribe's accounting and procurement systems.

(4) A description of the entity (or entities) which exercise the executive, legislative, and judicial functions of the Tribal government.

(5) A description of the existing, or proposed, agency of the Indian Tribe which will assume primary enforcement responsibility, including a description of the relationship between owners/operators of the public water systems and the agency.

(6) A description of the technical and administrative capabilities of the staff to administer and manage an effective Public Water System Program or a plan which proposes how the Tribe will acquire additional administrative and/or technical expertise. The plan must address how the Tribe will obtain the funds to acquire the additional administrative and technical expertise.

(e) The Administrator may, in his discretion, request further documentation necessary to support a Tribe's eligibility.

(f) If the Administrator has previously determined that a Tribe has met the prerequisites that make it eligible to assume a role similar to that of a state as provided by statute under the Safe Drinking Water Act, the Clean Water Act, or the Clean Air Act, then that Tribe need provide only that information unique to the Public Water System program (paragraphs (c), (d)(5) and (6) of this section).

[53 FR 37411, Sept. 26, 1988, as amended at 59 FR 64344, Dec. 14, 1994]

§ 142.78 Procedure for processing an Indian Tribe's application.

(a) The Administrator shall process a completed application of an Indian Tribe in a timely manner. He shall promptly notify the Indian Tribe of receipt of the application.

(b) A tribe that meets the requirements of §141.72 of this chapter is eligible to apply for development grants and primacy enforcement responsibility for a Public Water System Program and associated funding under section 1443(a) of the Act and for primary enforcement responsibility for public water systems under section 1413 of the Act and for the authority to waive the mailing requirement of §141.155(a) of this chapter.

[53 FR 37411 Sept. 26, 1988, as amended at 59 FR 64345, Dec. 14, 1994; 63 FR 71376, Dec. 28, 1998]

Subpart I—Administrator's Review of State Decisions that Implement Criteria Under Which Filtration Is Required

SOURCE: 54 FR 27540, June 29, 1989, unless otherwise noted.

§ 142.80 Review procedures.

(a) The Administrator may initiate a comprehensive review of the decisions made by States with primary enforcement responsibility to determine, in accordance with §141.71 of this chapter, if public water systems using surface water sources must provide filtration treatment. The Administrator shall complete this review within one year of its initiation and shall schedule subsequent reviews as (s)he deems necessary.

(b) EPA shall publish notice of a proposed review in the FEDERAL REGISTER. Such notice must:

(1) Provide information regarding the location of data and other information pertaining to the review to be conducted and other information including new scientific matter bearing on the application of the criteria for avoiding filtration; and

(2) Advise the public of the opportunity to submit comments.

(c) Upon completion of any such review, the Administrator shall notify each State affected by the results of

the review and shall make the results available to the public.

§ 142.81 Notice to the State.

(a) If the Administrator finds through periodic review or other available information that a State (1) has abused its discretion in applying the criteria for avoiding filtration under § 141.71 of this chapter in determining that a system does not have to provide filtration treatment, or (2) has failed to prescribe compliance schedules for those systems which must provide filtration in accordance with section 1412(b)(7)(C)(ii) of the Act, (s)he shall notify the State of these findings. Such notice shall:

(1) Identify each public water system for which the Administrator finds the State has abused its discretion;

(2) Specify the reasons for the finding;

(3) As appropriate, propose that the criteria of § 141.71 of this chapter be applied properly to determine the need for a public water system to provide filtration treatment or propose a revised schedule for compliance by the public water system with the filtration treatment requirements;

(b) The Administrator shall also notify the State that a public hearing is to be held on the provisions of the notice required by paragraph (a) of this section. Such notice shall specify the time and location of the hearing. If, upon notification of a finding by the Administrator that the State has abused its discretion under § 141.71 of this chapter, the State takes corrective action satisfactory to the Administrator, the Administrator may rescind the notice to the State of a public hearing.

(c) The Administrator shall publish notice of the public hearing in the FEDERAL REGISTER and in a newspaper of general circulation in the involved State, including a summary of the findings made pursuant to paragraph (a) of this section, a statement of the time and location for the hearing, and the address and telephone number of an office at which interested persons may obtain further information concerning the hearing.

(d) Hearings convened pursuant to paragraphs (b) and (c) of this section shall be conducted before a hearing officer to be designated by the Administrator. The hearing shall be conducted by the hearing officer in an informal, orderly, and expeditious manner. The hearing officer shall have the authority to call witnesses, receive oral and written testimony, and take such other action as may be necessary to ensure the fair and efficient conduct of the hearing. Following the conclusion of the hearing, the hearing officer may make a recommendation to the Administrator based on the testimony presented at the hearing and shall forward any such recommendation and the record of the hearing to the Administrator.

(e) Within 180 days after the date notice is given pursuant to paragraph (b) of this section, the Administrator shall:

(1) Rescind the notice to the State of a public hearing if the State takes corrective action satisfactory to the Administrator; or

(2) Rescind the finding for which the notice was given and promptly notify the State of such rescission; or

(3) Uphold the finding for which the notice was given. In this event, the Administrator shall revoke the State's decision that filtration was not required or revoke the compliance schedule approved by the State, and promulgate, as appropriate, with any appropriate modifications, a revised filtration decision or compliance schedule and promptly notify the State of such action.

(f) Revocation of a State's filtration decision or compliance schedule and/or promulgation of a revised filtration decision or compliance schedule shall take effect 90 days after the State is notified under paragraph (e)(3) of this section.

Subpart J [Reserved]

Subpart K—Variances for Small System

SOURCE: 63 FR 43848, Aug. 14, 1998, unless otherwise noted.

GENERAL PROVISIONS

§ 142.301 What is a small system variance?

Section 1415(e) of the Act authorizes the issuance of variances from the requirement to comply with a maximum contaminant level or treatment technique to systems serving fewer than 10,000 persons. The purpose of this subpart is to provide the procedures and criteria for obtaining these variances. The regulations in this subpart shall take effect on September 14, 1998.

§ 142.302 Who can issue a small system variance?

A small system variance under this subpart may only be issued by either:

(a) A State that is exercising primary enforcement responsibility under Subpart B for public water systems under the State's jurisdiction; or

(b) The Administrator, for a public water system in a State which does not have primary enforcement responsibility.

§ 142.303 Which size public water systems can receive a small system variance?

(a) A State exercising primary enforcement responsibility for public water systems (or the Administrator for other systems) may grant a small system variance to public water systems serving 3,300 or fewer persons.

(b) With the approval of the Administrator pursuant to §142.312, a State exercising primary enforcement responsibility for public water systems may grant a small system variance to public water systems serving more than 3,300 persons but fewer than 10,000 persons.

(c) In determining the number of persons served by the public water system, the State or Administrator must include persons served by consecutive systems. A small system variance granted to a public water system would also apply to any consecutive system served by it.

§ 142.304 For which of the regulatory requirements is a small system variance available?

(a) A small system variance is not available under this subpart for a national primary drinking water regulation for a microbial contaminant (including a bacterium, virus, or other organism) or an indicator or treatment technique for a microbial contaminant.

(b) A small system variance under this subpart is otherwise only available for compliance with a requirement specifying a maximum contaminant level or treatment technique for a contaminant with respect to which;

(1) a national primary drinking water regulation was promulgated on or after January 1, 1986; and

(2) the Administrator has published a small system variance technology pursuant to Section 1412(b)(15) of the Act.

NOTE TO PARAGRAPH (B)(1): Small system variances are not available for public water systems above the pre-1986 maximum contaminant level even if subsequently revised. If the Agency revises a pre-1986 maximum contaminant level and makes it more stringent, then a variance would be available for that contaminant, but only up to the pre-1986 maximum contaminant level.

§ 142.305 When can a small system variance be granted by a State?

No small system variance can be granted by a State until the later of the following:

(a) 90 days after the State proposes to grant the small system variance;

(b) If a State is proposing to grant a small system variance to a public water system serving 3,300 or fewer persons and the Administrator objects to the small system variance, the date on which the State makes the recommended modifications or responds in writing to each objection; or

(c) If a State is proposing to grant a small system variance to a public water system serving a population more than 3,300 and fewer than 10,000 persons, the date the Administrator approves the small system variance. The Administrator must approve or disapprove the variance within 90 days after it is submitted to the Administrator for review.

REVIEW OF SMALL SYSTEM VARIANCE APPLICATION

§ 142.306 What are the responsibilities of the public water system, State and the Administrator in ensuring that sufficient information is available and for evaluation of a small system variance application?

(a) A public water system requesting a small system variance must provide accurate and correct information to the State or the Administrator to issue a small system variance in accordance with this subpart. A State may assist a public water system in compiling information required for the State or the Administrator to issue a small system variance in accordance with this subpart.

(b) Based upon an application for a small system variance and other information, and before a small system variance may be proposed under this subpart, the State or the Administrator must find and document the following:

(1) The public water system is eligible for a small system variance pursuant to §§142.303 (i.e., the system serves a population of fewer than 10,000 persons) and 142.304 (i.e., the contaminant for which the small system variance is sought is not excluded from variance eligibility);

(2) The public water system cannot afford to comply, in accordance with the affordability criteria established by the State (or by the Administrator in States which do not have primary enforcement responsibility), with the national primary drinking water regulation for which a small system variance is sought, including by:

(i) Treatment;

(ii) Alternative sources of water supply;

(iii) Restructuring or consolidation changes, including ownership change and/or physical consolidation with another public water system; or

(iv) Obtaining financial assistance pursuant to Section 1452 of the Act or any other Federal or State program;

(3) The public water system meets the source water quality requirements for installing the small system variance technology developed pursuant to guidance published under section 1412(b)(15) of the Act;

(4) The public water system is financially and technically capable of installing, operating and maintaining the applicable small system variance technology; and

(5) The terms and conditions of the small system variance, as developed through compliance with §142.307, ensure adequate protection of human health, considering the following:

(i) The quality of the source water for the public water system; and

(ii) Removal efficiencies and expected useful life of the small system variance technology.

§ 142.307 What terms and conditions must be included in a small system variance?

(a) A State or the Administrator must clearly specify enforceable terms and conditions of a small system variance.

(b) The terms and conditions of a small system variance issued under this subpart must include, at a minimum, the following requirements:

(1) Proper and effective installation, operation and maintenance of the applicable small system variance technology in accordance with guidance published by the Administrator pursuant to section 1412(b)(15) of the Act, taking into consideration any relevant source water characteristics and any other site-specific conditions that may affect proper and effective operation and maintenance of the technology;

(2) Monitoring requirements, for the contaminant for which a small system variance is sought, as specified in 40 CFR part 141; and

(3) Any other terms or conditions that are necessary to ensure adequate protection of public health, which may include:

(i) Public education requirements; and

(ii) Source water protection requirements.

(c) The State or the Administrator must establish a schedule for the public water system to comply with the terms and conditions of the small system variance which must include, at a minimum, the following requirements:

(1) Increments of progress, such as milestone dates for the public water

system to apply for financial assistance and begin capital improvements;

(2) Quarterly reporting to the State or Administrator of the public water system's compliance with the terms and conditions of the small system variance;

(3) Schedule for the State or the Administrator to review the small system variance under paragraph (d) of this section; and

(4) Compliance with the terms and conditions of the small system variance as soon as practicable but not later than 3 years after the date on which the small system variance is granted. The Administrator or State may allow up to 2 additional years if the Administrator or State determines that additional time is necessary for the public water system to:

(i) Complete necessary capital improvements to comply with the small system variance technology, secure an alternative source of water, or restructure or consolidate; or

(ii) Obtain financial assistance provided pursuant to section 1452 of the Act or any other Federal or State program.

(d) The State or the Administrator must review each small system variance granted not less often than every 5 years after the compliance date established in the small system variance to determine whether the public water system continues to meet the eligibility criteria and remains eligible for the small system variance and is complying with the terms and conditions of the small system variance. If the public water system would no longer be eligible for a small system variance, the State or the Administrator must determine whether continuing the variance is in the public interest. If the State or the Administrator finds that continuing the variance is not in the public interest, the variance must be withdrawn.

PUBLIC PARTICIPATION

§ 142.308 What public notice is required before a State or the Administrator proposes to issue a small system variance?

(a) At least fifteen (15) days before the date of proposal, and at least thirty (30) days prior to a public meeting to discuss the proposed small system variance, the State, Administrator, or public water system as directed by the State or Administrator, must provide notice to all persons served by the public water system. For billed customers, identified in paragraph (a)(1) of this section, this notice must include the information listed in paragraph (c) of this section. For other persons regularly served by the system, identified in paragraph (a)(2) of this section, the notice shall include the information identified in paragraph (d) of this section. Notice must be provided to all persons served by:

(1) Direct mail or other home delivery to billed customers or other service connections, and

(2) Any other method reasonably calculated to notify, in a brief and concise manner, other persons regularly served by the system. Such methods may include publication in a local newspaper, posting in public places or delivery to community organizations.

(b) At the time of proposal, the State must publish a notice in the State equivalent to the FEDERAL REGISTER or a newspaper or newspapers of wide circulation in the State, or, in the case of the Administrator, in the FEDERAL REGISTER. This notice shall include the information listed in paragraph (c) of this section.

(c) The notice in paragraphs (a)(1) and (b) of this section must include, at a minimum, the following:

(1) Identification of the contaminant[s] for which a small system variance is sought;

(2) A brief statement of the health effects associated with the contaminant[s] for which a small system variance is sought using language in Appendix C of Part 141 Subpart O of this chapter;

(3) The address and telephone number at which interested persons may obtain further information concerning the contaminant and the small system variance;

(4) A brief summary, in easily understandable terms, of the terms and conditions of the small system variance;

(5) A description of the consumer petition process under §142.310 and information on contacting the EPA Regional Office;

(6) a brief statement announcing the public meeting required under §142.309(a), including a statement of the purpose of the meeting, information regarding the time and location for the meeting, and the address and telephone number at which interested persons may obtain further information concerning the meeting; and

(7) In communities with a large proportion of non-English-speaking residents, as determined by the primacy agency, information in the appropriate language regarding the content and importance of the notice.

(d) The notice in paragraph (a)(2) of this section must provide sufficient information to alert readers to the proposed variance and direct them where to receive additional information.

(e) At its option, the State or the Administrator may choose to issue separate notices or additional notices related to the proposed small system variance, provided that the requirements in paragraphs (a) through (d) of this section are satisfied.

(f) Prior to promulgating the final variance, the State or the Administrator must respond in writing to all significant public comments received relating to the small system variance. Response to public comment and any other documentation supporting the issuance of a variance must be made available to the public after final promulgation.

§142.309 What are the public meeting requirements associated with the proposal of a small system variance?

(a) A State or the Administrator must provide for at least one (1) public meeting on the small system variance no later than 15 days after the small system variance is proposed.

(b) At the time of the public meeting, the State or Administrator must prepare and make publicly available, in addition to the information listed in §142.308(c), either:

(1) The proposed small system variance, if the public meeting occurs after proposal of the small system variance; or

(2) A draft of the proposed small system variance, if the public meeting occurs prior to proposal of the proposed small system variance.

(c) Notice of the public meeting must be provided in the manner required under §142.308 at least 30 days in advance of the public meeting. This notice must be provided by the State, the Administrator, or the public water system as directed by the State or Administrator.

§142.310 How can a person served by the public water system obtain EPA review of a State proposed small system variance?

(a) Any person served by the public water system may petition the Administrator to object to the granting of a small system variance within 30 days after a State proposes to grant a small system variance for a public water system.

(b) The Administrator must respond to a petition filed by any person served by the public water system and determine whether to object to the small system variance under §142.311, no later than 60 days after the receipt of the petition.

EPA Review And Approval of Small System Variances

§142.311 What procedures allow the Administrator to object to a proposed small system variance or overturn a granted small system variance for a public water system serving 3,300 or fewer persons?

(a) At the time a State proposes to grant a small system variance under this subpart, the State must submit to the Administrator the proposed small system variance and all supporting information, including any written public comments received prior to proposal.

(b) The Administrator may review and object to any proposed small system variance within 90 days of receipt of the proposed small system variance. The Administrator must notify the State in writing of each basis for the objection and propose a modification to the small system variance to resolve the concerns of the Administrator. The State must make the recommended modification, respond in writing to

each objection, or withdraw the proposal to grant the small system variance.

(c) If the State issues the small system variance without resolving the concerns of the Administrator, the Administrator may overturn the State decision to grant the variance if the Administrator determines that the State decision does not comply with the Act or this rule.

§ 142.312 What EPA action is necessary when a State proposes to grant a small system variance to a public water system serving a population of more than 3,300 and fewer than 10,000 persons?

(a) At the time a State proposes to grant a small system variance to a public water system serving a population of more than 3,300 and fewer than 10,000 persons, the State must submit the proposed small system variance and all supporting information, including public comments received prior to proposal, to the Administrator.

(b) The Administrator must approve or disapprove the small system variance within 90 days of receipt of the proposed small system variance and supporting information. The Administrator must approve the small system variance if it meets each requirement within the Act and this rule.

(c) If the Administrator disapproves the small system variance, the Administrator must notify the State in writing of the reasons for disapproval and the small system variance does not become effective. The State may resubmit the small system variance for review and approval with modifications to address the objections stated by the Administrator.

§ 142.313 How will the Administrator review a State's program under this subpart?

(a) The Administrator must periodically review each State program under this subpart to determine whether small system variances granted by the State comply with the requirements of the Act, this rule and the affordability criteria developed by the State.

(b) If the Administrator determines that small system variances granted by a State are not in compliance with the requirements of the Act, this rule or the affordability criteria developed by the State, the Administrator shall notify the State in writing of the deficiencies and make public the determinations.

(c) The Administrator's review will be based in part on quarterly reports prepared by the States pursuant to §142.15(a)(1) relating to violations of increments of progress or other violated terms or conditions of small system variances.

PART 143—NATIONAL SECONDARY DRINKING WATER REGULATIONS

Sec.

143.1 Purpose.
143.2 Definitions.
143.3 Secondary maximum contaminant levels.
143.4 Monitoring.

AUTHORITY: 42 U.S.C. 300f *et seq.*

SOURCE: 44 FR 42198, July 19, 1979, unless otherwise noted.

§ 143.1 Purpose.

This part establishes National Secondary Drinking Water Regulations pursuant to section 1412 of the Safe Drinking Water Act, as amended (42 U.S.C. 300g–1). These regulations control contaminants in drinking water that primarily affect the aesthetic qualities relating to the public acceptance of drinking water. At considerably higher concentrations of these contaminants, health implications may also exist as well as aesthetic degradation. The regulations are not Federally enforceable but are intended as guidelines for the States.

§ 143.2 Definitions.

(a) *Act* means the Safe Drinking Water Act as amended (42 U.S.C. 300f *et seq.)*.

(b) *Contaminant* means any physical, chemical, biological, or radiological substance or matter in water.

(c) *Public water system* means a system for the provision to the public of piped water for human consumption, if such a system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the

year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. A public water system is either a "community water system" or a "non-community water system."

(d) *State* means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State does not have responsibility pursuant to section 1443 of the Act, the term "State" means the Regional Administrator, U.S. Environmental Protection Agency.

(e) *Supplier of water* means any person who owns or operates a public water system.

(f) *Secondary maximum contaminant levels* means SMCLs which apply to public water systems and which, in the judgement of the Administrator, are requisite to protect the public welfare. The SMCL means the maximum permissible level of a contaminant in water which is delivered to the free flowing outlet of the ultimate user of public water system. Contamimants added to the water under circumstances controlled by the user, except those resulting from corrosion of piping and plumbing caused by water quality, are excluded from this definition.

[44 FR 42198, July 19, 1979, as amended at 53 FR 37412, Sept. 26, 1988]

§ 143.3 Secondary maximum contaminant levels.

The secondary maximum contaminant levels for public water systems are as follows:

Contaminant	Level
Aluminum	0.05 to 0.2 mg/l.
Chloride	250 mg/l.
Color	15 color units.
Copper	1.0 mg/l.
Corrosivity	Non-corrosive.
Fluoride	2.0 mg/l.
Foaming agents	0.5 mg/l.
Iron	0.3 mg/l.
Manganese	0.05 mg/l.
Odor	3 threshold odor number.
pH	6.5–8.5.
Silver	0.1 mg/l.
Sulfate	250 mg/l.
Total dissolved solids (TDS)	500 mg/l.
Zinc	5 mg/l.

These levels represent reasonable goals for drinking water quality. The States may establish higher or lower levels which may be appropriate dependent upon local conditions such as unavailability of alternate source waters or other compelling factors, provided that public health and welfare are not adversely affected.

[44 FR 42198, July 19, 1979, as amended at 51 FR 11412, Apr. 2, 1986; 56 FR 3597, Jan. 30, 1991]

§ 143.4 Monitoring.

(a) It is recommended that the parameters in these regulations should be monitored at intervals no less frequent than the monitoring performed for inorganic chemical contaminants listed in the National Interim Primary Drinking Water Regulations as applicable to community water systems. More frequent monitoring would be appropriate for specific parameters such as pH, color, odor or others under certain circumstances as directed by the State.

(b) Measurement of pH, copper and fluoride to determine compliance under § 143.3 may be conducted with one of the methods in § 141.23(k)(1). Analyses of aluminum, chloride, foaming agents, iron, manganese, odor, silver, sulfate, total dissolved solids (TDS) and zinc to determine compliance under § 143.3 may be conducted with the methods in the following table. Criteria for analyzing aluminum, copper, iron, manganese, silver and zinc samples with digestion or directly without digestion, and other analytical test procedures are contained in *Technical Notes on Drinking Water Methods*, EPA–600/R–94–173, October 1994, which is available at NTIS PB95–104766.

Contaminant	EPA	ASTM[3]	SM[4] 18th and 19th ed.	SM[4] 20th ed.	Other
1. Aluminum	200.7[2]		3120 B	3120 B.	

Contaminant	EPA	ASTM [3]	SM [4] 18th and 19th ed.	SM [4] 20th ed.	Other
	200.8 [2]		3113 B.		
	200.9 [2]		3111 D.		
2. Chloride	300.0 [1]	D4327–97	4110 B	4110 B.	
			4500–Cl^- D	4500—Cl^- D.	
		D512–89B	4500–Cl^- B	4500–Cl^- B.	
3. Color			2120 B	2120 B.	
4. Foaming Agents			5540 C	5540 C.	
5. Iron	200.7 [2]		3120 B	3120 B.	
	200.9 [2]		3111 B.		
			3113 B.		
6. Manganese	200.7 [2]		3120 B	3120 B.	
	200.8 [2]		3111 B.		
	200.9 [2]		3113 B.		
7. Odor			2150 B	2150 B.	
8. Silver	200.7 [2]		3120 B	3120 B	I–3720–85 [5]
	200.8 [2]		3111 B.		
	200.9 [2]		3113 B.		
9. Sulfate	300.0 [1]	D4327–97	4110 B	4110 B.	
	375.2 [1]		4500–SO_4^{2-} F	4500–SO_4^{2-} F.	
			4500–SO_4^{2-} C, D.	4500–SO_4^{2-} C, D.	
		D516–90	4500–SO_4^{2-} E	4500–SO_4^{2-} E.	
10. Total Dissolved Solids			2540 C	2540 C.	
11. Zinc	200.7 [2]		3120 B	3120 B.	
	200.8 [2]		3111 B.		

The procedures shall be done in accordance with the documents listed below. The incorporation by reference of the following documents was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed below. Information regarding obtaining these documents can be obtained from the Safe Drinking Water Hotline at 800–426–4791. Documents may be inspected at EPA's Drinking Water Docket, EPA West, 1301 Constitution Avenue, NW, Room B135, Washington, DC (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[1] "Methods for the Determination of Inorganic Substances in Environmental Samples", EPA/600/R–93–100, August 1993. Available at NTIS, PB94–120821.

[2] "Methods for the Determination of Metals in Environmental Samples—Supplement I", EPA/600/R–94–111, May 1994. Available at NTIS, PB 95–125472.

[3] *Annual Book of ASTM Standards,* 1994, 1996, or 1999, Vols. 11.01 and 11.02, ASTM International; any year containing the cited version of the method may be used. Copies may be obtained from ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428. sa

[4] Standard Methods for the Examination of Water and Wastewater, 18th edition (1992), 19th edition (1995), or 20th edition (1998). American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005. The cited methods published in any of these three editions may be used, except that the versions of 3111 B, 3111 D, and 3113 B in the 20th edition may not be used.

[5] Method I–3720–85, *Techniques of Water Resources Investigation of the U.S. Geological Survey,* Book 5, Chapter A–1, 3rd ed., 1989; Available from Information Services, U.S. Geological Survey, Federal Center, Box 25286, Denver, CO 80225–0425.

[44 FR 42198, July 19, 1979, as amended at 53 FR 5147, Feb. 19, 1988; 56 FR 30281, July 1, 1991; 59 FR 62470, Dec. 5, 1994; 64 FR 67466, Dec. 1, 1999; 67 FR 65252, Oct. 23, 2002; 69 FR 18803, Apr. 9, 2004]

PART 144—UNDERGROUND INJECTION CONTROL PROGRAM

Subpart A—General Provisions

Sec.

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DEFINITION OF CLASS V INJECTION WELLS

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AUTHORITY: Safe Drinking Water Act, 42 U.S.C. 300f *et seq;* Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq*.

SOURCE: 48 FR 14189, Apr. 1, 1983, unless otherwise noted.

Subpart A—General Provisions

§ 144.1 Purpose and scope of part 144.

(a) *Contents of part 144*. The regulations in this part set forth requirements for the Underground Injection Control (UIC) program promulgated under Part C of the Safe Drinking Water Act (SDWA) (Pub. L. 93–523, as amended; 42 U.S.C. 300f *et seq*.) and, to the extent that they deal with hazardous waste, the Resource Conservation and Recovery Act (RCRA) (Pub. L. 94–580 as amended; 42 U.S.C. 6901 *et seq.)*.

(b) *Applicability*. (1) The regulations in this part establish minimum requirements for UIC programs. To the extent set forth in part 145, each State must meet these requirements in order to obtain primary enforcement authority for the UIC program in that State.

(2) In addition to serving as minimum requirements for UIC programs, the regulations in this part constitute a part of the UIC program for States listed in part 147 to be administered directly by EPA.

(c) The information requirements located in the following sections have been cleared by the Office of Management and Budget: Sections 144.11, 144.28(c)(d)(i), 144.31, 14.33, 144.51(j)(m)(n), 144.52(a), 144.54, 144.55, 144.15, 144.23, 144.26, 144.27, 144.28(i)(k), 144.51(o), 146.52. The OMB clearance number is 2040–0042.

(d) *Authority.* (1) Section 1421 of SDWA requires the Administrator to promulgate regulations establishing minimum requirements for effective UIC programs.

(2) Section 1422 of SDWA requires the Administrator to list in the FEDERAL REGISTER "each State for which in his judgment a State underground injection control program may be necessary to assure that underground injection will not endanger drinking water sources" and to establish by regulation a program for EPA administration of UIC programs in the absence of an approved State program in a listed State.

(3) Section 1423 of SDWA provides procedures for EPA enforcement of UIC requirements.

(4) Section 1431 authorizes the Administrator to take action to protect the health of persons when a contaminant which is present in or may enter a public water system or underground source of drinking water may present an imminent and substantial endangerment to the health of persons.

(5) Section 1445 of SDWA authorizes the promulgation of regulations for such recordkeeping, reporting, and monitoring requirements "as the Administrator may reasonably require * * * to assist him in establishing regulations under this title," and a "right of entry and inspection to determine compliance with this title, including for this purpose, inspection, at reasonable time, or records, files, papers, processes, controls, and facilities * * *."

(6) Section 1450 of SDWA authorizes the Administrator "to prescribe such regulations as are necessary or appropriate to carry out his functions" under SDWA.

(e) *Overview of the UIC program.* An UIC program is necessary in any State listed by EPA under section 1422 of the SDWA. Because all States have been listed, the SDWA requires all States to submit an UIC program within 270 days after July 24, 1980, the effective date of 40 CFR part 146, which was the final element of the UIC minimum requirements to be originally promulgated, unless the Administrator grants an extension, which can be for a period not to exceed an additional 270 days. If a State fails to submit an approvable program, EPA will establish a program for that State. Once a program is established, SDWA provides that all underground injections in listed States are unlawful and subject to penalties unless authorized by a permit or a rule. This part sets forth the requirements governing all UIC programs, authorizations by permit or rule and prohibits certain types of injection. The technical regulations governing these authorizations appear in 40 CFR part 146.

(f) *Structure of the UIC program*—(1) *Part 144.* This part sets forth the permitting and other program requirements that must be met by UIC Programs, whether run by a State or by EPA. It is divided into the following subparts:

(i) Subpart A describes general elements of the program, including definitions and classifications.

(ii) Subpart B sets forth the general program requirements, including the performance standards applicable to all injection activities, basic elements that all UIC programs must contain, and provisions for waiving permit of rule requirements under certain circumstances.

(iii) Subpart C sets forth requirements for wells authorized by rule.

(iv) Subpart D sets forth permitting procedures.

(v) Subpart E sets forth specific conditions, or types of conditions, that must at a minimum be included in all permits.

(vi) Subpart F sets forth the financial responsibility requirements for owners and operators of all existing and new Class I hazardous waste injection wells.

(vii) Subpart G of this part sets forth requirements for owners and operators of Class V injection wells.

(2) *Part 145.* While part 144 sets forth minimum requirements for all UIC Programs, these requirements are specifically identified as elements of a State application for primacy to administer an UIC Program in part 145. Part 145 also sets forth the necessary elements of a State submission and the procedural requirements for approval of State programs.

(3) *Part 124.* The public participation requirements that must be met by UIC Programs, whether administered by the State or by EPA, are set forth in part 124. EPA must comply with all

part 124 requirements; State administered programs must comply with part 124 as required by part 145. These requirements carry out the purposes of the public participation requirement of 40 CFR part 25 (Public Participation), and supersede the requirements of that part as they apply to the UIC Program.

(4) *Part 146.* This part sets forth the technical criteria and standards that must be met in permits and authorizations by rule as required by part 144.

(g) *Scope of the permit or rule requirement.* The UIC Permit Program regulates underground injections by five classes of wells (see definition of "well injection," §144.3). The five classes of wells are set forth in §144.6. All owners or operators of these injection wells must be authorized either by permit or rule by the Director. In carrying out the mandate of the SDWA, this subpart provides that no injection shall be authorized by permit or rule if it results in the movement of fluid containing any contaminant into Underground Sources of Drinking Water (USDWs—see §144.3 for definition), if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR part 141 or may adversely affect the health of persons (§144.12). Existing Class IV wells which inject hazardous waste directly into an underground source of drinking water are to be eliminated over a period of six months and new such Class IV wells are to be prohibited (§144.13). For Class V wells, if remedial action appears necessary, a permit may be required (§144.25) or the Director must require remedial action or closure by order (§144.12(c)). During UIC Program development, the Director may identify aquifers and portions of aquifers which are actual or potential sources of drinking water. This will provide an aid to the Director in carrying out his or her duty to protect all USDWs. An aquifer is a USDW if it fits the definition, even if it has not been "identified." The Director may also designate "exempted aquifers" using the criteria in 40 CFR 146.4. Such aquifers are those which would otherwise qualify as "underground sources of drinking water" to be protected, but which have no real potential to be used as drinking water sources. Therefore, they are not USDWs. No aquifer is an "exempted aquifer" until it has been affirmatively designated under the procedures in §144.7. Aquifers which do not fit the definition of "underground source of drinking water" are not "exempted aquifers." They are simply not subject to the special protection afforded USDWs.

(1) *Specific inclusions.* The following wells are included among those types of injection activities which are covered by the UIC regulations. (This list is not intended to be exclusive but is for clarification only.)

(i) Any injection well located on a drilling platform inside the State's territorial waters.

(ii) Any dug hole or well that is deeper than its largest surface dimension, where the principal function of the hole is emplacement of fluids.

(iii) Any well used by generators of hazardous waste, or by owners or operators of hazardous waste management facilities, to dispose of fluids containing hazardous waste. This includes the disposal of hazardous waste into what would otherwise be septic systems and cesspools, regardless of their capacity.

(iv) Any septic tank, cesspool, or other well used by a multiple dwelling, community, or Regional system for the injection of wastes.

(2) *Specific exclusions.* The following are not covered by these regulations:

(i) Injection wells located on a drilling platform or other site that is beyond the State's territorial waters.

(ii) Individual or single family residential waste disposal systems such as domestic cesspools or septic systems.

(iii) Non-residential cesspools, septic systems or similar waste disposal systems if such systems (A) Are used solely for the disposal of sanitary waste, and (B) have the capacity to serve fewer than 20 persons a day.

(iv) Injection wells used for injection of hydrocarbons which are of pipeline quality and are gases at standard temperature and pressure for the purpose of storage.

(v) Any dug hole, drilled hole, or bored shaft which is not used for the subsurface emplacement of fluids.

(3) The prohibition applicable to Class IV wells under §144.13 does not

apply to injections of hazardous wastes into aquifers or portions thereof which have been exempted pursuant to §146.04.

(h) *Interim Status under RCRA for Class I Hazardous Waste Injection Wells.* The minimum national standards which define acceptable injection of hazardous waste during the period of interim status under RCRA are set out in the applicable provisions of this part, parts 146 and 147, and §265.430 of this chapter. The issuance of a UIC permit does not automatically terminate RCRA interim status. A Class I well's interim status does, however, automatically terminate upon issuance to that well of a RCRA permit, or upon the well's receiving a RCRA permit-by-rule under §270.60(b) of this chapter. Thus, until a Class I well injecting hazardous waste receives a RCRA permit or RCRA permit-by-rule, the well's interim status requirements are the applicable requirements imposed pursuant to this part and parts 146, 147, and 265 of this chapter, including any requirements imposed in the UIC permit.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20181, May 11, 1984; 52 FR 20676, June 2, 1987; 52 FR 45797, Dec. 1, 1987; 53 FR 28147, July 26, 1988; 64 FR 68565, Dec. 7, 1999; 67 FR 39592, June 7, 2002]

§144.2 Promulgation of Class II programs for Indian lands.

Notwithstanding the requirements of this part or parts 124 and 146 of this chapter, the Administrator may promulgate an alternate UIC Program for Class II wells on any Indian reservation or Indian lands. In promulgating such a program the Administrator shall consider the following factors:

(a) The interest and preferences of the tribal government having responsibility for the given reservation or Indian lands;

(b) The consistency between the alternate program and any program in effect in an adjoining jurisdiction; and

(c) Such other factors as are necessary and appropriate to carry out the Safe Drinking Water Act.

§144.3 Definitions.

Terms not defined in this section have the meaning given by the appropriate Act. When a defined term appears in a definition, the defined term is sometimes placed within quotation marks as an aid to readers.

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

Application means the EPA standard national forms for applying for a permit, including any additions, revisions or modifications to the forms; or forms approved by EPA for use in approved States, including any approved modifications or revisions.

Appropriate Act and regulations means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA); or Safe Drinking Water Act (SDWA), whichever is applicable; and applicable regulations promulgated under those statutes.

Approved State Program means a UIC program administered by the State or Indian Tribe that has been approved by EPA according to SDWA sections 1422 and/or 1425.

Aquifer means a geological "formation," group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

Area of review means the area surrounding an injection well described according to the criteria set forth in §146.06 or in the case of an area permit, the project area plus a circumscribing area the width of which is either ¼ of a mile or a number calculated according to the criteria set forth in §146.06.

Cesspool means a "drywell" that receives untreated sanitary waste containing human excreta, and which sometimes has an open bottom and/or perforated sides.

Contaminant means any physical, chemical, biological, or radiological substance or matter in water.

Director means the Regional Administrator, the State director or the Tribal director as the context requires, or an authorized representative. When there is no approved State or Tribal program, and there is an EPA administered program, "Director" means the Regional Administrator. When there is an approved State or Tribal program, "Director" normally means the State or

Tribal director. In some circumstances, however, EPA retains the authority to take certain actions even when there is an approved State or Tribal program. In such cases, the term "Director" means the Regional Administrator and not the State or Tribal director.

Draft permit means a document prepared under §124.6 indicating the Director's tentative decision to issue or deny, modify, revoke and reissue, terminate, or reissue a "permit." A notice of intent to terminate a permit, and a notice of intent to deny a permit, as discussed in §124.5 are types of "draft permits." A denial of a request for modification, revocation and reissuance, or termination, as discussed in §124.5 is not a "draft permit."

Drilling mud means a heavy suspension used in drilling an "injection well," introduced down the drill pipe and through the drill bit.

Drywell means a well, other than an improved sinkhole or subsurface fluid distribution system, completed above the water table so that its bottom and sides are typically dry except when receiving fluids.

Eligible Indian Tribe is a Tribe that meets the statutory requirements established at 42 U.S.C. 300j-11(b)(1).

Emergency permit means a UIC "permit" issued in accordance with §144.34.

Environmental Protection Agency ("EPA") means the United States Environmental Protection Agency.

EPA means the United States "Environmental Protection Agency."

Exempted aquifer means an "aquifer" or its portion that meets the criteria in the definition of "underground source of drinking water" but which has been exempted according to the procedures in §144.7.

Existing injection well means an "injection well" other than a "new injection well."

Facility or activity means any UIC "injection well," or an other facility or activity that is subject to regulation under the UIC program.

Fluid means any material or substance which flows or moves whether in a semisolid, liquid, sludge, gas, or any other form or state.

Formation means a body of consolidated or unconsolidated rock characterized by a degree of lithologic homogeneity which is prevailingly, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

Formation fluid means "fluid" present in a "formation" under natural conditions as opposed to introduced fluids, such as "drilling mud."

Generator means any person, by site location, whose act or process produces hazardous waste identified or listed in 40 CFR part 261.

Ground water means water below the land surface in a zone of saturation.

Hazardous waste means a hazardous waste as defined in 40 CFR 261.3.

Hazardous waste management facility ("HWM facility") means all contiguous land, and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (for example, one or more landfills, surface impoundments, or combination of them).

HWM facility means "Hazardous Waste Management facility"

Improved sinkhole means a naturally occurring karst depression or other natural crevice found in volcanic terrain and other geologic settings which have been modified by man for the purpose of directing and emplacing fluids into the subsurface.

Indian lands means "Indian country" as defined in 18 U.S.C. 1151. That section defines Indian country as:

(a) All land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;

(b) All dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State; and

(c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Tribe means any Indian Tribe having a Federally recognized governing body carrying out substantial

governmental duties and powers over a defined area.

Injection well means a "well" into which "fluids" are being injected.

Injection zone means a geological "formation" group of formations, or part of a formation receiving fluids through a "well."

Interstate Agency means an agency of two or more States established by or under an agreement or compact approved by the Congress, or any other agency of two or more States or Indian Tribes having substantial powers or duties pertaining to the control of pollution as determined and approved by the Administrator under the "appropriate Act and regulations."

Major facility means any UIC "facility or activity" classified as such by the Regional Administrator, or, in the case of approved State programs, the Regional Administrator in conjunction with the State Director.

Manifest means the shipping document originated and signed by the "generator" which contains the information required by subpart B of 40 CFR part 262.

New injection wells means an "injection well" which began injection after a UIC program for the State applicable to the well is approved or prescribed.

Owner or operator means the owner or operator of any "facility or activity" subject to regulation under the UIC program.

Permit means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of this part, parts 145, 146 and 124. "Permit" includes an area permit (§144.33) and an emergency permit (§144.34). Permit does not include UIC authorization by rule (§144.21), or any permit which has not yet been the subject of final agency action, such as a "draft permit."

Person means an individual, association, partnership, corporation, municipality, State, Federal, or Tribal agency, or an agency or employee thereof.

Plugging means the act or process of stopping the flow of water, oil or gas into or out of a formation through a borehole or well penetrating that formation.

Point of injection means the last accessible sampling point prior to waste fluids being released into the subsurface environment through a Class V injection well. For example, the point of injection of a Class V septic system might be the distribution box—the last accessible sampling point before the waste fluids drain into the underlying soils. For a dry well, it is likely to be the well bore itself.

Project means a group of wells in a single operation.

Radioactive Waste means any waste which contains radioactive material in concentrations which exceed those listed in 10 CFR part 20, appendix B, table II, column 2.

RCRA means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (Pub. L. 94–580, as amended by Pub. L. 95–609, Pub. L. 96–510, 42 U.S.C. 6901 *et seq.*).

Regional Administrator means the Regional Administrator of the appropriate Regional Office of the Environmental Protection Agency or the authorized representative of the Regional Administrator.

Sanitary waste means liquid or solid wastes originating solely from humans and human activities, such as wastes collected from toilets, showers, wash basins, sinks used for cleaning domestic areas, sinks used for food preparation, clothes washing operations, and sinks or washing machines where food and beverage serving dishes, glasses, and utensils are cleaned. Sources of these wastes may include single or multiple residences, hotels and motels, restaurants, bunkhouses, schools, ranger stations, crew quarters, guard stations, campgrounds, picnic grounds, day-use recreation areas, other commercial facilities, and industrial facilities provided the waste is not mixed with industrial waste.

Schedule of compliance means a schedule of remedial measures included in a "permit," including an enforceable sequence of interim requirements (for example, actions, operations, or milestone events) leading to compliance with the "appropriate Act and regulations."

SDWA means the Safe Drinking Water Act (Pub. L. 93–523, as amended; 42 U.S.C. 300f *et seq.*).

Septic system means a "well" that is used to emplace sanitary waste below the surface and is typically comprised of a septic tank and subsurface fluid distribution system or disposal system.

Site means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity.

State means any of the 50 States, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or an Indian Tribe treated as a State.

State Director means the chief administrative officer of any State, interstate, or Tribal agency operating an "approved program," or the delegated representative of the State director. If the responsibility is divided among two or more States, interstate, or Tribal agencies, "State Director" means the chief administrative officer of the State, interstate, or Tribal agency authorized to perform the particular procedure or function to which reference is made.

State/EPA agreement means an agreement between the Regional Administrator and the State which coordinates EPA and State activities, responsibilities and programs.

Stratum (plural strata) means a single sedimentary bed or layer, regardless of thickness, that consists of generally the same kind of rock material.

Subsurface fluid distribution system means an assemblage of perforated pipes, drain tiles, or other similar mechanisms intended to distribute fluids below the surface of the ground.

Total dissolved solids means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR part 136.

Transferee means the owner or operator receiving ownership and/or operational control of the well.

Transferor means the owner or operator transferring ownership and/or operational control of the well.

UIC means the Underground Injection Control program under Part C of the Safe Drinking Water Act, including an "approved State program."

Underground injection means a "well injection."

Underground source of drinking water (USDW) means an aquifer or its portion:

(a)(1) Which supplies any public water system; or

(2) Which contains a sufficient quantity of ground water to supply a public water system; and

(i) Currently supplies drinking water for human consumption; or

(ii) Contains fewer than 10,000 mg/l total dissolved solids; and

(b) Which is not an exempted aquifer.

USDW means "underground source of drinking water."

Well means: A bored, drilled, or driven shaft whose depth is greater than the largest surface dimension; or, a dug hole whose depth is greater than the largest surface dimension; or, an improved sinkhole; or, a subsurface fluid distribution system.

Well injection means the subsurface emplacement of fluids through a well.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 45305, Nov. 15, 1984; 52 FR 20676, June 2, 1987; 53 FR 37412, Sept. 26, 1988; 58 FR 63895, Dec. 3, 1993; 59 FR 64345, Dec. 14, 1994; 64 FR 68565, Dec. 7, 1999]

§ 144.4 Considerations under Federal law.

The following is a list of Federal laws that may apply to the issuance of permits under these rules. When any of these laws is applicable, its procedures must be followed. When the applicable law requires consideration or adoption of particular permit conditions or requires the denial of a permit, those requirements also must be followed.

(a) The *Wild and Scenic Rivers Act*, 16 U.S.C. 1273 *et seq.* Section 7 of the Act prohibits the Regional Administrator from assisting by license or otherwise the construction of any water resources project that would have a direct, adverse effect on the values for which a national wild and scenic river was established.

(b) *The National Historic Preservation Act of 1966*, 16 U.S.C. 470 *et seq.* Section 106 of the Act and implementing regulations (36 CFR part 800) require the Regional Administrator, before issuing

a license, to adopt measures when feasible to mitigate potential adverse effects of the licensed activity and properties listed or eligible for listing in the National Register of Historic Places. The Act's requirements are to be implemented in cooperation with State Historic Preservation Officers and upon notice to, and when appropriate, in consultation with the Advisory Council on Historic Preservation.

(c) The *Endangered Species Act,* 16 U.S.C. 1531 *et seq.* Section 7 of the Act and implementing regulations (50 CFR part 402) require the Regional Administrator to ensure, in consultation with the Secretary of the Interior or Commerce, that any action authorized by EPA is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat.

(d) *The Coastal Zone Management Act,* 16 U.S.C. 1451 *et seq.* Section 307(c) of the Act and implementing regulations (15 CFR part 930) prohibit EPA from issuing a permit for an activity affecting land or water use in the coastal zone until the applicant certifies that the proposed activity complies with the State Coastal Zone Management program, and the State or its designated agency concurs with the certification (or the Secretary of Commerce overrides the States nonconcurrence).

(e) The *Fish and Wildlife Coordination Act,* 16 U.S.C. 661 *et seq.*, requires the Regional Administrator, before issuing a permit proposing or authorizing the impoundment (with certain exemptions), diversion, or other control or modification of any body of water, consult with the appropriate State agency exercising jurisdiction over wildlife resources to conserve these resources.

(f) *Executive orders.* [Reserved]

(Clean Water Act (33 U.S.C. 1251 *et seq.*), Safe Drinking Water Act (42 U.S.C. 300f *et seq.*), Clean Air Act (42 U.S.C. 7401 *et seq.*), Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*))

[48 FR 14189, Apr. 1, 1983, as amended at 48 FR 39621, Sept. 1, 1983]

§ 144.5 Confidentiality of information.

(a) In accordance with 40 CFR part 2, any information submitted to EPA pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR part 2 (Public Information).

(b) Claims of confidentiality for the following information will be denied:

(1) The name and address of any permit applicant or permittee;

(2) Information which deals with the existence, absence, or level of contaminants in drinking water.

§ 144.6 Classification of wells.

Injection wells are classified as follows:

(a) *Class I.* (1) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to inject hazardous waste beneath the lowermost formation containing, within one-quarter mile of the well bore, an underground source of drinking water.

(2) Other industrial and municipal disposal wells which inject fluids beneath the lowermost formation containing, within one quarter mile of the well bore, an underground source of drinking water.

(3) Radioactive waste disposal wells which inject fluids below the lowermost formation containing an underground source of drinking water within one quarter mile of the well bore.

(b) *Class II.* Wells which inject fluids:

(1) Which are brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an intergral part of production operations, unless those waters are classified as a hazardous waste at the time of injection.

(2) For enhanced recovery of oil or natural gas; and

(3) For storage of hydrocarbons which are liquid at standard temperature and pressure.

(c) *Class III.* Wells which inject for extraction of minerals including:

(1) Mining of sulfur by the Frasch process;

(2) In situ production of uranium or other metals; this category includes only in-situ production from ore bodies which have not been conventionally mined. Solution mining of conventional mines such as stopes leaching is included in Class V.

(3) Solution mining of salts or potash.

(d) *Class IV.* (1) Wells used by generators of hazardous waste or of radioactive waste, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste into a formation which within one-quarter (¼) mile of the well contains an underground source of drinking water.

(2) Wells used by generators of hazardous waste or of radioactive waste, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste above a formation which within one-quarter (¼) mile of the well contains an underground source of drinking water.

(3) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to dispose of hazardous waste, which cannot be classified under paragraph (a)(1) or (d) (1) and (2) of this section (e.g., wells used to dispose of hazardous waste into or above a formation which contains an aquifer which has been exempted pursuant to §146.04).

(e) Class V. Injection wells not included in Class I, II, III, or IV. Specific types of Class V injection wells are described in §144.81.

[48 FR 14189, Apr. 1, 1983, as amended at 52 FR 20676, June 2, 1987; 64 FR 68565, Dec. 7, 1999]

§144.7 Identification of underground sources of drinking water and exempted aquifers.

(a) The Director may identify (by narrative description, illustrations, maps, or other means) and shall protect, except where exempted under paragraph (b) of this section, as an underground source of drinking water, all aquifers or parts of aquifers which meet the definition of an "underground source of drinking water" in §144.3. Even if an aquifer has not been specifically identified by the Director, it is an underground source of drinking water if it meets the definition in §144.3.

(b)(1) The Director may identify (by narrative description, illustrations, maps, or other means) and describe in geographic and/or geometric terms (such as vertical and lateral limits and gradient) which are clear and definite, all aquifers or parts thereof which the Director proposes to designate as exempted aquifers using the criteria in 40 CFR 146.04.

(2) No designation of an exempted aquifer submitted as part of a UIC Program shall be final until approved by the Administrator as part of a UIC program.

(3) Subsequent to program approval or promulgation, the Director may, after notice and opportunity for a public hearing, identify additional exempted aquifers. For approved State programs exemption of aquifers identifed (i) under §146.04(b) shall be treated as a program revision under §145.32; (ii) under §146.04(c) shall become final if the State Director submits the exemption in writing to the Administrator and the Administrator has not disapproved the designation within 45 days. Any disapproval by the Administrator shall state the reasons and shall constitute final Agency action for purposes of judicial review.

(c)(1) For Class III wells, the Director shall require an applicant for a permit which necessitates an aquifer exemption under §146.04(b)(1) to furnish the data necessary to demonstrate that the aquifer is expected to be mineral or hydrocarbon producing. Information contained in the mining plan for the proposed project, such as a map and general description of the mining zone, general information on the mineralogy

and geochemistry of the mining zone, analysis of the amenability of the mining zone to the proposed mining method, and a time-table of planned development of the mining zone shall be considered by the Director in addition to the information required by §144.31(g).

(2) For Class II wells, a demonstration of commercial producibility shall be made as follows:

(i) For a Class II well to be used for enhanced oil recovery processes in a field or project containing aquifers from which hydrocarbons were previously produced, commercial producibility shall be presumed by the Director upon a demonstration by the applicant of historical production having occurred in the project area or field.

(ii) For Class II wells not located in a field or project containing aquifers from which hydrocarbons were previously produced, information such as logs, core data, formation description, formation depth, formation thickness and formation parameters such as permeability and porosity shall be considered by the Director, to the extent such information is available.

§144.8 Noncompliance and program reporting by the Director.

The Director shall prepare quarterly and annual reports as detailed below. When the State is the permit-issuing authority, the State Director shall submit any reports required under this section to the Regional Administrator. When EPA is the permit-issuing authority, the Regional Administrator shall submit any report required under this section to EPA Headquarters.

(a) *Quarterly reports.* The Director shall submit quarterly narrative reports for major facilities as follows:

(1) *Format.* The report shall use the following format:

(i) Provide an alphabetized list of permittees. When two or more permittees have the same name, the lowest permit number shall be entered first.

(ii) For each entry on the list, include the following information in the following order:

(A) Name, location, and permit number of the noncomplying permittees.

(B) A brief description and date of each instance of noncompliance for that permittee. Instances of noncompliance may include one or more the kinds set forth in paragraph (a)(2) of this section. When a permittee has noncompliance of more than one kind, combine the information into a single entry for each such permittee.

(C) The date(s) and a brief description of the action(s) taken by the Director to ensure compliance.

(D) Status of the instance(s) of noncompliance with the date of the review of the status or the date of resolution.

(E) Any details which tend to explain or mitigate the instance(s) of noncompliance.

(2) *Instances of noncompliance to be reported.* Any instances of noncompliance within the following categories shall be reported in successive reports until the noncompliance is reported as resolved. Once noncompliance is reported as resolved it need not appear in subsequent reports.

(i) *Failure to complete construction elements.* When the permittee has failed to complete, by the date specified in the permit, an element of a compliance schedule involving either planning for construction or a construction step (for example, begin construction, attain operation level); and the permittee has not returned to compliance by accomplishing the required elements of the schedule within 30 days from the date a compliance schedule report is due under the permit.

(ii) *Modifications to schedules of compliance.* When a schedule of compliance in the permit has been modified under §§144.39 or 144.41 because of the permittee's noncompliance.

(iii) *Failure to complete or provide compliance schedule or monitoring reports.* When the permittee has failed to complete or provide a report required in a permit compliance schedule (for example, progress report or notice of noncompliance or compliance) or a monitoring report; and the permittee has not submitted the complete report within 30 days from the date it is due under the permit for compliance schedules, or from the date specified in the permit for monitoring reports.

(iv) *Deficient reports.* When the required reports provided by the permittee are so deficient as to cause misunderstanding by the Director and thus impede the review of the status of compliance.

(v) *Noncompliance with other permit requirements.* Noncompliance shall be reported in the following circumstances:

(A) Whenever the permittee has violated a permit requirement (other than reported under paragraph (a)(2) (i) or (ii) of this section), and has not returned to compliance within 45 days from the date reporting of noncompliance was due under the permit; or

(B) When the Director determines that a pattern of noncompliance exists for a major facility permittee over the most recent four consecutive reporting periods. This pattern includes any violation of the same requirement in two consecutive reporting periods, and any violation of one or more requirements in each of four consecutive reporting periods; or

(C) When the Director determines significant permit noncompliance or other significant event has occurred, such as a migration of fluids into a USDW.

(vi) *All other.* Statistical information shall be reported quarterly on all other instances of noncompliance by major facilities with permit requirements not otherwise reported under paragraph (a) of this section.

(b) *Annual reports*—(1) *Annual noncompliance report.* Statistical reports shall be submitted by the Director on nonmajor UIC permittees indicating the total number reviewed, the number of noncomplying nonmajor permittees, the number of enforcement actions, and number of permit modifications extending compliance deadlines. The statistical information shall be organized to follow the types of noncompliance listed in paragraph (a) of this section.

(2) *For State-administered UIC Programs only.* In addition to the annual noncompliance report, the State Director shall:

(i) Submit each year a program report to the Administrator (in a manner and form prescribed by the Administrator) consisting of:

(A) A detailed description of the State's implementation of its program;

(B) Suggested changes, if any to the program description (see §145.23(f)) which are necessary to reflect more accurately the State's progress in issuing permits;

(C) An updated inventory of active underground injection operations in the State.

(ii) In addition to complying with the requirements of paragraph (b)(2)(i) of this section, the Director shall provide the Administrator, on February 28th and August 31st of each of the first two years of program operation, the information required in 40 CFR 146.15, 146.25, and 146.35.

(c) *Schedule.* (1) For all quarterly reports. On the last working day of May, August, November, and February, the State Director shall submit to the Regional Administrator information concerning noncompliance with permit requirements by major facilities in the State in accordance with the following schedule. The Regional Administrator shall prepare and submit information for EPA-issued permits to EPA Headquarters in accordance with the same schedule.

QUARTERS COVERED BY REPORTS ON NONCOMPLIANCE BY MAJOR FACILITIES

[Date for completion of reports]

January, February, and March	[1] May 31
April, May, and June	[1] Aug. 31
July, August, and September	[1] Nov. 30
October, November, and December	[1] Feb. 28

[1] Reports must be made available to the public for inspection and copying on this date.

(2) *For all annual reports.* The period for annual reports shall be for the calendar year ending December 31, with reports completed and available to the public no more than 60 days later.

Subpart B—General Program Requirements

§144.11 Prohibition of unauthorized injection.

Any underground injection, except into a well authorized by rule or except as authorized by permit issued under the UIC program, is prohibited. The construction of any well required to

have a permit is prohibited until the permit has been issued.

[48 FR 14189, Apr. 1, 1983, as amended at 58 FR 63895, Dec. 3, 1993]

§ 144.12 Prohibition of movement of fluid into underground sources of drinking water.

(a) No owner or operator shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR part 142 or may otherwise adversely affect the health of persons. The applicant for a permit shall have the burden of showing that the requirements of this paragraph are met.

(b) For Class I, II and III wells, if any water quality monitoring of an underground source of drinking water indicates the movement of any contaminant into the underground source of drinking water, except as authorized under part 146, the Director shall prescribe such additional requirements for construction, corrective action, operation, monitoring, or reporting (including closure of the injection well) as are necessary to prevent such movement. In the case of wells authorized by permit, these additional requirements shall be imposed by modifying the permit in accordance with §144.39, or the permit may be terminated under §144.40 if cause exists, or appropriate enforcement action may be taken if the permit has been violated. In the case of wells authorized by rule, see §§144.21 through 144.24. For EPA administered programs, such enforcement action shall be taken in accordance with appropriate sections of the SDWA.

(c) For Class V wells, if at any time the Director learns that a Class V well may cause a violation of primary drinking water regulations under 40 CFR part 142, he or she shall:

(1) Require the injector to obtain an individual permit;

(2) Order the injector to take such actions (including, where required, closure of the injection well) as may be necessary to prevent the violation. For EPA administered programs, such orders shall be issued in accordance with the appropriate provisions of the SDWA; or

(3) Take enforcement action.

(d) Whenever the Director learns that a Class V well may be otherwise adversely affecting the health of persons, he or she may prescribe such actions as may be necessary to prevent the adverse effect, including any action authorized under paragraph (c) of this section.

(e) Notwithstanding any other provision of this section, the Director may take emergency action upon receipt of information that a contaminant which is present in or likely to enter a public water system or underground source of drinking water may present an imminent and substantial endangerment to the health of persons. If the Director is an EPA official, he must first determine that the appropriate State and local authorities have not taken appropriate action to protect the health of such persons, before taking emergency action.

[48 FR 14189, Apr. 1, 1983, as amended at 52 FR 20676, June 2, 1987]

§ 144.13 Prohibition of Class IV wells.

(a) The following are prohibited, except as provided in paragraph (c) of this section:

(1) The construction of any Class IV well.

(2) The operation or maintenance of any Class IV well not in operation prior to July 18, 1980.

(3) The operation or maintenance of any Class IV well that was in operation prior to July 18, 1980, after six months following the effective date of a UIC program approved or promulgated for the state.

(4) Any increase in the amount of hazardous waste or change in the type of hazardous waste injected into a Class IV well.

(b) The owner or operator of a Class IV well shall comply with the requirements of §144.14, and with the requirements of §144.23 regarding closure of Class IV wells.

(c) Wells used to inject contaminated ground water that has been treated and is being reinjected into the same formation from which it was drawn are

not prohibited by this section if such injection is approved by EPA, or a State, pursuant to provisions for cleanup of releases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601–9657, or pursuant to requirements and provisions under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 through 6987.

(d) *Clarification.* The following wells are not prohibited by this action:

(1) Wells used to inject hazardous waste into aquifers or portions thereof that have been exempted pursuant to §146.4, if the exempted aquifer into which waste is injected underlies the lowermost formation containing a USDW. Such wells are Class I wells as specified in §144.6(a)(1), and the owner or operator must comply with the requirements applicable to Class I wells.

(2) Wells used to inject hazardous waste where no USDW exists within one quarter mile of the well bore in any underground formation, provided that the Director determines that such injection is into a formation sufficiently isolated to ensure that injected fluids do not migrate from the injection zone. Such wells are Class I wells as specified in §144.6(a)(1), and the owner or operator must comply with the requirements applicable to Class I wells.

[49 FR 20181, May 11, 1984, as amended at 67 FR 39593, June 7, 2002]

§144.14 Requirements for wells injecting hazardous waste.

(a) *Applicability.* The regulations in this section apply to all generators of hazardous waste, and to the owners or operators of all hazardous waste management facilities, using any class of well to inject hazardous wastes accompanied by a manifest. (See also §144.13.)

(b) *Authorization.* The owner or operator of any well that is used to inject hazardous waste required to be accompanied by a manifest or delivery document shall apply for authorization to inject as specified in §144.31 within 6 months after the approval or promulgation of the State UIC program.

(c) *Requirements.* In addition to complying with the applicable requirements of this part and 40 CFR part 146, the owner or operator of each facility meeting the requirements of paragraph (b) of this section, shall comply with the following:

(1) *Notification.* The owner or operator shall comply with the notification requirements of section 3010 of Public Law 94–580.

(2) *Identification number.* The owner or operator shall comply with the requirements of 40 CFR 264.11.

(3) *Manifest system.* The owner or operator shall comply with the applicable recordkeeping and reporting requirements for manifested wastes in 40 CFR 264.71.

(4) *Manifest discrepancies.* The owner or operator shall comply with 40 CFR 264.72.

(5) *Operating record.* The owner or operator shall comply with 40 CFR 264.73(a), (b)(1), and (b)(2).

(6) *Annual report.* The owner or operator shall comply with 40 CFR 264.75.

(7) *Unmanifested waste report.* The owner or operator shall comply with 40 CFR 264.75.

(8) *Personnel training.* The owner or operator shall comply with the applicable personnel training requirements of 40 CFR 264.16.

(9) *Certification of closure.* When abandonment is completed, the owner or operator must submit to the Director certification by the owner or operator and certification by an independent registered professional engineer that the facility has been closed in accordance with the specifications in §144.52(a)(6).

(d) *Additional requirements for Class IV wells.* [Reserved]

§144.15 [Reserved]

§144.16 Waiver of requirement by Director.

(a) *When injection does not occur into, through or above an underground source of drinking water,* the Director may authorize a well or project with less stringent requirements for area of review, construction, mechanical integrity, operation, monitoring, and reporting than required in 40 CFR part 146 or §144.52 to the extent that the reduction in requirements will not result in an increased risk of movement of fluids into an underground source of drinking water.

(b) When injection occurs through or above an underground source of drinking water, but the radius of endangering influence when computed under §146.06(a) is smaller or equal to the radius of the well, the Director may authorize a well or project with less stringent requirements for operation, monitoring, and reporting than required in 40 CFR part 146 or §144.52 to the extent that the reduction in requirements will not result in an increased risk of movement of fluids into an underground source of drinking water.

(c) When reducing requirements under paragraph (a) or (b) of this section, the Director shall prepare a fact sheet under §124.8 explaining the reasons for the action.

§144.17 Records.

The Director or the Administrator may require, by written notice on a selective well-by-well basis, an owner or operator of an injection well to establish and maintain records, make reports, conduct monitoring, and provide other information as is deemed necessary to determine whether the owner or operator has acted or is acting in compliance with Part C of the SDWA or its implementing regulations.

[58 FR 63895, Dec. 3, 1993]

Subpart C—Authorization of Underground Injection by Rule

§144.21 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells.

(a) An existing Class I, II (except enhanced recovery and hydrocarbon storage) and III injection well is authorized by rule if the owner or operator injects into the existing well within one year after the date at which a UIC program authorized under the SDWA becomes effective for the first time or inventories the well pursuant to the requirements of §144.26. An owner or operator of a well which is authorized by rule pursuant to this section shall rework, operate, maintain, convert, plug, abandon or inject into the well in compliance with applicable regulations.

(b) *Duration of well authorization by rule.* Well authorization under this section expires upon the effective date of a permit issued pursuant to §§144.25, 144.31, 144.33 or 144.34; after plugging and abandonment in accordance with an approved plugging and abandonment plan pursuant to §§144.28(c) and 146.10, and upon submission of a plugging and abandonment report pursuant to §144.28(k); or upon conversion in compliance with §144.28(j).

(c) *Prohibitions on injection.* An owner or operator of a well authorized by rule pursuant to this section is prohibited from injecting into the well:

(1) Upon the effective date of an applicable permit denial;

(2) Upon failure to submit a permit application in a timely manner pursuant to §§144.25 or 144.31;

(3) Upon failure to submit inventory information in a timely manner pursuant to §144.26;

(4) Upon failure to comply with a request for information in a timely manner pursuant to §144.27;

(5) Upon failure to provide alternative financial assurance pursuant to §144.28(d)(7);

(6) Forty-eight hours after receipt of a determination by the Director pursuant to §144.28(f)(3) that the well lacks mechanical integrity, unless the Director requires immediate cessation;

(7) Upon receipt of notification from the Director pursuant to §144.28(l) that the transferee has not demonstrated financial responsibility pursuant to §144.28(d);

(8) For Class I and III wells:

(i) In States with approved programs, five years after the effective date of the UIC program unless a timely and complete permit application is pending the Director's decision; or

(ii) In States with programs administered by EPA, one year after the effective date of the UIC program unless a timely and complete permit application is pending the Director's decision; or

(9) For Class II wells (except enhanced recovery and hydrocarbon storage), five years after the effective date of the UIC program unless a timely and complete permit application is pending the Director's decision.

(d) *Class II and III wells in existing fields or projects.* Notwithstanding the

prohibition in §144.11, this section authorizes Class II and Class III wells or projects in existing fields or projects to continue normal operations until permitted, including construction, operation, and plugging and abandonment of wells as part of the operation, provided the owner or operator maintains compliance with all applicable requirements.

(e) *Requirements.* The owner or operator of a well authorized under this section shall comply with the applicable requirements of §144.28 and part 147 of this chapter no later than one year after authorization.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20181, May 11, 1984; 58 FR 63895, Dec. 3, 1993]

§144.22 Existing Class II enhanced recovery and hydrocarbon storage wells.

(a) An existing Class II enhanced recovery or hydrocarbon storage injection well is authorized by rule for the life of the well or project, if the owner or operator injects into the existing well within one year after the date which a UIC program authorized under the SDWA becomes effective for the first time or inventories the well pursuant to the requirements of §144.26. An owner or operator of a well which is authorized by rule pursuant to this section shall rework, operate, maintain, convert, plug, abandon or inject into the well in compliance with applicable regulations.

(b) *Duration of well authorization by rule.* Well authorization under this section expires upon the effective date of a permit issued pursuant to §§144.25, 144.31, 144.33 or 144.34; after plugging and abandonment in accordance with an approved plugging and abandonment plan pursuant to §§144.28(c) and 146.10 of this chapter, and upon submission of a plugging and abandonment report pursuant to §144.28(k); or upon conversion in compliance with §144.28(j).

(c) *Prohibitions on injection.* An owner or operator of a well authorized by rule pursuant to this section is prohibited from injecting into the well:

(1) Upon the effective date of an applicable permit denial;

(2) Upon failure to submit a permit application in a timely manner pursuant to §§144.25 or 144.31;

(3) Upon failure to submit inventory information in a timely manner pursuant to §144.26;

(4) Upon failure to comply with a request for information in a timely manner pursuant to §144.27;

(5) Upon failure to provide alternative financial assurance pursuant to §144.28(d)(7);

(6) Forty-eight hours after receipt of a determination by the Director pursuant to §144.28(f)(3) that the well lacks mechanical integrity, unless the Director requires immediate cessation; or

(7) Upon receipt of notification from the Director pursuant to §144.28(l) that the transferee has not demonstrated financial responsibility pursuant to §144.28(d).

(d) *Requirements.* The owner or operator of a well authorized under this section shall comply with the applicable requirements of §144.28 and part 147 of this chapter. Such owner or operator shall comply with the casing and cementing requirements no later than 3 years and other requirements no later than 1 year after authorization.

[49 FR 20181, May 11, 1984, as amended at 58 FR 63896, Dec. 3, 1993]

§144.23 Class IV wells.

(a) Injection into existing Class IV wells is authorized for up to six months after approval or promulgation of the UIC Program. Such wells are subject to the requirements of §§144.13 and 144.14(c).

(b) *Closure.* For EPA administered programs only,

(1) Prior to abandoning any Class IV well, the owner or operator shall plug or otherwise close the well in a manner acceptable to the Regional Administrator.

(2) [Reserved]

(3) The owner or operator of a Class IV well must notify the Regional Administrator of intent to abandon the well at least thirty days prior to abandonment.

(c) Notwithstanding the requirements of paragraphs (a) and (b) of this section, injection wells used to inject contaminated ground water that has been treated and is being injected into

the same formation from which it was drawn are authorized by rule for the life of the well if such subsurface emplacement of fluids is approved by EPA, or a State, pursuant to provisions for cleanup of releases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601–9675, or pursuant to requirements and provisions under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992k.

[49 FR 20181, May 11, 1984, as amended at 60 FR 33932, June 29, 1995; 64 FR 68566, Dec. 7, 1999]

§ 144.24 Class V wells.

(a) A Class V injection well is authorized by rule, subject to the conditions in § 144.84

(b) *Duration of well authorization by rule.* Well authorization under this section expires upon the effective date of a permit issued pursuant to §§ 144.25, 144.31, 144.33 or 144.34, or upon proper closure of the well.

(c) *Prohibition of injection.* An owner or operator of a well which is authorized by rule pursuant to this section is prohibited from injecting into the well:

(1) Upon the effective date of an applicable permit denial;

(2) Upon failure to submit a permit application in a timely manner pursuant to §§ 144.25 or 144.31;

(3) Upon failure to submit inventory information in a timely manner pursuant to § 144.26; or

(4) Upon failure to comply with a request for information in a timely manner pursuant to § 144.27.

[58 FR 63896, Dec. 3, 1993, as amended at 64 FR 68566, Dec. 7, 1999]

§ 144.25 Requiring a permit.

(a) The Director may require the owner or operator of any Class I, II, III or V injection well which is authorized by rule under this subpart to apply for and obtain an individual or area UIC permit. Cases where individual or area UIC permits may be required include:

(1) The injection well is not in compliance with any requirement of the rule;

NOTE: Any underground injection which violates any authorization by rule is subject to appropriate enforcement action.

(2) The injection well is not or no longer is within the category of wells and types of well operations authorized in the rule;

(3) The protection of USDWs requires that the injection operation be regulated by requirements, such as for corrective action, monitoring and reporting, or operation, which are not contained in the rule.

(4) When the injection well is a Class I, II (except existing enhanced recovery and hydrocarbon storage) or III well, in accordance with a schedule established by the Director pursuant to § 144.31(c).

(b) For EPA-administered programs, the Regional Administrator may require an owner or operator of any well which is authorized by rule under this subpart to apply for an individual or area UIC permit under this paragraph only if the owner or operator has been notified in writing that a permit application is required. The owner or operator of a well which is authorized by rule under this subpart is prohibited from injecting into the well upon the effective date of permit denial, or upon failure by the owner or operator to submit an application in a timely manner as specified in the notice. The notice shall include: a brief statement of the reasons for requiring a permit; an application form; a statement setting a time for the owner or operator to file the application; and a statement of the consequences of denial or issuance of the permit, or failure to submit an application, as described in this paragraph.

(c) An owner or operator of a well authorized by rule may request to be excluded from the coverage of this subpart by applying for an individual or area UIC permit. The owner or operator shall submit an application under § 144.31 with reasons supporting the request, to the Director. The Director may grant any such requests.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20182, May 11, 1984; 58 FR 63896, Dec. 3, 1993]

§ 144.26 Inventory requirements.

The owner or operator of an injection well which is authorized by rule under this subpart shall submit inventory information to the Director. Such an owner or operator is prohibited from

injecting into the well upon failure to submit inventory information for the well within the time frame specified in paragraph (d) of this section.

(a) *Contents.* As part of the inventory, the Director shall require and the owner/operator shall provide at least the following information:

(1) Facility name and location;

(2) Name and address of legal contact;

(3) Ownership of facility;

(4) Nature and type of injection wells; and

(5) Operating status of injection wells.

NOTE: This information is requested on national form "Inventory of Injection Wells," OMB No. 158–R0170.

(b) *Additional contents.* For EPA administered programs only, the owner or operator of a well listed in paragraph (b)(1) of this section shall provide the information listed in paragraph (b)(2) of this section.

(1) This section applies to the following wells:

(i) Class II enhanced recovery wells;

(ii) Class IV wells;

(iii) The following Class V wells:

(A) Sand or other backfill wells [§ 146.5(e)(8)];

(B) Radioactive waste disposal wells that are not Class I wells (40 CFR 146.5 (e)(11))

(C) Geothermal energy recovery wells [§ 146.5(e)(12)];

(D) Brine return flow wells [§ 146.5(e)(14)];

(E) Wells used in experimental technologies [§ 146.5(e)(15)];

(F) Municipal and industrial disposal wells other than Class I; and

(G) Any other Class V wells at the discretion of the Regional Administrator.

(2) The owner or operator of a well listed in paragraph (b)(1) shall provide a listing of all wells owned or operated setting forth the following information for each well. (A single description of wells at a single facility with substantially the same characteristics is acceptable).

(i) For Class II only, the field name(s);

(ii) Location of each well or project given by Township, Range, Section, and Quarter-Section, or by latitude and longitude to the nearest second, according to the conventional practice in the State;

(iii) Date of completion of each well;

(iv) Identification and depth of the formation(s) into which each well is injecting;

(v) Total depth of each well;

(vi) Casing and cementing record, tubing size, and depth of packer;

(vii) Nature of the injected fluids;

(viii) Average and maximum injection pressure at the wellhead;

(ix) Average and maximum injection rate; and

(x) Date of the last mechanical integrity test, if any.

(c) *Notice.* Upon approval of the UIC Program in a State, the Director shall notify owners or operators of injection wells of their duty to submit inventory information. The method of notification selected by the Director must assure that the owners or operators will be made aware of the inventory requirement.

(d) *Deadlines.* (1) The owner or operator of an injection well shall submit inventory information no later than one year after the date of approval or effective date of the UIC program for the State. The Director need not require inventory information from any facility with interim status under RCRA.

(2) For EPA administered programs the information need not be submitted if a complete permit application is submitted within one year of the effective data of the UIC program. The owner or operator of Class IV well shall submit inventory information no later than 60 days after the effective date of the program.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20182, May 11, 1984; 58 FR 63896, Dec. 3, 1993; 64 FR 68566, Dec. 7, 1999; 67 FR 39593, June 7, 2002]

§ 144.27 Requiring other information.

(a) For EPA administered programs only, in addition to the inventory requirements of § 144.26, the Regional Administrator may require the owner or operator of any well authorized by rule under this subpart to submit information as deemed necessary by the Regional Administrator to determine whether a well may be endangering an

underground source of drinking water in violation of §144.12 of this part.

(b) Such information requirements may include, but are not limited to:

(1) Performance of ground-water monitoring and the periodic submission of reports of such monitoring;

(2) An analysis of injected fluids, including periodic submission of such analyses; and

(3) A description of the geologic strata through and into which injection is taking place.

(c) Any request for information under this section shall be made in writing, and include a brief statement of the reasons for requiring the information. An owner or operator shall submit the information within the time period(s) provided in the notice.

(d) An owner or operator of an injection well authorized by rule under this subpart is prohibited from injecting into the well upon failure of the owner or operator to comply with a request for information within the time period(s) specified by the Director pursuant to paragraph (c) of this section. An owner or operator of a well prohibited from injection under this section shall not resume injection except under a permit issued pursuant to §§144.25, 144.31, 144.33 or 144.34.

[49 FR 20182, May 11, 1984, as amended at 58 FR 63896, Dec. 3, 1993]

§144.28 Requirements for Class I, II, and III wells authorized by rule.

The following requirements apply to the owner or operator of a Class I, II or III well authorized by rule under this subpart, as provided by §§144.21(e) and 144.22(d).

(a) The owner or operator shall comply with all applicable requirements of this subpart and subpart B of this part. Any noncompliance with these requirements constitutes a violation of the Safe Drinking Water Act and is grounds for enforcement action, except that the owner or operator need not comply with these requirements to the extent and for the duration such noncompliance is authorized by an emergency permit under §144.34.

(b) *Twenty-four hour reporting.* The owner or operator shall report any noncompliance which may endanger health or the environment, including:

(1) Any monitoring or other information which indicates that any contaminant may cause an endangerment to a USDW; or

(2) Any noncompliance or malfunction of the injection system which may cause fluid migration into or between USDWs.

Any information shall be provided orally within 24 hours from the time the owner or operator becomes aware of the circumstances. A written submission shall also be provided within five days of the time the owner or operator becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(c) *Plugging and abandonment plan.* (1) The owner or operator shall prepare, maintain, and comply with a plan for plugging and abandonment of the well or project that meets the requirements of §146.10 of this chapter and is acceptable to the Director. For purposes of this paragraph, temporary intermittent cessation of injection operations is not abandonment.

(2) For EPA administered programs:

(i) The owner or operator shall submit the plan, on a form provided by the Regional Administrator, no later than one year after the effective date of the UIC program in the state.

(ii) The owner or operator shall submit any proposed significant revision to the method of plugging reflected in the plan no later than the notice of plugging required by §144.28(j)(2) (i.e., 45 days prior to plugging unless shorter notice is approved).

(iii) The plan shall include the following information:

(A) The nature and quantity and material to be used in plugging;

(B) The location and extent (by depth) of the plugs;

(C) Any proposed test or measurement to be made;

(D) The amount, size, and location (by depth) of casing to be left in the well;

(E) The method and location where casing is to be parted; and

(F) [Reserved]

(G) The estimated cost of plugging the well.

(iv) After a cessation of operations of two years the owner or operator shall plug and abandon the well in accordance with the plan unless he:

(A) Provides notice to the Regional Administrator;

(B) Describe actions or procedures, satisfactory to the Regional Administrator, that the owner or operator will take to ensure that the well will not endanger USDWs during the period of temporary abandonment. These actions and procedures shall include compliance with the technical requirements applicable to active injection wells unless waived by the Regional Administrator.

(v) The owner or operator of any well that has been temporarily abandoned [ceased operations for more than two years and has met the requirements of paragraphs (c)(2) (A) and (B) of this section] shall notify the Regional Administrator prior to resuming operation of the well.

(d) *Financial responsibility.* (1) The owner, operator and/or, for EPA-administered programs, the transferor of a Class I, II or III well, is required to demonstrate and maintain financial responsibility and resources to close, plug and abandon the underground injection operation in a manner prescribed by the Director until:

(i) The well has been plugged and abandoned in accordance with an approved plugging and abandonment plan pursuant to §§144.28(c) and 146.10 and submission of a plugging and abandonment report has been made pursuant to §144.28(k);

(ii) The well has been converted in compliance with the requirements of §144.28(j); or

(iii) For EPA-administered programs, the transferor has received notice from the Director that the transferee has demonstrated financial responsibility for the well. The owner or operator shall show evidence of such financial responsibility to the Director by the submission of a surety bond, or other adequate assurance, such as a financial statement.

(2) For EPA-administered programs, the owner or operator shall submit such evidence no later than one year after the effective date of the UIC program in the State. Where the ownership or operational control of the well is transferred more than one year after the effective date of the UIC program, the transferee shall submit such evidence no later than the date specified in the notice required pursuant to §144.28(l)(2).

(3) For EPA administered programs the Regional Administrator may require the owner or operator to submit a revised demonstration of financial responsibility if the Regional Administrator has reason to believe that the original demonstration is no longer adequate to cover the cost of closing, plugging and abandoning the well.

(4) For EPA administered programs the owner or operator of a well injecting hazardous waste must comply with the financial responsibility requirements of subpart F of this part.

(5) For EPA-administered programs, an owner or operator must notify the Regional Administrator by certified mail of the commencement of any voluntary or involuntary proceeding under Title 11 (Bankruptcy) of the United States Code which names the owner or operator as debtor, within 10 business days after the commencement of the proceeding. Any party acting as guarantor for the owner or operator for the purpose of financial responsibility must so notify the Regional Administrator, if the guarantor is named as debtor in any such proceeding.

(6) In the event of commencement of a proceeding specified in paragraph (d)(5) of this section, an owner or operator who has furnished a financial statement for the purpose of demonstrating financial responsibility under this section shall be deemed to be in violation of this paragraph until an alternative financial assurance demonstration acceptable to the Regional Administrator is provided either by the owner or operator or by its trustee in bankruptcy, receiver, or other authorized party. All parties shall be prohibited from injecting into the well until such alternate financial assurance is provided.

(e) *Casing and cementing requirements.* For enhanced recovery and hydrocarbon storage wells:

(1) The owner or operator shall case and cement the well to prevent movement of fluids into or between underground sources of drinking water. In determining and specifying casing and cementing requirements, the following factors shall be considered:

(i) Depth to the injection zone;

(ii) Depth to the bottom of all USDWs; and

(iii) Estimated maximum and average injection pressures.

(2) In addition, in determining and specifying casing and cementing requirements the Director may consider information on:

(i) Nature of formation fluids;

(ii) Lithology of injection and confining zones;

(iii) External pressure, internal pressure, and axial loading;

(iv) Hole size;

(v) Size and grade of all casing strings; and

(vi) Class of cement.

(3) The requirements in paragraphs (e) (1) and (2) of this section need not apply if:

(i) Regulatory controls for casing and cementing existed at the time of drilling of the well and the well is in compliance with those controls; and

(ii) Well injection will not result in the movement of fluids into an underground source of drinking water so as to create a significant risk to the health of persons.

(4) When a State did not have regulatory controls for casing and cementing prior to the time of the submission of the State program to the Administrator, the Director need not apply the casing and cementing requirements in paragraph (e)(1) of this section if he submits as a part of his application for primacy, an appropriate plan for casing and cementing of existing, newly converted, and newly drilled wells in existing fields, and the Administrator approves the plan.

(f) *Operating requirements.* (1) Injection between the outermost casing protecting underground sources of drinking water and the well bore is prohibited.

(2) The owner or operator of a Class I, II or III injection well authorized by rule shall establish and maintain mechanical integrity as defined in §146.8 of this chapter until the well is properly plugged in accordance with an approved plugging and abandonment plan pursuant to §§144.28(c) and 146.10, and a plugging and abandonment report pursuant to §144.28(k) is submitted, or until the well is converted in compliance with §144.28(j). For EPA-administered programs, the Regional Administrator may require by written notice that the owner or operator comply with a schedule describing when mechanical integrity demonstrations shall be made.

(3) When the Director determines that a Class I (non-hazardous), II or III injection well lacks mechanical integrity pursuant to §146.8 of this chapter, the Director shall give written notice of his determination to the owner or operator. Unless the Director requires immediate cessation, the owner or operator shall cease injection into the well within 48 hours of receipt of the Director's determination. The Director may allow plugging of the well in accordance with the requirements of §146.10 of this chapter, or require the owner or operator to perform such additional construction, operation, monitoring, reporting and corrective action as is necessary to prevent the movement of fluid into or between USDWs caused by the lack of mechanical integrity. The owner or operator may resume injection upon receipt of written notification from the Director that the owner or operator has demonstrated mechanical integrity pursuant to §146.8 of this chapter.

(4) The Director may allow the owner or operator of a well which lacks mechanical integrity pursuant to §146.8(a)(1) of this chapter to continue or resume injection if the owner or operator has made a satisfactory demonstration that there is no movement of fluid into or between USDWs.

(5) For Class I wells, unless an alternative to a packer has been approved under §146.12(c) of this chapter, the owner or operator shall fill the annulus between the tubing and the long string of casings with a fluid approved by the Director and maintain a pressure, also

approved by the Director, on the annulus. For EPA administered programs, the owner or operator of a Class I well completed with tubing and packer shall fill the annulus between tubing and casing with a noncorrosive fluid and maintain a positive pressure on the annulus. For other Class I wells, the owner or operator shall insure that the alternative completion method will reliably provide a comparable level of protection to underground sources of drinking water.

(6) Injection pressure.

(i) For Class I and III wells:

(A) Except during stimulation, the owner or operator shall not exceed an injection pressure at the wellhead which shall be calculated so as to assure that the pressure during injection does not initiate new fractures or propagate existing fractures in the injection zone; and

(B) The owner or operator shall not inject at a pressure which will initiate fractures in the confining zone or cause the movement of injection or formation fluids into an underground source of drinking water.

(ii) For Class II wells:

(A) The owner or operator shall not exceed a maximum injection pressure at the wellhead which shall be calculated so as to assure that the pressure during injection does not initiate new fractures of propagate existing fractures in the confining zone adjacent to the USDWs; and

(B) The owner or operator shall not inject at a pressure which will cause the movement of injection or formation fluids into an underground source of drinking water.

(g) *Monitoring requirements.* The owner or operator shall perform the monitoring as described in this paragraph. For EPA administered programs, monitoring of the nature of the injected fluids shall comply with applicable analytical methods cited and described in table I of 40 CFR 136.3 or in appendix III of 40 CFR part 261 or by other methods that have been approved by the Regional Administrator.

(1) The owner or operator of a Class I well shall:

(i) Analyze the nature of the injected fluids with sufficient frequency to yield data representative of their characteristics;

(ii) Install and use continuous recording devices to monitor injection pressure, flow rate and volume, and the pressure on the annulus between the tubing and the long string of casing;

(iii) Install and use monitoring wells within the area of review if required by the Director, to monitor any migration of fluids into and pressure in the underground sources of drinking water. The type, number and location of the wells, the parameters to be measured, and the frequency of monitoring must be approved by the Director.

(2) For Class II wells:

(i) The owner or operator shall monitor the nature of the injected fluids with sufficient frequency to yield data representative of their characteristics. For EPA administered programs, this frequency shall be at least once within the first year of the authorization and thereafter when changes are made to the fluid.

(ii) The owner or operator shall observe the injection pressure, flow rate, and cumulative volume at least with the following frequencies:

(A) Weekly for produced fluid disposal operations;

(B) Monthly for enhanced recovery operations;

(C) Daily during the injection of liquid hydrocarbons and injection for withdrawal of stored hydrocarbons; and

(D) Daily during the injection phase of cyclic steam operations.

(iii) The owner or operator shall record one observation of injection pressure, flow rate and cumulative volume at reasonable intervals no greater than thirty days.

(iv) For enhanced recovery and hydrocarbon storage wells:

(A) The owner or operator shall demonstrate mechanical integrity pursuant to §146.8 of this chapter at least once every five years during the life of the injection well.

(B) For EPA administered programs, the Regional Administrator by written notice may require the owner or operator to comply with a schedule describing when such demonstrations shall be made.

(C) For EPA administered programs, the owner or operator of any well required to be tested for mechanical integrity shall notify the Regional Administrator at least 30 days prior to any required mechanical integrity test. The Regional Administrator may allow a shorter notification period if it would be sufficient to enable EPA to witness the mechanical integrity testing if it chose. Notification may be in the form of a yearly or quarterly schedule of planned mechanical integrity tests, or it may be on an individual basis.

(v) The owner or operator of a hydrocarbon storage or enhanced recovery wells may monitor them by manifold monitoring on a field or project basis rather than on an individual well basis if such facilities consist of more than one injection well, operate with a common manifold, and provided the owner or operator demonstrates to the Director that manifold monitoring is comparable to individual well monitoring.

(3)(i) For Class III wells the owner or operator shall provide to the Director a qualitative analysis and ranges in concentrations of all constituents of injected fluids at least once within the first year of authorization and thereafter whenever the injection fluid is modified to the extent that the initial data are incorrect or incomplete. The owner or operator may request Federal confidentiality as specified in 40 CFR part 2. If the information is proprietary the owner or operator may in lieu of the ranges in concentrations choose to submit maximum concentrations which shall not be exceeded. In such a case the owner or operator shall retain records of the undisclosed concentrations and provide them upon request to the Regional Administrator as part of any enforcement investigation; and

(ii) Monitor injection pressure and either flow rate or volume semi-monthly, or meter and record daily injected and produced fluid volumes as appropriate;

(iii) Monitor the fluid level in the injection zone semi-monthly, where appropriate;

(iv) All Class III wells may be monitored on a field or project basis rather than an individual well basis by manifold monitoring. Manifold monitoring may be used in cases of facilities consisting of more than one injection well, operating with a common manifold. Separate monitoring systems for each well are not required provided the owner or operator demonstrates to the Director that manifold monitoring is comparable to individual well monitoring.

(h) *Reporting requirements.* The owner or operator shall submit reports to the Director as follows:

(1) For Class I wells, quarterly reports on:

(i) The physical, chemical, and other relevant characteristics of the injection fluids;

(ii) Monthly average, maximum, and minimum values for injection pressure, flow rate and volume, and annular pressure;

(iii) The results from ground-water monitoring wells prescribed in paragraph (g)(1)(iii) of this section;

(iv) The results of any test of the injection well conducted by the owner or operator during the reported quarter if required by the Director; and

(v) Any well work over performed during the reported quarter.

(2) For Class II wells:

(i) An annual report to the Director summarizing the results of all monitoring, as required in paragraph (g)(2) of this section. Such summary shall include monthly records of injected fluids, and any major changes in characteristics or sources of injected fluids. Previously submitted information may be included by reference.

(ii) The owner or operator of hydrocarbon storage and enhanced recovery projects may report on a field or project basis rather than on an individual well basis where manifold monitoring is used.

(3) For Class III wells:

(i) Quarterly reporting on all monitoring, as required in paragraph (g)(3) of this section;

(ii) Quarterly reporting of the results of any periodic tests required by the Director that are performed during the reported quarter;

(iii) Monitoring may be reported on a project or field basis rather than an individual well basis where manifold monitoring is used.

(i) *Retention of records.* The owner or operator shall retain records of all

monitoring information, including the following:

(1) Calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this section, for a period of at least three years from the date of the sample, measurement, or report. This period may be extended by request of the Director at any time; and

(2) The nature and composition of all injected fluids until three years after the completion of any plugging and abandonment procedures specified under §144.52(l)(6). The Director may require the owner or operator to deliver the records to the Director at the conclusion of the retention period. For EPA administered programs, the owner or operator shall continue to retain the records after the three year retention period unless he delivers the records to the Regional Administrator or obtains written approval from the Regional Administrator to discard the records.

(j) *Notice of abandonment.* (1) The owner or operator shall notify the Director, according to a time period required by the Director, before conversion or abandonment of the well.

(2) For EPA-administered programs, the owner or operator shall notify the Regional Administrator at least 45 days before plugging and abandonment. The Regional Administrator, at his discretion, may allow a shorter notice period.

(k) *Plugging and abandonment report.* For EPA-administered programs, within 60 days after plugging a well or at the time of the next quarterly report (whichever is less) the owner or operator shall submit a report to the Regional Administrator. If the quarterly report is due less than 15 days before completion of plugging, then the report shall be submitted within 60 days. The report shall be certified as accurate by the person who performed the plugging operation. Such report shall consist of either:

(1) A statement that the well was plugged in accordance with the plan previously submitted to the Regional Administrator; or

(2) Where actual plugging differed from the plan previously submitted, an updated version of the plan, on the form supplied by the Regional Administrator, specifying the different procedures used.

(l) *Change of ownership or operational control.* For EPA-administered programs:

(1) The transferor of a Class I, II or III well authorized by rule shall notify the Regional Administrator of a transfer of ownership or operational control of the well at least 30 days in advance of the proposed transfer.

(2) The notice shall include a written agreement between the transferor and the transferee containing a specific date for transfer of ownership or operational control of the well; and a specific date when the financial responsibility demonstration of §144.28(d) will be met by the transferee.

(3) The transferee is authorized to inject unless he receives notification from the Director that the transferee has not demonstrated financial responsibility pursuant to §144.28(d).

(m) *Requirements for Class I hazardous waste wells.* The owner or operator of any Class I well injecting hazardous waste shall comply with §144.14(c). In addition, for EPA-administered programs the owner or operator shall properly dispose of, or decontaminate by removing all hazardous waste residues, all injection well equipment.

[49 FR 20182, May 11, 1984, as amended at 58 FR 63897, Dec. 3, 1993]

Subpart D—Authorization by Permit

§144.31 Application for a permit; authorization by permit.

(a) *Permit application.* Unless an underground injection well is authorized by rule under subpart C of this part, all injection activities including construction of an injection well are prohibited until the owner or operator is authorized by permit. An owner or operator of a well currently authorized by rule must apply for a permit under this section unless well authorization by rule was for the life of the well or project. Authorization by rule for a well or project for which a permit application has been submitted terminates for the well or project upon the effective date

of the permit. Procedures for applications, issuance and administration of emergency permits are found exclusively in §144.34. A RCRA permit applying the standards of part 264, subpart C of this chapter will constitute a UIC permit for hazardous waste injection wells for which the technical standards in part 146 of this chapter are not generally appropriate.

(b) *Who applies?* When a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit.

(c) *Time to apply.* Any person who performs or proposes an underground injection for which a permit is or will be required shall submit an application to the Director in accordance with the UIC program as follows:

(1) For existing wells, as expeditiously as practicable and in accordance with the schedule in any program description under §145.23(f) or (for EPA administered programs) on a schedule established by the Regional Administrator, but no later than 4 years from the approval or promulgation of the UIC program, or as required under §144.14(b) for wells injecting hazardous waste. For EPA administered programs the owner or operator of Class I or III wells shall submit a complete permit application no later than 1 year after the effective date of the program.

(2) For new injection wells, except new wells in projects authorized under §144.21(d) or authorized by an existing area permit under §144.33(c), a reasonable time before construction is expected to begin.

(d) *Completeness.* The Director shall not issue a permit before receiving a complete application for a permit except for emergency permits. An application for a permit is complete when the Director receives an application form and any supplemental information which are completed to his or her satisfaction. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity. For EPA-administered programs, an application which is reviewed under §124.3 is complete when the Director receives either a complete application or the information listed in a notice of deficiency.

(e) *Information requirements.* All applicants for permits shall provide the following information to the Director, using the application form provided by the Director.

(1) The activities conducted by the applicant which require it to obtain permits under RCRA, UIC, the National Pollution Discharge Elimination system (NPDES) program under the Clean Water Act, or the Prevention of Significant Deterioration (PSD) program under the Clean Air Act.

(2) Name, mailing address, and location of the facility for which the application is submitted.

(3) Up to four SIC codes which best reflect the principal products or services provided by the facility.

(4) The operator's name, address, telephone number, ownership status, and status as Federal, State, private, public, or other entity.

(5) Whether the facility is located on Indian lands.

(6) A listing of all permits or construction approvals received or applied for under any of the following programs:

(i) Hazardous Waste Management program under RCRA.

(ii) UIC program under SDWA.

(iii) NPDES program under CWA.

(iv) Prevention of Significant Deterioration (PSD) program under the Clean Air Act.

(v) Nonattainment program under the Clean Air Act.

(vi) National Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the Clean Air Act.

(vii) Ocean dumping permits under the Marine Protection Research and Sanctuaries Act.

(viii) Dredge and fill permits under section 404 of CWA.

(ix) Other relevant environmental permits, including State permits.

(7) A topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries of the source depicting the facility and each of its intake and discharge structures; each of its hazardous waste treatment, storage, or disposal facilities; each well where fluids from the facility are injected underground; and those wells, springs,

and other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within a quarter mile of the facility property boundary.

(8) A brief description of the nature of the business.

(9) For EPA-administered programs, the applicant shall identify and submit on a list with the permit application the names and addresses of all owners of record of land within one-quarter mile of the facility boundary. This requirement may be waived by the Regional Administrator where the site is located in a populous area and the Regional Administrator determines that the requirement would be impracticable.

(10) A plugging and abandonment plan that meets the requirements of §146.10 of this chapter and is acceptable to the Director.

(f) *Recordkeeping*. Applicants shall keep records of all data used to complete permit applications and any supplemental information submitted under §144.31 for a period of at least 3 years from the date the application is signed.

(g) *Information Requirements for Class I Hazardous Waste Injection Wells Permits*. (1) The following information is required for each active Class I hazardous waste injection well at a facility seeking a UIC permit:

(i) Dates well was operated.

(ii) Specification of all wastes which have been injected in the well, if available.

(2) The owner or operator of any facility containing one or more active hazardous waste injection wells must submit all available information pertaining to any release of hazardous waste or constituents from any active hazardous waste injection well at the facility.

(3) The owner or operator of any facility containing one or more active Class I hazardous waste injection wells must conduct such preliminary site investigations as are necessary to determine whether a release is occurring, has occurred, or is likely to have occurred.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20185, May 11, 1984; 52 FR 45797, Dec. 1, 1987; 52 FR 46963, Dec. 10, 1987; 58 FR 63897, Dec. 3, 1993]

§144.32 Signatories to permit applications and reports.

(a) *Applications*. All permit applications, except those submitted for Class II wells (see paragraph (b) of this section), shall be signed as follows:

(1) *For a corporation:* by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means; (i) A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in §144.32(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under §144.32(a)(1)(ii) rather than to specific individuals.

(2) *For a partnership or sole proprietorship:* by a general partner or the proprietor, respectively; or

(3) *For a municipality, State, Federal, or other public agency:* by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

(b) *Reports*. All reports required by permits, other information requested

by the Director, and all permit applications submitted for Class II wells under §144.31 shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

(3) The written authorization is submitted to the Director.

(c) *Changes to authorization.* If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

(d) *Certification.* Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Clean Water Act (33 U.S.C. 1251 *et seq.*), Safe Drinking Water Act (42 U.S.C. 300f *et seq.*), Clean Air Act (42 U.S.C. 7401 *et seq.*), Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*)

[48 FR 14189, Apr. 1, 1983, as amended at 48 FR 39621, Sept. 1, 1983]

§144.33 Area permits.

(a) The Director may issue a permit on an area basis, rather than for each well individually, provided that the permit is for injection wells:

(1) Described and identified by location in permit application(s) if they are existing wells, except that the Director may accept a single description of wells with substantially the same characteristics;

(2) Within the same well field, facility site, reservoir, project, or similar unit in the same State;

(3) Operated by a single owner or operator; and

(4) Used to inject other than hazardous waste.

(b) Area permits shall specify:

(1) The area within which underground injections are authorized, and

(2) The requirements for construction, monitoring, reporting, operation, and abandonment, for all wells authorized by the permit.

(c) The area permit may authorize the permittee to construct and operate, convert, or plug and abandon wells within the permit area provided:

(1) The permittee notifies the Director at such time as the permit requires;

(2) The additional well satisfies the criteria in paragraph (a) of this section and meets the requirements specified in the permit under paragraph (b) of this section; and

(3) The cumulative effects of drilling and operation of additional injection wells are considered by the Director during evaluation of the area permit application and are acceptable to the Director.

(d) If the Director determines that any well constructed pursuant to paragraph (c) of this section does not satisfy any of the requirements of paragraphs (c) (1) and (2) of this section the Director may modify the permit under §144.39, terminate under §144.40, or

take enforcement action. If the Director determines that cumulative effects are unacceptable, the permit may be modified under § 144.39.

§ 144.34 Emergency permits.

(a) *Coverage.* Notwithstanding any other provision of this part or part 124, the Director may temporarily permit a specific underground injection if:

(1) An imminent and substantial endangerment to the health of persons will result unless a temporary emergency permit is granted; or

(2) A substantial and irretrievable loss of oil or gas resources will occur unless a temporary emergency permit is granted to a Class II well; and

(i) Timely application for a permit could not practicably have been made; and

(ii) The injection will not result in the movement of fluids into underground sources of drinking water; or

(3) A substantial delay in production of oil or gas resources will occur unless a temporary emergency permit is granted to a new Class II well and the temporary authorization will not result in the movement of fluids into an underground source of drinking water.

(b) *Requirements for issuance.* (1) Any temporary permit under paragraph (a)(1) of this section shall be for no longer term than required to prevent the hazard.

(2) Any temporary permit under paragraph (a)(2) of this section shall be for no longer than 90 days, except that if a permit application has been submitted prior to the expiration of the 90-day period, the Director may extend the temporary permit until final action on the application.

(3) Any temporary permit under paragraph (a)(3) of this section shall be issued only after a complete permit application has been submitted and shall be effective until final action on the application.

(4) Notice of any temporary permit under this paragraph shall be published in accordance with § 124.11 within 10 days of the issuance of the permit.

(5) The temporary permit under this section may be either oral or written. If oral, it must be followed within 5 calendar days by a written temporary emergency permit.

(6) The Director shall condition the temporary permit in any manner he or she determines is necessary to ensure that the injection will not result in the movement of fluids into an underground source of drinking water.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20185, May 11, 1984]

§ 144.35 Effect of a permit.

(a) Except for Class II and III wells, compliance with a permit during its term constitutes compliance, for purposes of enforcement, with Part C of the SDWA. However, a permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in §§ 144.39 and 144.40.

(b) The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege.

(c) The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.

§ 144.36 Duration of permits.

(a) Permits for Class I and Class V wells shall be effective for a fixed term not to exceed 10 years. UIC permits for Class II and III wells shall be issued for a period up to the operating life of the facility. The Director shall review each issued Class II or III well UIC permit at least once every 5 years to determine whether it should be modified, revoked and reissued, terminated, or a minor modification made as provided in §§ 144.39, 144.40, and 144.41.

(b) Except as provided in § 144.37, the term of a permit shall not be extended by modification beyond the maximum duration specified in this section.

(c) The Director may issue any permit for a duration that is less than the full allowable term under this section.

§ 144.37 Continuation of expiring permits.

(a) *EPA permits.* When EPA is the permit-issuing authority, the conditions of an expired permit continue in force under 5 U.S.C. 558(c) until the effective date of a new permit if:

(1) The permittee has submitted a timely application which is a complete application for a new permit; and

(2) The Regional Administrator, through no fault of the permittee does not issue a new permit with an effective date on or before the expiration date of the previous permit (for example, when issuance is impracticable due to time or resource constraints).

(b) *Effect.* Permits continued under this section remain fully effective and enforceable.

(c) *Enforcement.* When the permittee is not in compliance with the conditions of the expiring or expired permit the Regional Administrator may choose to do any or all of the following:

(1) Initiate enforcement action based upon the permit which has been continued;

(2) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(3) Issue a new permit under part 124 with appropriate conditions; or

(4) Take other actions authorized by these regulations.

(d) *State continuation.* An EPA issued permit does not continue in force beyond its time expiration date under Federal law if at that time a State is the permitting authority. A State authorized to administer the UIC program may continue either EPA or State-issued permits until the effective date of the new permits, if State law allows. Otherwise, the facility or activity is operating without a permit from the time of expiration of the old permit to the effective date of the State-issued new permit.

§ 144.38 Transfer of permits.

(a) *Transfers by modification.* Except as provided in paragraph (b) of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under § 144.39(b)(2)), or a minor modification made (under § 144.41(d)), to identify the new permittee and incorporate such other requirements as may be necessary under the Safe Drinking Water Act.

(b) *Automatic transfers.* As an alternative to transfers under paragraph (a) of this section, any UIC permit for a well not injecting hazardous waste may be automatically transferred to a new permittee if:

(1) The current permittee notifies the Director at least 30 days in advance of the proposed transfer date referred to in paragraph (b)(2) of this section;

(2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer or permit responsibility, coverage, and liability between them, and the notice demonstrates that the financial responsibility requirements of § 144.52(a)(7) will be met by the new permittee; and

(3) The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this paragraph may also be a minor modification under § 144.41. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph (b)(2) of this section.

§ 144.39 Modification or revocation and reisssuance of permits.

When the Director receives any information (for example, inspects the facility, receives information submitted by the permittee as required in the permit (see § 144.51 of this chapter), receives a request for modification or revocation and reissuance under § 124.5, or conducts a review of the permit file) he or she may determine whether or not one or more of the causes listed in paragraphs (a) and (b) of this section for modification or revocation and reissuance or both exist. If cause exists, the Director may modify or revoke and reissue the permit accordingly, subject to the limitations of paragraph (c) of this section, and may request an updated application if necessary. When a permit is modified, only the conditions subject to modification are reopened. If a permit is revoked and reissued, the entire permit is reopened and subject to revision and the permit is reissued for a new term. See § 124.5(c)(2) of this chapter. If cause does not exist under this section or § 144.41 of this chapter, the Director shall not modify or revoke and reissue

the permit. If a permit modification satisfies the criteria in §144.41 for "minor modifications" the permit may be modified without a draft permit or public review. Otherwise, a draft permit must be prepared and other procedures in part 124 must be followed.

(a) *Causes for modification.* The following are causes for modification. For Class I hazardous waste injection wells, Class II, or Class III wells the following may be causes for revocation and reissuance as well as modification; and for all other wells the following may be cause for revocation or reissuance as well as modification when the permittee requests or agrees.

(1) *Alterations.* There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.

(2) *Information.* The Director has received information. Permits other than for Class II and III wells may be modified during their terms for this cause only if the information was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and would have justified the application of different permit conditions at the time of issuance. For UIC area permits (§144.33), this cause shall include any information indicating that cumulative effects on the environment are unacceptable.

(3) *New regulations.* The standards or regulations on which the permit was based have been changed by promulgation of new or amended standards or regulations or by judicial decision after the permit was issued. Permits other than for Class I hazardous waste injection wells, Class II, or Class III wells may be modified during their terms for this cause only as follows:

(i) For promulgation of amended standards or regulations, when:

(A) The permit condition requested to be modified was based on a promulgated part 146 regulation; and

(B) EPA has revised, withdrawn, or modified that portion of the regulation on which the permit condition was based, and

(C) A permittee requests modification in accordance with §124.5 within ninety (90) days after FEDERAL REGISTER notice of the action on which the request is based.

(ii) For judicial decisions, a court of competent jurisdiction has remanded and stayed EPA promulgated regulations if the remand and stay concern that portion of the regulations on which the permit condition was based and a request is filed by the permittee in accordance with §124.5 within ninety (90) days of judicial remand.

(4) *Compliance schedules.* The Director determines good cause exists for modification of a compliance schedule, such as an act of God, strike, flood, or materials shortage or other events over which the permittee has little or no control and for which there is no reasonably available remedy. See also §144.41(c) (minor modifications).

(b) *Causes for modification or revocation and reissuance.* The following are causes to modify or, alternatively, revoke and reissue a permit:

(1) Cause exists for termination under §144.40, and the Director determines that modification or revocation and reissuance is appropriate.

(2) The Director has received notification (as required in the permit, see §144.41(d)) of a proposed transfer of the permit. A permit also may be modified to reflect a transfer after the effective date of an automatic transfer (§144.38(b)) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new permittee.

(3) A determination that the waste being injected is a hazardous waste as defined in §261.3 either because the definition has been revised, or because a previous determination has been changed.

(c) *Facility siting.* Suitability of the facility location will not be considered at the time of permit modification or revocation and reissuance unless new information or standards indicate that a threat to human health or the environment exists which was unknown at the time of permit issuance.

[48 FR 14189, Apr. 1, 1983, as amended at 53 FR 28147, July 26, 1988]

§ 144.40 Termination of permits.

(a) The Director may terminate a permit during its term, or deny a permit renewal application for the following causes:

(1) Noncompliance by the permittee with any condition of the permit;

(2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

(b) The Director shall follow the applicable procedures in part 124 in terminating any permit under this section.

§ 144.41 Minor modifications of permits.

Upon the consent of the permittee, the Director may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section, without following the procedures of part 124. Any permit modification not processed as a minor modification under this section must be made for cause and with part 124 draft permit and public notice as required in §144.39. Minor modifications may only:

(a) Correct typographical errors;

(b) Require more frequent monitoring or reporting by the permittee;

(c) Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement; or

(d) Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees has been submitted to the Director.

(e) Change quantities or types of fluids injected which are within the capacity of the facility as permitted and, in the judgment of the Director, would not interfere with the operation of the facility or its ability to meet conditions described in the permit and would not change its classification.

(f) Change construction requirements approved by the Director pursuant to §144.52(a)(1) (establishing UIC permit conditions), provided that any such alteration shall comply with the requirements of this part and part 146.

(g) Amend a plugging and abandonment plan which has been updated under §144.52(a)(6).

Subpart E—Permit Conditions

§ 144.51 Conditions applicable to all permits.

The following conditions apply to all UIC permits. All conditions applicable to all permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these regulations (or the corresponding approved State regulations) must be given in the permit.

(a) *Duty to comply.* The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Safe Drinking Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application; except that the permittee need not comply with the provisions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit under §144.34.

(b) *Duty to reapply.* If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

(c) *Need to halt or reduce activity not a defense.* It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(d) *Duty to mitigate.* The permittee shall take all reasonable steps to minimize or correct any adverse impact on

the environment resulting from noncompliance with this permit.

(e) *Proper operation and maintenance.* The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

(f) *Permit actions.* This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(g) *Property rights.* This permit does not convey any property rights of any sort, or any exclusive privilege.

(h) *Duty to provide information.* The permittee shall furnish to the Director, within a time specified, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

(i) *Inspection and entry.* The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

(1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

(4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the SDWA, any substances or parameters at any location.

(j) *Monitoring and records.* (1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(2) The permittee shall retain records of all monitoring information, including the following:

(i) Calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time; and

(ii) The nature and composition of all injected fluids until three years after the completion of any plugging and abandonment procedures specified under §144.52(a)(6), or under part 146 subpart G as appropriate. The Director may require the owner or operator to deliver the records to the Director at the conclusion of the retention period. For EPA administered programs, the owner or operator shall continue to retain the records after the three year retention period unless he delivers the records to the Regional Administrator or obtains written approval from the Regional Administrator to discard the records.

(3) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;

(ii) The individual(s) who performed the sampling or measurements;

(iii) The date(s) analyses were performed;

(iv) The individual(s) who performed the analyses;

(v) The analytical techniques or methods used; and

(vi) The results of such analyses.

(k) *Signatory requirement.* All applications, reports, or information submitted to the Administrator shall be signed and certified. (See §144.32.)

(l) *Reporting requirements.* (1) *Planned changes.* The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.

(2) *Anticipated noncompliance.* The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(3) *Transfers.* This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Safe Drinking Water Act. (See §144.38; in some cases, modification or revocation and reissuance is mandatory.)

(4) *Monitoring reports.* Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(5) *Compliance schedules.* Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 30 days following each schedule date.

(6) *Twenty-four hour reporting.* The permittee shall report any noncompliance which may endanger health or the environment, including:

(i) Any monitoring or other information which indicates that any contaminant may cause an endangerment to a USDW; or

(ii) Any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between USDWs.

Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(7) *Other noncompliance.* The permittee shall report all instances of noncompliance not reported under paragraphs (l) (4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (l)(6) of this section.

(8) *Other information.* Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

(m) *Requirements prior to commencing injection.* Except for all new wells authorized by an area permit under §144.33(c), a new injection well may not commence injection until construction is complete, and

(1) The permittee has submitted notice of completion of construction to the Director; and

(2)(i) The Director has inspected or otherwise reviewed the new injection well and finds it is in compliance with the conditions of the permit; or

(ii) The permittee has not received notice form the Director of his or her intent to inspect or otherwise review the new injection well within 13 days of the date of the notice in paragraph (m)(1) of this section, in which case prior inspection or review is waived and the permittee may commence injection. The Director shall include in his notice a reasonable time period in which he shall inspect the well.

(n) The permittee shall notify the Director at such times as the permit requires before conversion or abandonment of the well or in the case of area permits before closure of the project.

(o) A Class I, II or III permit shall include and a Class V permit may include, conditions which meet the applicable requirements of §146.10 of this chapter to insure that plugging and abandonment of the well will not allow the movement of fluids into or between USDWs. Where the plan meets the requirements of §146.10 of this chapter,

the Director shall incorporate it into the permit as a permit condition. Where the Director's review of an application indicates that the permittee's plan is inadequate, the Director may require the applicant to revise the plan, prescribe conditions meeting the requirements of this paragraph, or deny the permit. For purposes of this paragraph, temporary or intermittent cessation of injection operations is not abandonment.

(p) *Plugging and abandonment report.* For EPA-administered programs, within 60 days after plugging a well or at the time of the next quarterly report (whichever is less) the owner or operator shall submit a report to the Regional Administrator. If the quarterly report is due less than 15 days before completion of plugging, then the report shall be submitted within 60 days. The report shall be certified as accurate by the person who performed the plugging operation. Such report shall consist of either:

(1) A statement that the well was plugged in accordance with the plan previously submitted to the Regional Administrator; or

(2) Where actual plugging differed from the plan previously submitted, and updated version of the plan on the form supplied by the regional administrator, specifying the differences.

(q) *Duty to establish and maintain mechanical integrity.* (1) The owner or operator of a Class I, II or III well permitted under this part shall establish prior to commencing injection or on a schedule determined by the Director, and thereafter maintain mechanical integrity as defined in §146.8 of this chapter. For EPA-administered programs, the Regional Administrator may require by written notice that the owner or operator comply with a schedule describing when mechanical integrity demonstrations shall be made.

(2) When the Director determines that a Class I, II, or III well lacks mechanical integrity pursuant to §146.8 of this chapter, he shall give written notice of his determination to the owner or operator. Unless the Director requires immediate cessation, the owner or operator shall cease injection into the well within 48 hours of receipt of the Director's determination. The Director may allow plugging of the well pursuant to the requirements of §146.10 of this chapter or require the permittee to perform such additional construction, operation, monitoring, reporting and corrective action as is necessary to prevent the movement of fluid into or between USDWs caused by the lack of mechanical integrity. The owner or operator may resume injection upon written notification from the Director that the owner or operator has demonstrated mechanical integrity pursuant to §146.8 of this chapter.

(3) The Director may allow the owner or operator of a well which lacks mechanical integrity pursuant to §146.8(a)(1) of this chapter to continue or resume injection, if the owner or operator has made a satisfactory demonstration that there is no movement of fluid into or between USDWs.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20185, May 11, 1984; 53 FR 28147, July 26, 1988; 58 FR 63898, Dec. 3, 1993]

§144.52 Establishing permit conditions.

(a) In addition to conditions required in §144.51, the Director shall establish conditions, as required on a case-by-case basis under §144.36 (duration of permits), §144.53(a) (schedules of compliance), §144.54 (monitoring), and for EPA permits only §144.53(b) (alternate schedules of compliance), and §144.4 (considerations under Federal law). Permits for owners or operators of hazardous waste injection wells shall include conditions meeting the requirements of §144.14 (requirements for wells injecting hazardous waste), §144.52 (a)(7) and (a)(9), and subpart G of part 146. Permits for other wells shall contain the following requirements, when applicable.

(1) *Construction requirements* as set forth in part 146. Existing wells shall achieve compliance with such requirements according to a compliance schedule established as a permit condition. The owner or operator of a proposed new injection well shall submit plans for testing, drilling, and construction as part of the permit application. Except as authorized by an area permit, no constuction may commence until a permit has been issued containing construction requirements (see

§144.11). New wells shall be in compliance with these requirements prior to commencing injection operations. Changes in construction plans during construction may be approved by the Administrator as minor modifications (§144.41). No such changes may be physically incorporated into construction of the well prior to approval of the modification by the Director.

(2) *Corrective action* as set forth in §§144.55 and 146.7

(3) *Operation requirements* as set forth in 40 CFR part 146; the permit shall establish any maximum injection volumes and/or pressures necessary to assure that fractures are not initiated in the confining zone, that injected fluids do not migrate into any underground source of drinking water, that formation fluids are not displaced into any underground source of drinking water, and to assure compliance with the part 146 operating requirements.

(4) *Requirements for wells managing hazardous waste*, as set forth in §144.14.

(5) Monitoring and reporting requirements as set forth in 40 CFR part 146. The permittee shall be required to identify types of tests and methods used to generate the monitoring data. For EPA administered programs, monitoring of the nature of injected fluids shall comply with applicable analytical methods cited and described in table I of 40 CFR 136.3 or in appendix III of 40 CFR part 261 or in certain circumstances by other methods that have been approved by the Regional Administrator.

(6) After a cessation of operations of two years the owner or operator shall plug and abandon the well in accordance with the plan unless he:

(i) Provides notice to the Regional Administrator;

(ii) Describes actions or procedures, satisfactory to the Regional Administrator, that the owner or operator will take to ensure that the well will not endanger USDWs during the period of temporary abandonment. These actions and procedures shall include compliance with the technical requirements applicable to active injection wells unless waived by the Regional Administrator.

(7) *Financial responsibility*. (i) The permittee, including the transferor of a permit, is required to demonstrate and maintain financial responsibility and resources to close, plug, and abandon the underground injection operation in a manner prescribed by the Director until:

(A) The well has been plugged and abandoned in accordance with an approved plugging and abandonment plan pursuant to §§144.51(o) and 146.10 of this chapter, and submitted a plugging and abandonment report pursuant to §144.51(p); or

(B) The well has been converted in compliance with the requirements of §144.51(n); or

(C) The transferor of a permit has received notice from the Director that the owner or operator receiving transfer of the permit, the new permittee, has demonstrated financial responsibility for the well.

(ii) The permittee shall show evidence of such financial responsibility to the Director by the submission of a surety bond, or other adequate assurance, such as a financial statement or other materials acceptable to the Director. For EPA administered programs, the Regional Administrator may on a periodic basis require the holder of a lifetime permit to submit an estimate of the resources needed to plug and abandon the well revised to reflect inflation of such costs, and a revised demonstration of financial responsibility, if necessary. The owner or operator of a well injecting hazardous waste must comply with the financial responsibility requirements of subpart F of this part.

(8) *Mechanical integrity*. A permit for any Class I, II or III well or injection project which lacks mechanical integrity shall include, and for any Class V well may include, a condition prohibiting injection operations until the permittee shows to the satisfaction of the Director under §146.08 that the well has mechanical integrity.

(9) *Additional conditions*. The Director shall impose on a case-by-case basis such additional conditions as are necessary to prevent the migration of fluids into underground sources of drinking water.

(b)(1) In addition to conditions required in all permits the Director shall

establish conditions in permits as required on a case-by-case basis, to provide for and assure compliance with all applicable requirements of the SDWA and parts 144, 145, 146 and 124.

(2) For a State issued permit, an applicable requirement is a State statutory or regulatory requirement which takes effect prior to final administrative disposition of the permit. For a permit issued by EPA, an applicable requirement is a statutory or regulatory requirement (including any interim final regulation) which takes effect prior to the issuance of the permit. Section 124.14 (reopening of comment period) provides a means for reopening EPA permit proceedings at the discretion of the Director where new requirements become effective during the permitting process and are of sufficient magnitude to make additional proceedings desirable. For State and EPA administered programs, an applicable requirement is also any requirement which takes effect prior to the modification or revocation and reissuance of a permit, to the extent allowed in §144.39.

(3) New or reissued permits, and to the extent allowed under §144.39 modified or revoked and reissued permits, shall incorporate each of the applicable requirements referenced in §144.52.

(c) *Incorporation.* All permit conditions shall be incorporated either expressly or by reference. If incorporated by reference, a specific citation to the applicable regulations or requirements must be given in the permit.

[48 FR 14189, Apr. 1, 1983, as amended at 49 FR 20185, May 11, 1984; 53 FR 28147, July 26, 1988; 58 FR 63898; Dec. 3, 1993; 65 FR 30913, May 15, 2000]

§144.53 Schedule of compliance.

(a) *General.* The permit may, when appropriate, specify a schedule of compliance leading to compliance with the SDWA and parts 144, 145, 146, and 124.

(1) *Time for compliance.* Any schedules of compliance shall require compliance as soon as possible, and in no case later than 3 years after the effective date of the permit.

(2) *Interim dates.* Except as provided in paragraph (b)(1)(ii) of this section, if a permit establishes a schedule of compliance which exceeds 1 year from the date of permit issuance, the schedule shall set forth interim requirements and the dates for their achievement.

(i) The time between interim dates shall not exceed 1 year.

(ii) If the time necessary for completion of any interim requirement is more than 1 year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date.

(3) *Reporting.* The permit shall be written to require that if paragraph (a)(1) of this section is applicable, progress reports be submitted no later than 30 days following each interim date and the final date of compliance.

(b) *Alternative schedules of compliance.* A permit applicant or permittee may cease conducting regulated activities (by plugging and abandonment) rather than continue to operate and meet permit requirements as follows:

(1) If the permittee decides to cease conducting regulated activities at a given time within the term of a permit which has already been issued:

(i) The permit may be modified to contain a new or additional schedule leading to timely cessation of activities; or

(ii) The permittee shall cease conducting permitted activities before noncompliance with any interim or final compliance schedule requirement already specified in the permit.

(2) If the decision to cease conducting regulated activities is made before issuance of a permit whose term will include the termination date, the permit shall contain a schedule leading to termination which will ensure timely compliance with applicable requirements.

(3) If the permittee is undecided whether to cease conducting regulated activities, the Director may issue or modify a permit to contain two schedules as follows:

(i) Both schedules shall contain an identical interim deadline requiring a final decision on whether to cease conducting regulated activities no later than a date which ensures sufficient time to comply with applicable requirements in a timely manner if the

decision is to continue conducting regulated activities;

(ii) One schedule shall lead to timely compliance with applicable requirements;

(iii) The second schedule shall lead to cessation of regulated activities by a date which will ensure timely compliance with applicable requirements;

(iv) Each permit containing two schedules shall include a requirement that after the permittee has made a final decision under paragraph (b)(3)(i) of this section it shall follow the schedule leading to compliance if the decision is to continue conducting regulated activities, and follow the schedule leading to termination if the decision is to cease conducting regulated activities.

(4) The applicant's or permittee's decision to cease conducting regulated activities shall be evidenced by a firm public commitment satisfactory to the Director, such as a resolution of the board of directors of a corporation.

§ 144.54 Requirements for recording and reporting of monitoring results.

All permits shall specify:

(a) Requirements concerning the proper use, maintenance, and installation, when appropriate, of monitoring equipment or methods (including biological monitoring methods when appropriate);

(b) Required monitoring including type, intervals, and frequency sufficient to yield data which are representative of the monitored activity including when appropriate, continuous monitoring;

(c) Applicable reporting requirements based upon the impact of the regulated activity and as specified in part 146. Reporting shall be no less frequent than specified in the above regulations.

§ 144.55 Corrective action.

(a) *Coverage.* Applicants for Class I, II, (other than existing), or III injection well permits shall identify the location of all known wells within the injection well's area of review which penetrate the injection zone, or in the case of Class II wells operating over the fracture pressure of the injection formation, all known wells within the area of review penetrating formations affected by the increase in pressure. For such wells which are improperly sealed, completed, or abandoned, the applicant shall also submit a plan consisting of such steps or modifications as are necessary to prevent movement of fluid into underground sources of drinking water ("corrective action"). Where the plan is adequate, the Director shall incorporate it into the permit as a condition. Where the Director's review of an application indicates that the permittee's plan is inadequate (based on the factors in §146.07), the Director shall require the applicant to revise the plan, prescribe a plan for corrective action as a condition of the permit under paragraph (b) of this section, or deny the application. The Director may disregard the provisions of §146.06 (Area of Review) and §146.07 (Corrective Action) when reviewing an application to permit an existing Class II well.

(b) *Requirements*—(1) *Existing injection wells.* Any permit issued for an existing injection well (other than Class II) requiring corrective action shall include a compliance schedule requiring any corrective action accepted or prescribed under paragraph (a) of this section to be completed as soon as possible.

(2) *New injection wells.* No owner or operator of a new injection well may begin injection until all required corrective action has been taken.

(3) *Injection pressure limitation.* The Director may require as a permit condition that injection pressure be so limited that pressure in the injection zone does not exceed hydrostatic pressure at the site of any improperly completed or abandoned well within the area of review. This pressure limitation shall satisfy the corrective action requirement. Alternatively, such injection pressure limitation can be part of a compliance schedule and last until all other required corrective action has been taken.

(4) *Class III wells only.* When setting corrective action requirements the Director shall consider the overall effect of the project on the hydraulic gradient in potentially affected USDWs, and the corresponding changes in

potentiometric surface(s) and flow direction(s) rather than the discrete effect of each well. If a decision is made that corrective action is not necessary based on the determinations above, the monitoring program required in §146.33(b) shall be designed to verify the validity of such determinations.

Subpart F—Financial Responsibility: Class I Hazardous Waste Injection Wells

SOURCE: 49 FR 20186, May 11, 1984, unless otherwise noted.

§ 144.60 Applicability.

(a) The requirements of §§144.62, 144.63, and 144.70 apply to owners and operators of all existing and new Class I Hazardous waste injection wells, except as provided otherwise in this section.

§ 144.61 Definitions of terms as used in this subpart.

(a) *Plugging and abandonment plan* means the plan for plugging and abandonment prepared in accordance with the requirements of §§144.28 and 144.51.

(b) *Current plugging cost estimate* means the most recent of the estimates prepared in accordance with §144.62 (a), (b) and (c).

(c) *Parent corporation* means a corporation which directly owns at least 50 percent of the voting stock of the corporation which is the injection well owner or operator; the latter corporation is deemed a *subsidiary* of the parent corporation.

(d) The following terms are used in the specifications for the financial test for plugging and abandonment. The definitions are intended to represent the common meanings of the terms as they are generally used by the business community.

Assets means all existing and all probable future economic benefits obtained or controlled by a particular entity.

Current assets means cash or other assets or resources commonly identified as those which are reasonably expected to be realized in cash or sold or consumed during the normal operating cycle of the business.

Current liabilities means obligations whose liquidation is reasonably expected to require the use of existing resources properly classifiable as current assets or the creation of other current liabilities.

Independently audited refers to an audit performed by an independent certified public accountant in accordance with generally accepted auditing standards.

Liabilities means probable future sacrifices of economic benefits arising from present obligations to transfer assets or provide services to other entities in the future as a result of past transactions or events.

Net working capital means current assets minus current liabilities.

Net worth means total assets minus total liabilities and is equivalent to owner's equity.

Tangible net worth means the tangible assets that remain after deducting liabilities; such assets would not include intangibles such as goodwill and rights to patents or royalties.

§ 144.62 Cost estimate for plugging and abandonment.

(a) The owner or operator must prepare a written estimate, in current dollars, of the cost of plugging the injection well in accordance with the plugging and abandonment plan as specified in §§144.28 and 144.51. The plugging and abandonment cost estimate must equal the cost of plugging and abandonment at the point in the facility's operating life when the extent and manner of its operation would making plugging and abandonment the most expensive, as indicated by its plugging and abandonment plan.

(b) The owner or operator must adjust the plugging and abandonment cost estimate for inflation within 30 days after each anniversary of the date on which the first plugging and abandonment cost estimate was prepared. The adjustment must be made as specified in paragraphs (b) (1) and (2) of this section, using an inflation factor derived from the annual Oil and Gas Field Equipment Cost Index. The inflation factor is the result of dividing the latest published annual Index by the Index for the previous year.

(1) The first adjustment is made by multiplying the plugging and abandonment cost estimate by the inflation factor. The result is the adjusted plugging and abandonment cost estimate.

(2) Subsequent adjustments are made by multiplying the latest adjusted plugging and abandonment cost estimate by the latest inflation factor.

(c) The owner or operator must revise the plugging and abandonment cost estimate whenever a change in the plugging and abandonment plan increases the cost of plugging and abandonment. The revised plugging and abandonment cost estimate must be adjusted for inflation as specified in §144.62(b).

(d) The owner or operator must keep the following at the facility during the operating life of the facility: the latest plugging and abandonment cost estimate prepared in accordance with §144.62 (a) and (c) and, when this estimate has been adjusted in accordance with §144.62(b), the latest adjusted plugging and abandonment cost estimate.

§144.63 Financial assurance for plugging and abandonment.

An owner or operator of each facility must establish financial assurance for the plugging and abandonment of each existing and new Class I hazardous waste injection well. He must choose from the options as specified in paragraphs (a) through (f) of this section.

(a) *Plugging and abandonment trust fund.* (1) An owner or operator may satisfy the requirements of this section by establishing a plugging and abandonment trust fund which conforms to the requirements of this paragraph and submitting an originally signed duplicate of the trust agreement to the Regional Administrator. An owner or operator of a Class I well injecting hazardous waste must submit the originally signed duplicate of the trust agreement to the Regional Administrator with the permit application or for approval to operate under rule. The trustee must be an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal or State agency.

(2) The wording of the trust agreement must be identical to the wording specified in §144.70(a)(1), and the trust agreement must be accompanied by a formal certification of acknowledgment (for example, see §144.70(a)(2)). Schedule A of the trust agreement must be updated within 60 days after a change in the amount of the current plugging and abandonment cost estimate covered by the agreement.

(3) Payments into the trust fund must be made annually by the owner or operator over the term of the initial permit or over the remaining operating life of the injection well as estimated in the plugging and abandonment plan, whichever period is shorter; this period is hereafter referred to as the "pay-in period." The payments into the plugging and abandonment trust fund must be made as follows:

(i) For a new well, the first payment must be made before the initial injection of hazardous waste. A receipt from the trustee for this payment must be submitted by the owner or operator to the Regional Administrator before this initial injection of hazardous waste. The first payment must be at least equal to the current plugging and abandonment cost estimate, except as provided in §144.70(g), divided by the number of years in the pay-in period. Subsequent payments must be made no later than 30 days after each anniversary date of the first payment. The amount of each subsequent payment must be determined by this formula:

$$\text{Next payment} = \frac{\text{PE} - \text{CV}}{\text{Y}}$$

where PE is the current plugging and abandonment cost estimate, CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

(ii) If an owner or operator establishes a trust fund as specified in §144.63(a) of this chapter, and the value of that trust fund is less than the current plugging and abandonment cost estimate when a permit is awarded for the injection well, the amount of the current plugging and abandonment cost estimate still to be paid into the trust fund must be paid in over the pay-in period as defined in paragraph (a)(3) of this section. Payments must continue to be made no later than 30 days after each anniversary date of the

first payment made pursuant to part 144 of this chapter. The amount of each payment must be determined by this formula:

$$\text{Next payment} = \frac{\text{PE} - \text{CV}}{\text{Y}}$$

where PE is the current plugging and abandonment cost estimate, CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

(4) The owner or operator may accelerate payments into the trust fund or he may deposit the full amount of the current plugging and abandonment cost estimate at the time the fund is established. However, he must maintain the value of the fund at no less than the value that the fund would have if annual payments were made as specified in paragraph (a)(3) of this section.

(5) If the owner or operator establishes a plugging and abandonment trust fund after having used one or more alternate mechanisms specified in this section or in §144.63 of this chapter, his first payment must be in at least the amount that the fund would contain if the trust fund were established initially and annual payments made according to specifications of this paragraph.

(6) After the pay-in period is completed, whenever the current plugging and abandonment cost estimate changes, the owner or operator must compare the new estimate with the trustee's most recent annual valuation of the trust fund. If the value of the fund is less than the amount of the new estimate, the owner or operator, within 60 days after the change in the cost estimate, must either deposit an amount into the fund so that its value after this deposit at least equals the amount of the current plugging and abandonment cost estimate, or obtain other financial assurance as specified in this section to cover the difference.

(7) If the value of the trust fund is greater than the total amount of the current plugging and abandonment cost estimate, the owner or operator may submit a written request to the Regional Administrator for release of the amount in excess of the current plugging and abandonment cost estimate.

(8) If an owner or operator substitutes other financial assurance as specified in this section for all or part of the trust fund, he may submit a written request to the Regional Administrator for release of the amount in excess of the current plugging and abandonment cost estimate covered by the trust fund.

(9) Within 60 days after receiving a request from the owner or operator for release of funds as specified in paragraph (a) (7) or (8) of this section, the Regional Administrator will instruct the trustee to release to the owner or operator such funds as the Regional Administrator specifies in writing.

(10) After beginning final plugging and abandonment, an owner or operator or any other person authorized to perform plugging and abandonment may request reimbursement for plugging and abandonment expenditures by submitting itemized bills to the Regional Administrator. Within 60 days after receiving bills for plugging and abandonment activities, the Regional Administrator will determine whether the plugging and abandonment expenditures are in accordance with the plugging and abandonment plan or otherwise justified, and if so, he will instruct the trustee to make reimbursement in such amounts as the Regional Administrator specifies in writing. If the Regional Administrator has reason to believe that the cost of plugging and abandonment will be significantly greater than the value of the trust fund, he may withhold reimbursement of such amounts as he deems prudent until he determines, in accordance with §144.63(i), that the owner or operator is no longer required to maintain financial assurance for plugging and abandonment.

(11) The Regional Administrator will agree to termination of the trust when:

(i) An owner or operator substitutes alternate financial assurance as specified in this section; or

(ii) The Regional Administrator releases the owner or operator from the requirements of this section in accordance with §144.63(i).

(b) *Surety bond guaranteeing payment into a plugging and abandonment trust fund.* (1) An owner or operator must satisfy the requirements of this section

by obtaining a surety bond which conforms to the requirements of this paragraph and submitting the bond to the Regional Administrator with the application for a permit or for approval to operate under rule. The bond must be effective before the initial injection of hazardous waste. The surety company issuing the trust must, at a minimum, be among those listed as acceptable sureties on Federal bonds in Circular 570 of the U.S. Department of the Treasury.

(2) The wording of the surety bond must be identical to the wording in §144.70(b).

(3) The owner or operator who uses a surety bond to satisfy the requirements of this section must also establish a standby trust fund. Under the terms of the bond, all payments made thereunder will be deposited by the surety directly into the standby trust fund in accordance with instructions from the Regional Administrator. This standby trust fund must meet the requirements specified in §144.63(a), except that:

(i) An originally signed duplicate of the trust agreement must be submitted to the Regional Administrator with the surety bond; and

(ii) Until the standby trust fund is funded pursuant to the requirements of this section, the following are not required by these requirements:

(A) Payments into the trust fund as specified in §144.63(a);

(B) Updating of Schedule A of the trust agreement [see §144.70(a)] to show current plugging and abandonment cost estimates;

(C) Annual valuations as required by the trust agreement; and

(D) Notices of nonpayment as required by the trust agreement.

(4) The bond must guarantee that the owner or operator will:

(i) Fund the standby trust fund in an amount equal to the penal sum of the bond before beginning of plugging and abandonment of the injection well; or

(ii) Fund the standby trust fund in an amount equal to the penal sum within 15 days after an order to begin plugging and abandonment is issued by the Regional Administrator or a U.S. district court or other court of competent jurisdiction; or

(iii) Provide alternate financial assurance as specified in this section, and obtain the Regional Administrator's written approval of the assurance provided, within 90 days after receipt by both the owner or operator and the Regional Administrator of a notice of cancellation of the bond from the surety.

(5) Under the terms of the bond, the surety will become liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond.

(6) The penal sum of the bond must be in amount at least equal to the current plugging and abandonment cost estimate, except as provided in §144.63(g).

(7) Whenever the current plugging and abandonment cost estimate increases to an amount greater than the penal sum, the owner or operator, within 60 days after the increase, must either cause the penal sum to be increased to an amount at least equal to the current plugging and abandonment cost estimate and submit evidence of such increase to the Regional Administrator, or obtain other financial assurance as specified in this section to cover the increase. Whenever the current plugging and abandonment cost estimate decreases, the penal sum may be reduced to the amount of the current plugging and abandonment cost estimate following written approval by the Regional Administrator.

(8) Under the terms of the bond, the surety may cancel the bond by sending notice of cancellation by certified mail to the owner or operator and to the Regional Administrator. Cancellation may not occur, however, during 120 days beginning on the date of the receipt of the notice of cancellation by both owner or operator and the Regional Administrator as evidenced by the returned receipts.

(9) The owner or operator may cancel the bond if the Regional Administrator has given prior written consent based on his receipt of evidence of alternate financial assurance as specified in this section.

(c) *Surety bond guaranteeing performance of plugging and abandonment.* (1) An owner or operator may satisfy the

requirements of this section by obtaining a surety bond which conforms to the requirements of this paragraph and submitting the bond to the Regional Administrator. An owner or operator of a new facility must submit the bond to the Regional Administrator with the permit application or for approval to operate under rule. The bond must be effective before injection of hazardous waste is started. The surety company issuing the bond must, at a minimum, be among those listed as acceptable sureties on Federal bonds in Circular 570 of the U.S. Department of the Treasury.

(2) The wording of the surety bond must be identical to the wording specified in §144.70(c).

(3) The owner or operator who uses a surety bond to satisfy the requirements of this section must also establish a standby trust fund. Under the terms of the bond, all payments made thereunder will be deposited by the surety directly into the standby trust fund in accordance with instructions from the Regional Administrator. The standby trust must meet the requirements specified in §144.63(a), except that:

(i) An original signed duplicate of the trust agreement must be submitted to the Regional Administrator with the surety bond; and

(ii) Unless the standby trust fund is funded pursuant to the requirements of this section, the following are not required by these regulations:

(A) Payments into the trust fund as specified in §144.63(a);

(B) Updating of Schedule A of the trust agreement [see §144.70(a)] to show current plugging and abandonment cost estimates;

(C) Annual valuations as required by the trust agreement; and

(D) Notices of nonpayment as required by the trust agreement.

(4) The bond must guarantee that the owner or operator will:

(i) Perform plugging and abandonment in accordance with the plugging and abandonment plan and other requirements of the permit for the injection well whenever required to do so; or

(ii) Provide alternate financial assurance as specified in this section, and obtain the Regional Administrator's written approval of the assurance provided, within 90 days after receipt by both the owner or operator and the Regional Administrator of a notice of cancellation of the bond from the surety.

(5) Under the terms of the bond, the surety will become liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond. Following a determination that the owner or operator has failed to perform plugging and abandonment in accordance with the plugging and abandonment plan and other permit requirements when required to do so, under terms of the bond the surety will perform plugging and abandonment as guaranteed by the bond or will deposit the amount of the penal sum into the standby trust fund.

(6) The penal sum of the bond must be in an amount at least equal to the current plugging and abandonment cost estimate.

(7) Whenever the current plugging and abandonment cost estimate increases to an amount greater than the penal sum, the owner or operator, within 60 days after the increase, must either cause the penal sum to be increased to an amount at least equal to the current plugging and abandonment cost estimate and submit evidence of such increase to the Regional Administrator, or obtain other financial assurance as specified in this section. Whenever the plugging and abandonment cost estimate decreases, the penal sum may be reduced to the amount of the current plugging and abandonment cost estimate following written approval by the Regional Administrator.

(8) Under the terms of the bond, the surety may cancel the bond by sending notice of cancellation by certified mail to the owner or operator and to the Regional Administrator. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the owner or operator and the Regional Administrator, as evidenced by the return receipts.

(9) The owner or operator may cancel the bond if the Regional Administrator has given prior written consent. The Regional Administrator will provide such written consent when:

(i) An owner or operator substitute alternate financial assurance as specified in this section; or

(ii) The Regional Administrator releases the owner or operator from the requirements of this section in accordance with §144.63(i).

(10) The surety will not be liable for deficiencies in the performance of plugging and abandonment by the owner or operator after the Regional Administrator releases the owner or operator from the requirements of this section in accordance with §144.63(i).

(d) *Plugging and abandonment letter of credit.* (1) An owner or operator may satisfy the requirements of this section by obtaining an irrevocable standby letter of credit which conforms to the requirements of this paragraph and submitting the letter to the Regional Administrator. An owner or operator of an injection well must submit the letter of credit to the Regional Administrator during submission of the permit application or for approval to operate under rule. The letter of credit must be effective before initial injection of hazardous waste. The issuing institution must be an entity which has the authority to issue letters of credit and whose letter-of-credit operations are regulated and examined by a Federal or State agency.

(2) The wording of the letter of credit must be identical to the wording specified in §144.70(d).

(3) An owner or operator who uses a letter of credit to satisfy the requirements of this section must also establish a standby trust fund. Under the terms of the letter of credit, all amounts paid pursuant to a draft by the Regional Administrator will be deposited by the issuing institution directly into the standby trust fund in accordance with instructions from the Regional Administrator. This standby trust fund must meet the requirements of the trust fund specified in §144.63(a), except that:

(i) An originally signed duplicate of the trust agreement must be submitted to the Regional Administrator with the letter of credit; and

(ii) Unless the standby trust fund is funded pursuant to the requirements of this section, the following are not required by these regulations:

(A) Payments into the trust fund as specified in §144.63(a);

(B) Updating of Schedule A of the trust agreement (see §144.70(a)) to show current plugging and abandonment cost estimates;

(C) Annual valuations as required by the trust agreement; and

(D) Notices of nonpayment as required by the trust agreement.

(4) The letter of credit must be accompanied by a letter from the owner or operator referring to the letter of credit by number, issuing institution, and date, and providing the following information: the EPA Identification Number, name, and address of the facility, and the amount of funds assured for plugging and abandonment of the well by the letter of credit.

(5) The letter of credit must be irrevocable and issued for a period of at least 1 year. The letter of credit must provide that the expiration date will be automatically extended for a period of at least 1 year unless, at least 120 days before the current expiration date, the issuing institution notifies both the owner or operator and the Regional Administrator by certified mail of a decision not to extend the expiration date. Under the terms of the letter of credit, the 120 days will begin on the date when both the owner or operator and the Regional Administrator have received the notice, as evidenced by the return receipts.

(6) The letter of credit must be issued in an amount at least equal to the current plugging and abandonment cost estimate, except as provided in §144.63(g).

(7) Whenever the current plugging and abandonment cost estimate increases to an amount greater than the amount of the credit, the owner or operator, within 60 days after the increase, must either cause the amount of the credit to be increased so that it at least equals the current plugging and abandonment cost estimate and submit evidence of such increase to the Regional Administrator, or obtain other financial assurance as specified in this section to cover the increase. Whenever the current plugging and abandonment cost estimate decreases, the amount of the credit may be reduced to the amount of the current

plugging and abandonment cost estimate following written approval by the Regional Administrator.

(8) Following a determination that the owner or operator has failed to perform final plugging and abandonment in accordance with the plugging and abandonment plan and other permit requirements when required to do so, the Regional Administrator may draw on the letter of credit.

(9) If the owner or operator does not establish alternate financial assurance as specified in this section and obtain written approval of such alternate assurance from the Regional Administrator within 90 days after receipt by both the owner or operator and the Regional Administrator of a notice from the issuing institution that it has decided not to extend the letter of credit beyond the current expiration date, the Regional Administrator will draw on the letter of credit. The Regional Administrator may delay the drawing if the issuing institution grants an extension of the term of the credit. During the last 30 days of any such extension the Regional Administrator will draw on the letter of credit if the owner or operator has failed to provide alternate financial assurance as specified in this section and obtain written approval of such assurance from the Regional Administrator.

(10) The Regional Administrator will return the letter of credit to the issuing institution for termination when:

(i) An owner or operator substitutes alternate financial assurance as specified in this section; or

(ii) The Regional Administrator releases the owner or operator from the requirements of this section in accordance with §144.63(i).

(e) *Plugging and abandonment insurance.* (1) An owner or operator may satisfy the requirements of this section by obtaining plugging and abandonment insurance which conforms to the requirements of this paragraph and submitting a certificate of such insurance to the Regional Administrator. An owner or operator of a new injection well must submit the certificate of insurance to the Regional Administrator with the permit application or for approval operate under rule. The insurance must be effective before injection starts. At a minimum, the insurer must be licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States.

(2) The wording of the certificate of insurance must be identical to the wording specified in §144.70(e).

(3) The plugging and abandonment insurance policy must be issued for a face amount at least equal to the current plugging and abandonment estimate, except as provided in §144.63(g). The term "face amount" means the total amount the insurer is obligated to pay under the policy. Actual payments by the insurer will not change the face amount, although the insurers future liability will be lowered by the amount of the payments.

(4) The plugging and abandonment insurance policy must guarantee that funds will be available whenever final plugging and abandonment occurs. The policy must also guarantee that once plugging and abandonment begins, the issurer will be responsible for paying out funds, up to an amount equal to the face amount of the policy, upon the direction of the Regional Administrator, to such party or parties as the Regional Administrator specifies.

(5) After beginning plugging and abandonment, an owner or operator or any other person authorized to perform plugging and abandonment may request reimbursement for plugging and abandonment expenditures by submitting itemized bills to the Regional Administrator. Within 60 days after receiving bills for plugging and abandonment activities, the Regional Administrator will determine whether the plugging and abandonment expenditures are in accordance with the plugging and abandonment plan or otherwise justified, and if so, he will instruct the insurer to make reimbursement in such amounts as the Regional Administrator specifies in writing. If the Regional Administrator has reason to believe that the cost of plugging and abandonment will be significantly greater than the face amount of the policy, he may withhold reimbursement of such amounts as he deems prudent until he determines, in accordance

with §144.63(i), that the owner or operator is no longer required to maintain financial assurance for plugging and abandonment of the injection well.

(6) The owner or operator must maintain the policy in full force and effect until the Regional Administrator consents to termination of the policy by the owner or operator as specified in paragraph (e)(10) of this section. Failure to pay the premium, without substitution of alternate financial assurance as specified in this section, will constitute a significant violation of these regulations, warranting such remedy as the Regional Administrator deems necessary. Such violation will be deemed to begin upon receipt by the Regional Administrator of a notice of future cancellation, termination, or failure to renew due to nonpayment of the premium, rather than upon the date of expiration.

(7) Each policy must contain provisions allowing assignment to a successor owner or operator. Such assignment may be conditional upon consent of the insurer, provided such consent is not unreasonably refused.

(8) The policy must provide that the insurer may not cancel, terminate, or fail to renew the policy except for failure to pay the premium. The automatic renewal of the policy must, at a minimum, provide the insured with the option of renewal at the face amount of the expiring policy. If there is a failure to pay the premium, the insurer may elect to cancel, terminate, or fail to renew the policy by sending notice by certified mail to the owner or operator and the Regional Administrator. Cancellation, termination, or failure to renew may not occur, however, during 120 days beginning with the date of receipt of the notice by both the Regional Administrator and the owner or operator, as evidenced by the return of receipts. Cancellation, termination, or failure to renew may not occur and the policy will remain in full force and effect in the event that on or before the date of expiration:

(i) The Regional Administrator deems the injection well abandoned; or

(ii) The permit is terminated or revoked or a new permit is denied; or

(iii) Plugging and abandonment is ordered by the Regional Administrator or a U.S. district court or other court of competent jurisdiction; or

(iv) The owner or operator is named as debtor in a voluntary or involuntary proceeding under title 11 (Bankruptcy), U.S. Code; or

(v) The premium due is paid.

(9) Whenever the current plugging and abandonment cost estimate increases to an amount greater than the face amount of the policy, the owner or operator, within 60 days after the increase, must either cause the face amount to be increased to an amount at least equal to the current plugging and abandonment estimate and submit evidence of such increase to the Regional Administrator, or obtain other financial assurance as specified in this section to cover the increase. Whenever the current plugging and abandonment cost estimate decreases, the face amount may be reduced to the amount of the current plugging and abandonment cost estimate following written approval by the Regional Administrator.

(10) The Regional Administrator will give written consent to the owner or operator that he may terminate the insurance policy when:

(i) An owner or operator substitutes alternate financial assurance as specified in this section; or

(ii) The Regional Administrator releases the owner or operator from the requirements of this section in accordance with §144.63(i).

(f) *Financial test and corporate guarantee for plugging and abandonment.* (1) An owner or operator may satisfy the requirements of this section by demonstrating that he passes a financial test as specified in this paragraph. To pass this test the owner or operator must meet the criteria of either paragraph (f)(1)(i) or (f)(1)(ii) of this section:

(i) The owner or operator must have:

(A) Two of the following three ratios: A ratio of total liabilities to net worth less than 2.0; a ratio of the sum of net income plus depreciation, depletion, and amortization to total liabilities greater than 0.1; and a ratio of current assets to current liabilities greater than 1.5; and

(B) Net working capital and tangible net worth each at least six times the

sum of the current plugging and abandonment cost estimate; and

(C) Tangible net worth of at least $10 million; and

(D) Assets in the United States amounting to at least 90 percent of his total assets or at least six times the sum of the current plugging and abandonment cost estimate.

(ii) The owner or operator must have:

(A) A current rating for his most recent bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's or Aaa, Aa, A, or Baa as issued by Moody's; and

(B) Tangible net worth at least six times the sum of the current plugging and abandonment cost estimate; and

(C) Tangible net worth of at least $10 million; and

(D) Assets located in the United States amounting to at least 90 percent of his total assets or at least six times the sum of the current plugging and abandonment cost estimates.

(2) The phrase "current plugging and abandonment cost estimate" as used in paragraph (f)(1) of this section refers to the cost estimate required to be shown in paragraphs 1 through 4 of the letter from the owner's or operator's chief financial officer § 144.70(f).

(3) To demonstrate that he meets this test, the owner or operator must submit the following items to the Regional Administrator:

(i) A letter signed by the owner's or operator's chief financial officer and worded as specified in § 144.70(f); and

(ii) A copy of the independent certified public accountant's report on examination of the owner's or operator's financial statements for the latest completed fiscal year; and

(iii) A special report from the owner's or operator's independent certified public accountant to the owner or operator stating that:

(A) He has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and

(B) In connection with that procedure, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) An owner or operator of a new injection well must submit the items specified in paragraph (f)(3) of this section to the Regional Administrator within 90 days after the close of each succeeding fiscal year. This information must consist of all three items specified in paragraph (f)(3) of this section.

(5) After the initial submission of items specified in paragraph (f)(3) of this section, the owner or operator must send updated information to the Regional Administrator within 90 days after the close of each succeeding fiscal year. This information must consist of all three items specified in paragraph (f)(3) of this section.

(6) If the owner or operator no longer meets the requirements of paragraph (f)(1) of this section, he must send notice to the Regional Administrator of intent to establish alternate financial assurance as specified in this section. The notice must be sent by certified mail within 90 days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the requirements. The owner or operator must provide the alternate financial assurance within 120 days after the end of such fiscal year.

(7) The Regional Administrator may, based on a reasonable belief that the owner or operator may no longer meet the requirements of paragraph (f)(1) of this section, require reports of financial condition at any time from the owner or operator in addition to those specified in paragraph (f)(3) of this section. If the Regional Administrator finds, on the basis of such reports or other information, that the owner or operator no longer meets the requirements of paragraph (f)(1) of this section, the owner or operator must provide alternate financial assurance as specified in this section within 30 days after notification of such a finding.

(8) The Regional Administrator may disallow use of this test on the basis of qualifications in the opinion expressed by the independent certified public accountant in his report on examination of the owner's or operator's financial statements [see paragraph (f)(3)(ii) of this section]. An adverse opinion or disclaimer of opinion will be cause for

disallowance. The Regional Administrator will evaluate other qualifications on an individual basis. The owner or operator must provide alternate financial assurance as specified in this section within 30 days after notification of the disallowance.

(9) The owner or operator is no longer required to submit the items specified in paragraph (f)(3) of this section when:

(i) An owner or operator substitutes alternate financial assurance as specified in this section; or

(ii) The Regional Administrator releases the owner or operator from the requirements of this section in accordance with §144.63(i).

(10) An owner or operator may meet the requirements of this section by obtaining a written guarantee, hereafter referred to as "corporate guarantee." The guarantee must be the parent corporation of the owner or operator. The guarantee must meet the requirements for owners or operators in paragraphs (f)(1) through (f)(8) of this section and must comply with the terms of the corporate guarantee. The wording of the corporate guarantee must be identical to the wording specified in §144.70(h). The corporate guarantee must accompany the items sent to the Regional Administrator as specified in paragraph (f)(3) of this section. The terms of the corporate guarantee must provide that:

(i) If the owner or operator fails to perform plugging and abandonment of the injection well covered by the corporate guarantee in accordance with the plugging and abandonment plan and other permit requirements whenever required to do so, the guarantee will do so or establish a trust fund as specified in §144.63(a) in the name of the owner or operator.

(ii) The corporate guarantee will remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and the Regional Administrator, as evidenced by the return receipts. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the owner or operator and the Regional Administrator, as evidenced by the return receipts.

(iii) If the owner or operator fails to provide alternate financial assurance as specified in this section and obtain the written approval of such alternate assurance from the Regional Administrator within 90 days after receipt by both the owner or operator and the Regional Administrator of a notice of cancellation of the corporate guarantee from the guarantor, the guarantor will provide such alternative financial assurance in the name of the owner or operator.

(g) *Use of multiple financial mechanisms.* An owner or operator may satisfy the requirements of this section by establishing more than one financial mechanism per injection well. These mechanisms are limited to trust funds, surety bonds, guaranteeing payment into a trust fund, letters of credit, and insurance. The mechanisms must be as specified in paragraphs (a), (b), (d), and (e), respectively, of this section, except that it is the combination of mechanisms, rather than the single mechanism, which must provide financial assurance for an amount at least equal to the adjusted plugging and abandonment cost. If an owner or operator uses a trust fund in combination with a surety bond or letter of credit, he may use that trust fund as the standby trust fund for the other mechanisms. A single standby trust may be established for two or more mechanisms. The Regional Administrator may invoke any or all of the mechanisms to provide for plugging and abandonment of the injection well.

(h) *Use of a financial mechanism for multiple facilities.* An owner or operator may use a financial assurance mechanism specified in this section to meet the requirements of this section for more than one injection well. Evidence of financial assurance submitted to the Regional Administrator must include a list showing, for each injection well, the EPA Identification Number, name, address, and the amount of funds for plugging and abandonment assured by the mechanism. If the injection wells covered by the mechanism are in more than one Region, identical evidence of financial assurance must be submitted to and maintained with the Regional Administrators of all such Regions. The amount of funds available through

the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for each injection well. In directing funds available through the mechanism for plugging and abandonment of any of the injection wells covered by the mechanism, the Regional Administrator may direct only the amount of funds designated for that injection well, unless the owner or operator agrees to use additional funds available under the mechanism.

(i) *Release of the owner or operator from the requirements of this section.* Within 60 days after receiving certifications from the owner or operator and an independent registered professional engineer that plugging and abandonment has been accomplished in accordance with the plugging and abandonment plan, the Regional Administrator will notify the owner or operator in writing that he is no longer required by this section to maintain financial assurance for plugging and abandonment of the injection well, unless the Regional Administrator has reason to believe that plugging and abandonment has not been in accordance with the plugging and abandonment plan.

§ 144.64 Incapacity of owners or operators, guarantors, or financial institutions.

(a) An owner or operator must notify the Regional Administrator by certified mail of the commencement of a voluntary or involuntary proceeding under title 11 (Bankruptcy), U.S. Code, naming the owner or operator as debtor, within 10 business days after the commencement of the proceeding. A guarantor of a corporate guarantee as specified in §144.63(f) must make such a notification if he is named as debtor, as required under the terms of the guarantee (§144.70(f)).

(b) An owner or operator who fulfills the requirements of §144.63 by obtaining a letter of credit, surety bond, or insurance policy will be deemed to be without the required financial assurance or liability coverage in the event of bankruptcy, insolvency, or a suspension or revocation of the license or charter of the issuing institution. The owner or operator must establish other financial assurance or liability coverage within 60 days after such an event.

§ 144.65 Use of State-required mechanisms.

(a) For a facility located in a State where EPA is administering the requirements of this subpart but where the State has plugging and abandonment regulations that include requirements for financial assurance of plugging and abandonment, an owner or operator may use State-required financial mechanisms to meet the requirements of this subpart if the Regional Administrator determines that the State mechanisms are at least equivalent to the mechanisms specified in this subpart. The Regional Administrator will evaluate the equivalency of the mechanisms mainly in terms of (1) certainty of the availability of funds for the required plugging and abandonment activities and (2) the amount of funds that will be made available. The Regional Administrator may also consider other factors. The owner or operator must submit to the Regional Administrator evidence of the establishment of the mechanism together with a letter requesting that the State-required mechanism be considered acceptable for meeting the requirements of this subpart. The submittal must include the following information: The facility's EPA Identification Number, name and address, and the amounts of funds for plugging and abandonment coverage assured by the mechanism. The Regional Administrator will notify the owner or operator of his determination regarding the mechanism's acceptability. The Regional Administrator may require the owner or operator to submit additional information as is deemed necessary for making this determination.

(b) If a State-required mechanism is found acceptable as specified in paragraph (a) of this section except for the amount of funds available, the owner or operator may satisfy the requirements of this subpart by increasing the funds available through the State-required mechanism or using additional mechanisms as specified in this subpart. The amounts of funds available

through the State and Federal mechanisms must at least equal the amounts required by this subpart.

§ 144.66 State assumption of responsibility.

(a) If a State either assumes legal responsibility for an owner's or operator's compliance with the plugging and abandonment requirements of these regulations or assures that funds will be available from State sources to cover these requirements, the owner or operator will be in compliance with the requirements of this subpart if the Regional Administrator determines that the State's assumption of responsibility is at least equivalent to the mechanisms specified in this subpart. The Regional Administrator will evaluate the equivalency of State guarantees mainly in terms of (1) certainty of the availability of funds for the required plugging and abandonment coverage and (2) the amount of funds that will be made available. The Regional Administrator may also consider other factors. The owner or operator must submit to the Regional Administrator a letter from the State describing the nature of the State's assumption of responsibility together with a letter from the owner or operator requesting that the State's asumption of responsibility be considered acceptable for meeting the requirements of this subpart. The letter from the State must include, or have attached to it, the following information: the facility's EPA Identification Number, name and address, and the amounts of funds for plugging and abandonment coverage that are guaranteed by the State. The Regional Administrator will notify the owner or operator of his determination regarding the acceptability of the State's guarantee in lieu of mechanisms specified in this subpart. The Regional Administrator may require the owner or operator to submit additional information as is deemed necessary to make this determination. Pending this determination, the owner or operator will be deemed to be in compliance with §144.63.

(b) If a State's assumption of responsibility is found acceptable as specified in paragraph (a) of this section except for the amount of funds available, the owner or operator may satisfy the requirements of this subpart by use of both the State's assurance and additional financial mechanisms as specified in this subpart. The amount of funds available through the State and Federal mechanisms must at least equal the amount required by this subpart.

§ 144.70 Wording of the instruments.

(a)(1) A trust agreement for a trust fund, as specified in §144.63(a) of this chapter, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

TRUST AGREEMENT

TRUST AGREEMENT, the "Agreement," entered into as of [date] by and between [name of the owner or operator], a [name of State] [insert "corporation," "partnership," "association," or "proprietorship"], the "Grantor," and [name of corporate trustee], [insert "incorporated in the State of _____" or "a national bank"], the "Trustee."

Whereas, the United States Environmental Protection Agency, "EPA," an agency of the United States Government, has established certain regulations applicable to the Grantor, requiring that an owner or operator of an injection well shall provide assurance that funds will be available when needed for plugging and abandonment of the injection well,

Whereas, the Grantor has elected to establish a trust to provide all or part of such financial assurance for the facility(ies) identified herein,

Whereas, the Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this agreement, and the Trustee is willing to act as trustee,

Now, therefore, the Grantor and the Trustee agree as follows:

Section 1. Definitions. As used in this Agreement:

(a) The term "Grantor" means the owner or operator who enters into this Agreement and any successors or assigns of the Grantor.

(b) The term "Trustee" means the Trustee who enters into this Agreement and any successor Trustee.

(c) Facility or activity means any "underground injection well" or any other facility or activity that is subject to regulation under the Underground Injection Control Program.

Section 2. Identification of Facilities and Cost Estimates. This Agreement pertains to the facilities and cost estimates identified on attached Schedule A [on Schedule A, for each facility list the EPA Identification Number,

name, address, and the current plugging and abandonment cost estimate, or portions thereof, for which financial assurance is demonstrated by this Agreement].

Section 3. Establishment of Fund. The Grantor and the Trustee hereby establish a trust fund, the "Fund," for the benefit of EPA. The Grantor and the Trustee intend that no third party have access to the Fund except as herein provided. The Fund is established initially as consisting of the property, which is acceptable to the Trustee, described in Schedule B attached hereto. Such property and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits thereon, less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, IN TRUST, as hereinafter provided. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor established by EPA.

Section 4. Payment for Plugging and Abandonment. The Trustee shall make payments from the Fund as the EPA Regional Administrator shall direct, in writing, to provide for the payment of the costs of plugging and abandonment of the injection wells covered by this Agreement. The Trustee shall reimburse the Grantor or other persons as specified by the EPA Regional Administrator from the Fund for plugging and abandonment expenditures in such amounts as the EPA Regional Administrator shall direct in writing. In addition, the Trustee shall refund to the Grantor such amounts as the EPA Regional Administrator specifies in writing. Upon refund, such funds shall no longer constitute part of the Fund as defined herein.

Section 5. Payments Comprising the Fund. Payments made to the Trustee for the Fund shall consist of cash or securities acceptable to the Trustee.

Section 6. Trustee Management. The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the Grantor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this Section. In investing, reinvesting, exchanging, selling, and managing the Fund, the Trustee shall discharge his duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; *except that:*

(i) Securities or other obligations of the Grantor, or any other owner or operator of the facilities, or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C. 80a–2.(a), shall not be acquired or held, unless they are securities or other obligations of the Federal or a State government;

(ii) The Trustee is authorized to invest the Fund in time or demand deposits of the Trustee, to the extent insured by an agency of the Federal or State government; and

(iii) The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment. The Trustee is expressly authorized in its discretion:

(a) To transfer from time to time any or all of the assets of the Fund to any common, commingled, or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C. 80a–1 *et seq.*, including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote shares in its discretion.

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

(a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;

(b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c) To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depositary with other

securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve bank, but the books and records of the Trustee shall at all times show that all such securities are part of the Fund;

(d) To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the Federal or State government; and

(e) To compromise or otherwise adjust all claims in favor of or against the Fund.

Section 9. Taxes and Expenses. All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Fund shall be paid from the Fund. All other expenses incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Grantor, and all other proper charges and disbursements of the Trustee shall be paid from the Fund.

Section 10. Annual Valuation. The Trustee shall annually, at least 30 days prior to the anniversary date of establishment of the Fund, furnish to the Grantor and to the appropriate EPA Regional Administrator a statement confirming the value of the Trust. Any securities in the Fund shall be valued at market value as of no more than 60 days prior to the anniversary date of establishment of the Fund. The failure of the Grantor to object in writing to the Trustee within 90 days after the statement has been furnished to the Grantor and the EPA Regional Administrator shall constitute a conclusively binding assent by the Grantor, barring the Grantor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statement.

Section 11. Advice of Counsel. The Trustee may from time to time consult with counsel, who may be counsel to the Grantor, with respect to any question arising as to the construction of this Agreement of any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 12. Trustee Compensation. The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

Section 13. Successor Trustee. The Trustee may resign or the Grantor may replace the Trustee, but such resignation or replacement shall not be effective until the Grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the Fund. If for any reason the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Grantor, the EPA Regional Administrator, and the present Trustee by certified mail 10 days before such change becomes effective. Any expenses incurred by the Trustee as a result of any of the acts contemplated by this Section shall be paid as provided in Section 9.

Section 14. Instructions to the Trustee. All orders, requests, and instructions by the Grantor to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A or such other designees as the Grantor may designate by amendment to Exhibit A. The Trustee shall be fully protected in acting without inquiry in accordance with the Grantor's orders, requests, and instructions. All orders, requests, and instructions by the EPA Regional Administrator to the Trustee shall be in writing, signed by the EPA Regional Administrators of the Regions in which the facilities are located, or their designees, and the Trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the Grantor or EPA hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests, and instructions from the Grantor and/or EPA, except as provided for herein.

Section 15. Notice of Nonpayment. The Trustee shall notify the Grantor and the appropriate EPA Regional Administrator, by certified mail within 10 days following the expiration of the 30-day period after the anniversary of the establishment of the Trust, if no payment is received from the Grantor during that period. After the pay-in period is completed, the Trustee shall not be required to send a notice of nonpayment.

Section 16. Amendment of Agreement. This Agreement may be amended by an instrument in writing executed by the Grantor, the Trustee, and the appropriate EPA Regional Administrator, or by the Trustee and the appropriate EPA Regional Administrator if the Grantor ceases to exist.

Section 17. Irrevocability and Termination. Subject to the right of the parties to amend this Agreement as provided in Section 16,

this Trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee, and the EPA Regional Administrator, or by the Trustee and the EPA Regional Administrator if the Grantor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Grantor.

Section 18. Immunity and Indemnification. The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this Trust, or in carrying out any directions by the Grantor or the EPA Regional Administrator issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the Grantor fails to provide such defense.

Section 19. Choice of Law. This Agreement shall be administered, construed, and enforced according to the laws of the State of [insert name of State].

Section 20. Interpretation. As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

In Witness Whereof the parties have caused this Agreement to be executed by their respective officers duly authorized and their corporate seals to be hereunto affixed and attested as of the date first above written. The parties below certify that the wording of this Agreement is identical to the wording specified in 40 CFR 144.70(a)(1) as such regulations were constituted on the date first above written.

[Signature of Grantor]
By [Title]
Attest:

[TITLE]

[SEAL]

[Signature of Trustee]
By
Attest:

[TITLE]

[SEAL]

(2) The following is an example of the certification of acknowledgment which must accompany the trust agreement for a trust fund as specified in §144.63(a). State requirements may differ on the proper content of this acknowledgment.

State of _____
County of _____

On this [date], before me personally came [owner or operator] to me known, who, being by me duly sworn, did depose and say that she/he resides at [address], that she/he is [title] of [corporation], the corporation described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order to the Board of Directors of said corporation, and that she/he signed her/his name thereto by like order.

[Signature of Notary Public]

(b) A surety bond guaranteeing payment into a trust fund, as specified in §144.63 of this chapter, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

FINANCIAL GUARANTEE BOND

Dated bond executed: _____
Effective date: _____

Principal: [legal name and business address of owner or operator].

Type of organization: [insert "individual," "joint venture," "partnership," or "corporation"].

State of incorporation: _____

Surety(ies): [name(s) and business address(es)].

EPA Identification Number, name, address, and plugging and abandonment amount(s) for each facility guaranteed by this bond [indicate plugging and abandonment amounts separately]: _____

Total penal sum of bond: $_____

Surety's bond number: _____

Know All Persons By These Presents, That we, the Principal and Surity(ies) hereto are firmly bound to the U.S. Environmental Protection Agency (hereinafter called EPA), in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as cosurties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

Whereas said Principal is required, under the Underground Injection Control Regulations (UIC), to have a permit or comply with requirements to operate under rule in order to own or operate each injection well identified above, and

Whereas said Principal is required to provide financial assurance for plugging and abandonment as a condition of the permit or provisions to operate under rule, and

Whereas said Principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, therefore, the conditions of the obligation are such that if the Principal shall faithfully, before the beginning of plugging and abandonment of each injection well identified above, fund the standby trust fund in the amount(s) identified above for the injection well,

Or if the Principal shall fund the standby trust fund in such amount(s) within 15 days after an order to begin plugging and abandonment is issued by an EPA Regional Administrator or a U.S. district court or other court of competent jurisdiction,

Or, if the Principal shall provide alternate financial assurance, as specified in subpart F of 40 CFR part 144, as applicable, and obtain the EPA Regional Administrator's written approval of such assurance, within 90 days after the date of notice of cancellation is received by both the Principal and the EPA Regional Administrator(s) from the Surety(ies), then this obligation shall be null and void, otherwise it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above. Upon notification by an EPA Regional Administrator that the Principal has failed to perform as guaranteed by this bond, the Surety(ies) shall place funds in the amount guaranteed for the injection well(s) into the standby trust funds as directed by the EPA Regional Administrator.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the Principal and to the EPA Regional Administrator(s) for the Region(s) in which the injection well(s) is (are) located, provided, however, that that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by both the Principal and the EPA Regional Administrator(s), as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond by the EPA Regional Administrator(s) of the Region(s) in which the bonded facility(ies) is (are) located.

[The following paragraph is an optional rider that may be included but is not required.]

Principal and Surety(ies) hereby agree to adjust the penal sum of the bond yearly so that it guarantees a new plugging and abandonment amount, provided that the penal sum does not increase by more than 20 percent in any one year, and no decrease in the penal sum takes place without the written permission of the EPA Regional Administrator(s).

In Witness Whereof, the Principal and Surety(ies) have executed this Financial Guarantee Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording of this surety bond is identical to the wording specified in 40 CFR 144.70(b) as such regulations were constituted on the date this bond was executed.

PRINCIPAL

[Signature(s)]
[Name(s)]
[Title(s)]
[Corporate seal]

CORPORATE SURETY(IES)

[Name and address]
State of incorporation: _____.
Liability limit: $_____.
[Signature(s)]
[Name(s) and title(s)]
[Corporate seal]
[For every co-surety, provide signature(s), corporate seal, and other information in the same manner as for Surety above.]
Bond premium: $_____.

(c) A surety bond guaranteeing performance of plugging and abandonment, as specified in §144.63(c), must be worded as follows, except that the instructions in brackets are to be replaced with the relevant information and the brackets deleted:

PERFORMANCE BOND

Date bond executed: _____.
Effective date: _____.
Principal: [legal name and business address of owner or operator].

Type of organization: [insert "individual," "joint venture," "partnership," or "corporation"].

State of incorporation: _____.

Surety(ies): [name(s) and business address(es)]

EPA Identification Number, name, address, and plugging and abandonment amounts(s) for each injection well guaranteed by this bond [indicate plugging and abandonment amounts for each well]:

Total penal sum of bond: $_____.

Surety's bond number: _____.

Know All Persons By These Presents, That We, the Principal and Surety(ies) hereto are firmly bound to the U.S. Environmental Protection Agency [hereinafter called EPA], in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as cosureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

Whereas said Principal is required, under the Undergound Injection Control Regulations, as amended, to have a permit or comply with provisions to operate under rule for each injection well identified above, and

Whereas said Principal is required to provide financial assurance for plugging and abandonment as a condition of the permit or approval to operate under rule, and

Whereas said Principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, Therefore, the conditions of this obligation are such that if the Principal shall faithfully perform plugging and abandonment, whenever required to do so, of each injection well for which this bond guarantees plugging and abandonment, in accordance with the plugging and abandonment plan and other rquirements of the permit or provisions for operating under rule and other requirements of the permit or provisions for operating under rule as may be amended, pursuant to all applicable laws, statutes, rules and regulations, as such laws, statutes, rules, and regulations may be amended,

Or, if the Principal shall provide alternate financial assurance as specified in subpart F of 40 CFR part 144, and obtain the EPA Regional Administrator's written approval of such assurance, within 90 days after the date of notice of cancellation is received by both the Principal and the EPA Regional Administrator(s) from the Surety(ies), then this obligation shall be null and void, otherwise it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above.

Upon notification by an EPA Regional Administrator that the Principal has been found in violation of the plugging and abandonment requirements of 40 CFR part 144, for an injection well which this bond guarantees performances of plugging and abandonment, the Surety(ies) shall either perform plugging and abandonment in accordance with the plugging and abandonment plan and other permit requirements or provisions for operating under rule and other requirements or place the amount for plugging and abandonment into a standby trust fund as directed by the EPA Regional Administrator.

Upon notification by an EPA Regional Administrator that the Principal has failed to provide alternate financial assurance as specified in subpart F of 40 CFR part 144, and obtain written approval of such assurance from the EPA Regional Administrator(s) during the 90 days following receipt by both the Principal and the EPA Regional Administrator(s) of a notice of cancellation of the bond, the Surety(ies) shall place funds in the amount guaranteed for the injection well(s) into the standby trust fund as directed by the EPA Regional Administrator.

The surety(ies) hereby waive(s) notification of amendments to plugging and abandonment plans, permits, applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending notice by certified mail to the owner or operator and to the EPA Regional Administrator(s) for the Region(s) in which the injection well(s) is (are) located, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by both the Principal and the EPA Regional Administrator(s), as evidenced by the return receipts.

The principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall

become effective until the Surety(ies) receive(s) written authorization for termination of the bond by the EPA Regional Administrator(s) of the EPA Region(s) in which the bonded injection well(s) is (are) located.

[The following paragraph is an optional rider that may be included but is not required.]

Principal and Surety(ies) hereby agree to adjust the penal sum of the bond yearly so that it guarantees a new plugging and abandonment amount, provided that the penal sum does not increase by more than 20 percent in any one year, and no decrease in the penal sum takes place without the written permission of the EPA Regional Administrator(s).

In Witness Whereof, The Principal and Surety(ies) have executed this Performance Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording on this surety bond is identical to the wording specified in 40 CFR 144.70(c) as such regulation was constituted on the date this bond was executed.

Principal.
[Signature(s)]
[Name(s)]
[Title(s)]
[Corporate seal]
[Corporate Surety(ies)]
[Name and address]
State of incorporation:

Liability limit: $_____.
[Signature(s)]
[Name(s) and title(s)]
Corporate seal:
[For every co-surety, provide signature(s), corporate seal, and other information in the same manner as for Surety above.]
Bond premium: $_____.

(d) A letter of credit, as specified in §144.63(d) of this chapter, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

IRREVOCABLE STANDBY LETTER OF CREDIT

Regional Administrator(s)
Region(s) _____
U.S. Environmental Protection Agency.
Dear Sir or Madam:

We hereby establish our Irrevocable Standby Letter of Credit No. _____ in your favor, at the request and for the account of [owner's or operator's name and address] up to the aggregate amount of [in words] U.S. dollars $_____, available upon presentation [insert, if more than one Regional Administrator is a beneficiary, "by any one of you"] of

(1) Your sight draft, bearing reference to this letter of credit No. _____, and

(2) Your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Safe Drinking Water Act."

This letter of credit is effective as of [date] and shall expire on [date at least 1 year later], but such expiration date shall be automatically extended for a period of [at least 1 year] on [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and [owner's or operator's name], as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund of [owner's or operator's name] in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in 40 CFR 144.70(d) as such regulations were constituted on the date shown immediately below.

[Signature(s) and title(s) of official(s) of issuing institution]
[Date]

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published and copyrighted by the International Chamber of Commerce," or "the Uniform Commercial Code"].

(e) A certificate of insurance, as specified in §144.63(e) of this chapter, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

Certificate of Insurance for Plugging and Abandonment

Name and Address of Insurer (herein called the "insurer"):

Name and Address of Insurer (herein called the "insurer"):

Injection Wells covered: [list for each well: The EPA Identification Number, name, address, and the amount of insurance for plugging and abandonment (these amounts for all

injection wells covered must total the face amount shown below).]
Face Amount: _____
Policy Number: _____
Effective Date: _____

The insurer hereby certifies that it has issued to the Insured the policy of insurance identified above to provide financial assurance for plugging and abandonment for the injection wells identified above. The Insurer further warrants that such policy conforms in all respects with the requirements of 40 CFR 144.63(e), as applicable and as such regulations were constituted on the date shown immediately below. It is agreed that any provision of the policy inconsistent with such regulations is hereby amended to eliminate such inconsistency.

Whenever requested by the EPA Regional Administrator(s) of the U.S. Environmental Protection Agency, the Insurer agrees to furnish to the EPA Regional Administrator(s) a duplicate original of the policy listed above, including all endorsements thereon.

I hereby certify that the wording of this certificate is identical to the wording specified in 40 CFR 144.70(e) as such regulations were constituted on the date shown immediately below.

[Authorized signature of Insurer]
[Name of person signing]
[Title of person signing]
[Signature of witness or notary:]

_____
[Date]

(f) A letter from the chief financial officer, as specified in §144.63(f) of this chapter, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

LETTER FROM CHIEF FINANCIAL OFFICER

[Address to Regional Administrator of every Region in which injection wells for which financial responsibility is to be demonstrated through the financial test are located.]

I am the chief financial officer of [name and address of firm.] This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in subpart F of 40 CFR part 144.

[Fill out the following four paragraphs regarding injection wells and associated cost estimates. If your firm has no injection wells that belong in a particular paragraph, write "None" in the space indicated. For each injection well, include its EPA Identification Number, name, address, and current plugging and abandonment cost estimate.]

1. This firm is the owner or operator of the following injection wells for which financial assurance for plugging and abandonment is demonstrated through the financial test specified in subpart F of 40 CFR part 144. The current plugging and abandonment cost estimate covered by the test is shown for each injection well: _____.

2. This firm guarantees, through the corporate guarantee specified in subpart F of 40 CFR part 144, the plugging and abandonment of the following injection wells owned or operated by subsidaries of this firm. The current cost estimate for plugging and abandonment so guaranteed is shown for each injection well: _____.

3. In States where EPA is not administering the financial requirements of subpart F of 40 CFR part 144, this firm, as owner or operator or guarantor, is demonstrating financial assurance for the plugging and abandoment of the following injection wells through the use of a test equivalent or substantially equivalent to the financial test specified in subpart F of 40 CFR part 144. The current plugging and abandonment cost estimate covered by such a test is shown for each injection well: _____.

4. This firm is the owner or operator of the following injection wells for which financial assurance for plugging and abandonment is not demonstrated either to EPA or a State through the financial test or any other financial assurance mechanism specified in subpart F of 40 CFR part 144 or equivalent or substantially equivalent State mechanisms. The current plugging and abandonment cost estimate not covered by such financial assurance is shown for each injection well: _____.

This firm [insert "is required" or "is not required"] to file a Form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on [month, day]. The figures for the following items marked with an asterisk are derived from this firm's independently audited, year-end financial statements for the latest completed fiscal year, ended [date].

[Fill in Alternative I if the criteria of paragraph (f)(1)(i) of §144.63 of this chapter are used. Fill in Alternative II if the criteria of paragraph (f)(1)(ii) of §144.63 of this chapter are used.]

ALTERNATIVE I

1. (a) Current plugging and abandonment cost	$_____
(b) Sum of the company's financial responsibilities under 40 CFR Parts 264 and 265, Subpart H, currently met using the financial test or corporate guarantee	.....
(c) Total of lines a and b	.....
*2. Total liabilities [if any portion of the plugging and abandonment cost is included in total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4]	.....
*3. Tangible net worth	.....
*4. Net worth	.....
*5. Current assets	.....
*6. Current liabilities	.....
*7. Net working capital [line 5 minus line 6]	.....

ALTERNATIVE I—Continued

*8. The sum of net income plus depreciation, depletion and amortization		
*9. Total assets in U.S. (required only if less than 90% of firm's assets are located in U.S.)		

	Yes	No
10. Is line 3 at least $10 million?		
11. Is line 3 at least 6 times line 1(c)?		
12. Is line 7 at least 6 times line 1(c)?		
*13. Are at least 90% of firm's assets located in the U.S.? If not, complete line 14.		
14. Is line 9 at least 6 times line 1(c)?		
15. Is line 2 divided by line 4 less than 2.0?		
16. Is line 8 divided by line 2 greater than 0.1?		
17. Is line 5 divided by line 6 greater than 1.5?		

ALTERNATIVE II

1. (a) Current plugging and abandonment cost	$————
(b) Sum of the company's financial responsibilities under 40 CFR Parts 264 and 265, Subpart H, currently met using the financial test or corporate guarantee	
(c) Total of lines a and b	
2. Current bond rating of most recent issuance of this firm and name of rating service	
3. Date of issuance of bond	
4. Date of maturity of bond	
*5. Tangible net worth [if any portion of the plugging and abandonment cost estimate is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line]	
*6. Total assets in U.S. (required only if less than 90% of firm's assets are located in U.S.)	

	Yes	No
7. Is line 5 at least $10 million?		
8. Is line 5 at least 6 times line 1(c)?		
*9. Are at least 90% of the firm's assets located in the U.S.? If not, complete line 10		
10. Is line 6 at least 6 times line 1(c)?		

I hereby certify that the wording of this letter is identical to the wording specified in 40 CFR 144.70(f) as such regulations were constituted on the date shown immediately below.

[Signature]
[Name]
[Title]
[Date]

(g) A corporate guarantee as specified in §144.63(e) must be worded as follows except that instructions in brackets are to be replaced with the relevant information and the bracketed material deleted:

GUARANTEE FOR PLUGGING AND ABANDONMENT

Guarantee made this ____ day of _____, 19____, by [name of guaranteeing entity], a business corporation organized under the laws of the State of _____, herein referred to as guarantor, to the United States Environmental Protection Agency (EPA), obligee, on behalf of our subsidiary [owner or operator] of [business address].

Recitals

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in 40 CFR 144.63(e).

2. [Owner or operator] owns or operates the following Class I hazardous waste injection well covered by this guarantee: [List for each facility: EPA Identification Number, name, and address. Indicate for each whether guarantee is for closure, post-closure care, or both.]

3. "Plugging and abandonment plan" as used below refers to the plans maintained as required by 40 CFR part 144 for the plugging and abandonment of injection wells as identified above.

4. For value received from [owner or operator], guarantor guarantees to EPA that in the event that [owner or operator] fails to perform ["plugging and abandonment"] of the above facility(ies) in accordance with the plugging and abandonment plan and other requirements when required to do so, the guarantor will do so or fund a trust fund as specified in 40 CFR 144.63 in the name of [owner or operator] in the amount of the adjusted plugging and abandonment cost estimates prepared as specified in 40 CFR 144.62.

5. Guarantor agrees that, if at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor will send within 90 days, by certified mail, notice to the EPA Regional Administrator(s) for the Region(s) in which the facility(ies) is (are) located and to [owner or operator] that he intends to provide alternate financial assurance as specified in 40 CFR 144.63 in the name of [owner or operator]. Within 30 days after sending such notice, the guarantor will establish such financial assurance if [owner or operator] has not done so.

6. The guarantor agrees to notify the Regional Administrator, by certified mail, of a voluntary or involuntary case under Title 11, U.S. Code, naming guarantor as debtor, within 10 days after its commencement.

7. Guarantor agrees that within 30 days after being notified by an EPA Regional Administrator of a determination that guarantor no longer meets the financial test criteria or that he is disallowed from continuing as a guarantor of plugging and adandonment, he will establish alternate financial assurance, as specified in 40 CFR

144.63, in the name of [owner or operator] if [owner or operator] has not done so.

8. Guarantor agrees to remain bound under this guarantee notwithstanding any or all of the following: amendment or modification of the plugging and abandonment plan, the extension or reduction of the time of performance of plugging and abandonment or any other modification or alteration of an obligation of [owner or operator] pursuant to 40 CFR part 144.

9. Guarantor agrees to remain bound under this guarantee for so long as [owner or operator] must comply with the applicable financial assurance requirements of 40 CFR part 144 for the above-listed facilities, except that guarantor may cancel this guarantee by sending notice by certified mail, to the EPA Regional Administrator(s) for the Region(s) in which the facility(ies) is (are) located and to [owner or operator], such cancellation to become effective no earlier than 120 days after actual receipt of such notice by both EPA and [owner or operator] as evidenced by the return receipts.

10. Guarantor agrees that if [owner or operator] fails to provide alternate financial assurance and obtain written approval of such assurance from the EPA Regional Administrator(s) within 90 days after a notice of cancellation by the guarantor is received by both the EPA Regional Administrator(s) and [owner or operator], guarantor will provide alternate financial assurance as specified in 40 CFR 144.63 in the name of [owner or operator].

11. Guarantor expressly waives notice of acceptance of this guarantee by the EPA or by [owner or operator]. Guarantor also expressly waives notice of amendments or modifications of the plugging and abandonment plan.

I hereby certify that the wording of this guarantee is identical to the wording specified in 40 CFR 144.70(f).

Effective date: _____.

[Name of guarantor]

[Authorized signature for guarantor]

[Type name of person signing]

[Title of person signing]

Signature of witness or notary: _____

[48 FR 14189, Apr. 1, 1983, as amended at 59 FR 29959, June 10, 1994]

Subpart G—Requirements for Owners and Operators of Class V Injection Wells

SOURCE: 64 FR 68566, Dec. 7, 1999, unless otherwise noted.

§ 144.79 General.

This subpart tells you what requirements apply if you own or operate a Class V injection well. You may also be required to follow additional requirements listed in the rest of this part. Where they may apply, these other requirements are referenced rather than repeated. The requirements described in this subpart and elsewhere in this part are to protect underground sources of drinking water and are part of the Underground Injection Control (UIC) Program established under the Safe Drinking Water Act. This subpart is written in a special format to make it easier to understand the regulatory requirements. Like other EPA regulations, it establishes enforceable legal requirements.

DEFINITION OF CLASS V INJECTION WELLS

§ 144.80 What is a Class V injection well?

As described in §144.6, injection wells are classified as follows:

(a) *Class I.* (1) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to inject hazardous waste beneath the lowermost formation containing, within one-quarter mile of the well bore, an underground source of drinking water.

(2) Other industrial and municipal disposal wells which inject fluids beneath the lowermost formation containing, within one quarter mile of the well bore, an underground source of drinking water;

(3) Radioactive waste disposal wells which inject fluids below the lowermost formation containing an underground source of drinking water within one quarter mile of the well bore.

(b) *Class II.* Wells which inject fluids:

(1) Which are brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters are classified as a hazardous waste at the time of injection.

(2) For enhanced recovery of oil or natural gas; and

(3) For storage of hydrocarbons which are liquid at standard temperature and pressure.

(c) *Class III.* Wells which inject fluids for extraction of minerals including:

(1) Mining of sulfur by the Frasch process;

(2) *In situ* production of uranium or other metals; this category includes only in situ production from ore bodies which have not been conventionally mined. Solution mining of conventional mines such as stopes leaching is included in Class V.

(3) Solution mining of salts or potash.

(d) *Class IV.* (1) Wells used by generators of hazardous waste or of radioactive waste, by owners and operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste into a formation which within one quarter (¼) mile of the well contains an underground source of drinking water.

(2) Wells used by generators of hazardous waste or of radioactive waste, by owners and operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste above a formation which within one quarter (¼) mile of the well contains an underground source of drinking water.

(3) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to dispose of hazardous waste, which cannot be classified under paragraph (a)(1) or (d)(1) and (2) of this section (e.g., wells used to dispose of hazardous waste into or above a formation which contains an aquifer which has been exempted pursuant to 40 CFR 146.04).

(e) *Class V.* Injection wells not included in Class I, II, III or IV. Typically, Class V wells are shallow wells used to place a variety of fluids directly below the land surface. However, if the fluids you place in the ground qualify as a hazardous waste under the Resource Conservation and Recovery Act (RCRA), your well is either a Class I or Class IV well, not a Class V well. Examples of Class V wells are described in §144.81.

§144.81 Does this subpart apply to me?

This subpart applies to you if you own or operate a Class V well, for example:

(1) Air conditioning return flow wells used to return to the supply aquifer the water used for heating or cooling in a heat pump;

(2) Large capacity cesspools including multiple dwelling, community or regional cesspools, or other devices that receive sanitary wastes, containing human excreta, which have an open bottom and sometimes perforated sides. The UIC requirements do not apply to single family residential cesspools nor to non-residential cesspools which receive solely sanitary waste and have the capacity to serve fewer than 20 persons a day.

(3) Cooling water return flow wells used to inject water previously used for cooling;

(4) Drainage wells used to drain surface fluids, primarily storm runoff, into a subsurface formation;

(5) Dry wells used for the injection of wastes into a subsurface formation;

(6) Recharge wells used to replenish the water in an aquifer;

(7) Salt water intrusion barrier wells used to inject water into a fresh aquifer to prevent the intrusion of salt water into the fresh water;

(8) Sand backfill and other backfill wells used to inject a mixture of water and sand, mill tailings or other solids into mined out portions of subsurface mines whether what is injected is a radioactive waste or not.

(9) Septic system wells used to inject the waste or effluent from a multiple dwelling, business establishment, community or regional business establishment septic tank. The UIC requirements do not apply to single family residential septic system wells, nor to non-residential septic system wells which are used solely for the disposal of sanitary waste and have the capacity to serve fewer than 20 persons a day.

(10) Subsidence control wells (not used for the purpose of oil or natural gas production) used to inject fluids into a non-oil or gas producing zone to reduce or eliminate subsidence associated with the overdraft of fresh water;

(11) Injection wells associated with the recovery of geothermal energy for heating, aquaculture and production of electric power;

(12) Wells used for solution mining of conventional mines such as stopes leaching;

(13) Wells used to inject spent brine into the same formation from which it was withdrawn after extraction of halogens or their salts;

(14) Injection wells used in experimental technologies.

(15) Injection wells used for in situ recovery of lignite, coal, tar sands, and oil shale.

(16) Motor vehicle waste disposal wells that receive or have received fluids from vehicular repair or maintenance activities, such as an auto body repair shop, automotive repair shop, new and used car dealership, specialty repair shop (e.g., transmission and muffler repair shop), or any facility that does any vehicular repair work. Fluids disposed in these wells may contain organic and inorganic chemicals in concentrations that exceed the maximum contaminant levels (MCLs) established by the primary drinking water regulations (see 40 CFR part 141). These fluids also may include waste petroleum products and may contain contaminants, such as heavy metals and volatile organic compounds, which pose risks to human health.

[64 FR 68566, Dec. 7, 1999, as amended at 67 FR 39593, June 7, 2002]

REQUIREMENTS FOR ALL CLASS V INJECTION WELLS

§ 144.82 What must I do to protect underground sources of drinking water?

If you own or operate any type of Class V well, the regulations below require that you cannot allow movement of fluid into USDWs that might cause endangerment, you must comply with other Federal UIC requirements in 40 CFR parts 144 through 147, and you must comply with any other measures required by your State or EPA Regional Office UIC Program to protect USDWs, and you must properly close your well when you are through using it. You also must submit basic information about your well, as described in § 144.83.

(a) *Prohibition of fluid movement.* (1) As described in § 144.12(a), your injection activity cannot allow the movement of fluid containing any contaminant into USDWs, if the presence of that contaminant may cause a violation of the primary drinking water standards under 40 CFR part 141, other health based standards, or may otherwise adversely affect the health of persons. This prohibition applies to your well construction, operation, maintenance, conversion, plugging, closure, or any other injection activity.

(2) If the Director of the UIC Program in your State or EPA Region learns that your injection activity may endanger USDWs, he or she may require you to close your well, require you to get a permit, or require other actions listed in § 144.12(c), (d), or (e).

(b) *Closure requirements.* You must close the well in a manner that complies with the above prohibition of fluid movement. Also, you must dispose or otherwise manage any soil, gravel, sludge, liquids, or other materials removed from or adjacent to your well in accordance with all applicable Federal, State, and local regulations and requirements.

(c) *Other requirements in Parts 144 through 147.* Beyond this subpart, you are subject to other UIC Program requirements in 40 CFR parts 144 through 147. While most of the relevant requirements are repeated or referenced in this subpart for convenience, you need to read these other parts to understand the entire UIC Program.

(d) *Other State or EPA requirements.* 40 CFR parts 144 through 147 define minimum Federal UIC requirements. EPA Regional Offices administering the UIC Program have the flexibility to establish additional or more stringent requirements based on the authorities in parts 144 through 147, if believed to be necessary to protect USDWs. States can have their own authorities to establish additional or more stringent requirements if needed to protect USDWs. You must comply with these additional requirements, if any exist in your area. Contact the UIC Program Director in your State or EPA Region to learn more.

§ 144.83 Do I need to notify anyone about my Class V injection well?

Yes, you need to provide basic "inventory information" about your well to the UIC Director, if you haven't already. You also need to provide any additional information that your UIC Program Director requests in accordance with the provisions of the UIC regulations.

(a) *Inventory requirements.* Unless you know you have already satisfied the inventory requirements in §144.26 that were in effect prior to the issuance of this Subpart G, you must give your UIC Program Director certain information about yourself and your injection operation.

NOTE: This information is requested on national form "Inventory of Injection Wells," OMB No. 2040–0042.

(1) The requirements differ depending on your well status and location, as described in the following table:

If your well is . . .	And you're in one of these locations ("Primacy" States, where the State runs the Class V UIC Program): Alabama, Arkansas, Commonwealth of Northern Mariana Islands, Connecticut, Delaware, Florida, Georgia, Guam, Idaho, Illinois, Kansas, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, or Wyoming	Or you're in one of these locations ("Direct Implementation" or DI Programs, where EPA runs the Class V UIC Program): Alaska, American Samoa, Arizona, California, Colorado, Hawaii, Indiana, Iowa, Kentucky, Michigan, Minnesota, Montana, New York, Pennsylvania, South Dakota, Tennessee, Virginia, Virgin Islands, Washington, DC, or any Indian Country
(i) New (prior to construction of your well)	. . . then you must contact your State UIC Program to determine what you must submit and by when..	. . . then you must submit the inventory information described in (a)(2) of this section prior to constructing your well.
(ii) Existing (construction underway or completed).	. . . then you must contact your State UIC Program to determine what you must submit and by when..	. . . then you must cease injection and submit the inventory information. You may resume injection 90 days after you submit the information unless the UIC Program Director notifies you that injection may not resume or may resume sooner.

(2) If your well is in a Primacy State or a DI Program State, here is the information you must submit:

(i) No matter what type of Class V well you own or operate, you must submit at least the following information for each Class V well: facility name and location; name and address of legal contact; ownership of facility; nature and type of injection well(s); and operating status of injection well(s).

(ii) *Additional information.* If you are in a Direct Implementation State and you own or operate a well listed below you must also provide the information listed in paragraph (a) (2) (iii) as follows:

(A) Sand or other backfill wells (40 CFR 144.81(8) and 146.5(e)(8) of this chapter);

(B) Geothermal energy recovery wells (40 CFR 144.81(11) and 146.5 (e)(12) of this chapter);

(C) Brine return flow wells (40 CFR 144.81(13) and 146.5 (e)(14) of this chapter);

(D) Wells used in experimental technology (40 CFR 144.81(14) and 146.5 (e)(15) of this chapter);

(E) Municipal and industrial disposal wells other than Class I; and

(F) Any other Class V wells at the discretion of the Regional Administrator.

(iii) You must provide a list of all wells owned or operated along with the following information for each well. (A single description of wells at a single facility with substantially the same characteristics is acceptable).

(A) Location of each well or project given by Township, Range, Section, and Quarter-Section, or by latitude and longitude to the nearest second, according to the conventional practice in your State;

(B) Date of completion of each well;

(C) Identification and depth of the underground formation(s) into which each well is injecting;

(D) Total depth of each well;

(E) Construction narrative and schematic (both plan view and cross-sectional drawings);

(F) Nature of the injected fluids;

(G) Average and maximum injection pressure at the wellhead;

(H) Average and maximum injection rate; and

(I) Date of the last inspection.

(3) Regardless of whether your well is in a Primacy State or DI Program you are responsible for knowing about, understanding, and complying with these inventory requirements.

(b) *Information in response to requests.* If you are in one of the DI Programs listed in the table above, the UIC Program Director may require you to submit other information believed necessary to protect underground sources of drinking water.

(1) Such information requirements may include, but are not limited to:

(i) Perform ground water monitoring and periodically submit your monitoring results;

(ii) Analyze the fluids you inject and periodically submit the results of your analyses;

(iii) Describe the geologic layers through which and into which you are injecting; and

(iv) Conduct other analyses and submit other information, if needed to protect underground sources of drinking water.

(2) If the Director requires this other information, he or she will request it from you in writing, along with a brief statement on why the information is required. This written notification also will tell you when to submit the information.

(3) You are prohibited from using your injection well if you fail to comply with the written request within the time frame specified. You can start injecting again only if you receive a permit.

§ 144.84 Do I need to get a permit?

No, unless you fall within an exception described below:

(a) *General authorization by rule.* With certain exceptions listed in paragraph (b) of this section, your Class V injection activity is "authorized by rule," meaning you have to comply with all the requirements of this subpart and the rest of the UIC Program but you don't have to get an individual permit. Well authorization expires once you have properly closed your well, as described in § 144.82(b).

(b) *Circumstances in Which Permits or other Actions are Required.* If you fit into one of the categories listed below, your Class V well is no longer authorized by rule. This means that you have to either get a permit or close your injection well. You can find out by contacting the UIC Program Director in your State or EPA Region if this is the case. Subpart D of this Part tells you how to apply for a permit and describes other aspects of the permitting process. Subpart E of this Part outlines some of the requirements that apply to you if you get a permit.

(1) You fail to comply with the prohibition of fluid movement standard in § 144.12(a) and described in § 144.82(a) (in which case, you have to get a permit, close your well, and/or comply with other conditions determined by the UIC Program Director in your State or EPA Region);

(2) You own or operate a Class V large-capacity cesspool (in which case, you must close your well as specified in the additional requirements below) or a Class V motor vehicle waste disposal well in a ground water protection area or sensitive ground water area (in which case, you must either close your well or get a permit as specified in the additional requirements in this subsection). New motor vehicle waste disposal wells and new cesspools are prohibited as of April 5, 2000;

(3) You are specifically required by the UIC Program Director in your State or EPA Region to get a permit (in which case, rule authorization expires upon the effective date of the permit issued, or you are prohibited from injecting into your well upon:

(i) Failure to submit a permit application in a timely manner as specified in a notice from the Director; or

(ii) Upon the effective date of permit denial);

(4) You have failed to submit inventory information to your UIC Program

Director, as described in §144.83(a) (in which case, you are prohibited from injecting into your well until you comply with the inventory requirements); or

(5) If you are in a DI State and you received a request from your UIC Program Director for additional information under §144.83(b), and have failed to comply with the request in a timely manner (in which case, you are prohibited from injecting into your well until you get a permit).

ADDITIONAL REQUIREMENTS FOR CLASS V LARGE-CAPACITY CESSPOOLS AND MOTOR VEHICLE WASTE DISPOSAL WELLS

§ 144.85 Do these additional requirements apply to me?

(a) *Large-Capacity Cesspools.* The additional requirements apply to all new and existing large-capacity cesspools regardless of their location. If you are using a septic system for these type of wastes you are not subject to the additional requirements in this subpart.

(b) *Motor Vehicle Waste Disposal Wells Existing on April 5, 2000.* If you have a Class V motor vehicle waste disposal well these requirements apply to you if your well is located in a ground water protection area or other sensitive ground water area that is identified by your State or EPA Region. If your State or EPA Region fails to identify ground water protection areas and/or other sensitive ground water areas these requirements apply to all Class V motor vehicle wells in the State.

(c) *New Motor Vehicle Waste Disposal Wells.* The additional requirements apply to all new motor vehicle waste disposal wells as of April 5, 2000.

§ 144.86 What are the definitions I need to know?

(a) *State Drinking Water Source Assessment and Protection Program.* This is a new approach to protecting drinking water sources, specified in the 1996 Amendments to the Safe Drinking Water Act at Section 1453. States must prepare and submit for EPA approval a program that sets out how States will conduct local assessments, including: delineating the boundaries of areas providing source waters for public water systems; identifying significant potential sources of contaminants in such areas; and determining the susceptibility of public water systems in the delineated areas to the inventoried sources of contamination.

(b) *Complete Local Source Water Assessment for Ground Water Protection Areas.* When EPA has approved a State's Drinking Water Source Assessment and Protection Program, States will begin to conduct local assessments for each public water system in their State. For the purposes of this rule, local assessments for community water systems and non-transient non-community systems are complete when four requirements are met: First, a State must delineate the boundaries of the assessment area for community and non-transient non-community water systems. Second, the State must identify significant potential sources of contamination in these delineated areas. Third, the State must "determine the susceptibility of community and non-transient non-community water systems in the delineated area to such contaminants." Lastly, each State will develop its own plan for making the completed assessments available to the public.

(c) *Ground Water Protection Area.* A ground water protection area is a geographic area near and/or surrounding community and non-transient non-community water systems that use ground water as a source of drinking water. These areas receive priority for the protection of drinking water supplies and States are required to delineate and assess these areas under section 1453 of the Safe Drinking Water Act. The additional requirements in §144.88 apply to you if your Class V motor vehicle waste disposal well is in a ground water protection area for either a community water system or a non-transient non-community water system, in many States, these areas will be the same as Wellhead Protection Areas that have been or will be delineated as defined in section 1428 of the SDWA.

(d) *Community Water System.* A community water system is a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

(e) *Non-transient Non-community Water System.* A public water system that is not a community water system and that regularly serves at least 25 of the same people over six months a year. These may include systems that provide water to schools, day care centers, government/military installations, manufacturers, hospitals or nursing homes, office buildings, and other facilities.

(f) *Delineation.* Once a State's Drinking Water Source Assessment and Protection Program is approved, the States will begin delineating their local assessment areas. Delineation is the first step in the assessment process in which the boundaries of ground water protection areas are identified.

(g) *Other Sensitive Ground Water Areas.* States may also identify other areas in the State in addition to ground water protection areas that are critical to protecting underground sources of drinking water from contamination. These other sensitive ground water areas may include areas such as areas overlying sole-source aquifers; highly productive aquifers supplying private wells; continuous and highly productive aquifers at points distant from public water supply wells; areas where water supply aquifers are recharged; karst aquifers that discharge to surface reservoirs serving as public water supplies; vulnerable or sensitive hydrogeologic settings, such as glacial outwash deposits, eolian sands, and fractured volcanic rock; and areas of special concern selected based on a combination of factors, such as hydrogeologic sensitivity, depth to ground water, significance as a drinking water source, and prevailing land-use practices.

§ 144.87 How does the identification of ground water protection areas and other sensitive ground water areas affect me?

(a) You are subject to these new requirements if you own or operate an existing motor vehicle well and you are located in a ground water protection area or an other sensitive ground water area. If your State or EPA Region fails to identify these areas within the specified time frames these requirements apply to all existing motor vehicle waste disposal wells within your State.

(b) *Ground Water Protection Areas.* (1) For the purpose of this subpart, States are required to complete all local source water assessments for ground water protection areas by January 1, 2004. Once a local assessment for a ground water protection area is complete every existing motor vehicle waste disposal well owner in that ground water protection area has one year to close the well or receive a permit. If a State fails to complete all local assessments for ground water protection areas by January 1, 2004, the following may occur:

(i) The new requirements in this subpart will apply to all existing motor vehicle waste disposal wells in the State and owners and operators of motor vehicle waste disposal wells located outside of completed assessments for ground water protection areas must close their well or receive a permit by January 1, 2005.

(ii) EPA may grant a State an extension for up to one year from the January 1, 2004 deadline if the State is making reasonable progress in completing the source water assessments for ground water protection areas. States must apply for the extension by June 1, 2003. If a State fails to complete the assessments for the remaining ground water protection areas by the extended date the rule requirements will apply to all motor vehicle waste disposal wells in the State and owners and operators of motor vehicle waste disposal wells located outside of ground water protection areas with completed assessments must close their well or receive a permit by January 1, 2006.

(2) The UIC Program Director may extend the compliance deadline for specific motor vehicle waste disposal wells for up to one year if the most efficient compliance option for the well is connection to a sanitary sewer or installation of new treatment technology.

(c) *Other Sensitive Ground Water Areas.* States may also delineate other sensitive ground water areas by January 1, 2004. Existing motor vehicle waste disposal well owners and operators within other sensitive ground water areas have until January 1, 2007 to receive a permit or close the well. If

a State or EPA Region fails to identify these additional sensitive ground water areas by January 1, 2004, the new requirements of this rule will apply to all motor vehicle waste disposal wells in the State effective January 1, 2007 unless they are subject to a different compliance date pursuant to paragraph (b) of this section. Again, EPA may extend the January 1, 2004 deadline for up to one year for States to delineate other sensitive ground water areas if the State is making reasonable progress in identifying the sensitive areas. States must apply for this extension by June 1, 2003. If a State has been granted an extension, existing motor vehicle waste disposal well owners and operators within the sensitive ground water areas have until January 1, 2008 to close the well or receive a permit, unless they are subject to a different compliance date pursuant to paragraph (b) of this section. If a State has been granted an extension and fails to delineate sensitive areas by the extended date, the rule requirements will apply to all motor vehicle waste disposal wells in the State and owners and operators have until January 1, 2008 to close the well or receive a permit, unless they are subject to a different compliance date pursuant to paragraph (b) of this section.

(d) *How to Find Out if Your Well is in a Ground Water Protection Area or Sensitive Ground Water Area.* States are required to make their local source water assessments widely available to the public through a variety of methods after the assessments are complete. You can find out if your Class V well is in a ground water protection area by contacting the State agency responsible for the State Drinking Water Source Assessment and Protection Program in your area. You may call the Safe Drinking Water Hotline at 1–800–426–4791 to find out who to call in your State for this information. The State office responsible for implementing the Drinking Water Source Assessment and Protection Program makes the final and official determination of boundaries for ground water protection areas. Because States that choose to delineate other sensitive ground water areas are also required to make the information on these areas accessible to the public, they may do so in a manner similar to the process used by the States in publicizing the EPA approved Drinking Water Source Assessment and Protection Program. You can find out if your Class V well is in an other sensitive ground water area by contacting the State or Federal agency responsible for the Underground Injection Control Program. You may call the Safe Drinking Water Hotline at 1–800–426–4791 to find out who to call for information.

(e) *Changes in the Status of the EPA Approved State Drinking Water Source Assessment and Protection Program.* After January 1, 2004 your State may assess a ground water protection area for ground water supplying a new community water system or a new nontransient non-community water system that includes your Class V injection well. Also, your State may officially re-delineate the boundaries of a previously delineated ground water protection area to include additional areas that includes your motor vehicle waste disposal well. This would make the additional regulations apply to you if your motor vehicle waste disposal well is in such an area. The additional regulations start applying to you one year after the State completes the local assessment for the ground water protection area for the new drinking water system or the new re-delineated area. The UIC Program Director responsible for your area may extend this deadline for up to one year if the most efficient compliance option for the well is connection to a sanitary sewer or installation of new treatment technology.

(f) *What Happens if My State Doesn't Designate Other Sensitive Ground Water Areas?* If your State or EPA Region elects not to delineate the additional sensitive ground water areas, the additional regulations apply to you regardless of the location of your well by January 1, 2007, or January 2008 if an extension has been granted as explained in paragraph (c) of this section, except for wells in ground water protection areas which are subject to different compliance deadlines explained in paragraph (b) of this section.

(g) [Reserved]

(h) *Application of Requirements Outside of Ground Water Protection Areas and Sensitive Ground Water Areas.* EPA expects and strongly encourages States to use existing authorities in the UIC program to take whatever measures are needed to ensure Class V wells are not endangering USDWs in any other areas outside of delineated ground water protection areas and sensitive ground water areas. Such measures could include, if believed to be necessary by a UIC Program Director, applying the additional requirements below to other areas and/or other types of Class V wells. Therefore, the Director may apply the additional requirements to you, even if you are not located in the areas listed in paragraph (a) of this section.

§ 144.88 What are the additional requirements?

The additional requirements are specified in the following tables:

(a) TABLE 1—ADDITIONAL REQUIREMENTS FOR LARGE-CAPACITY CESSPOOLS STATEWIDE

[See § 144.85 to determine if these additional requirements apply to you]

Well Status	Requirement	Deadline
If your cesspool is. . .	Then you. . .	By. . .
(1) Existing (operational or under construction by April 5, 2000).	(i) Must close the well	April 5, 2005.
	(ii) Must notify the UIC Program Director (both Primacy States and Direct Implementation States) of your intent to close the well.. Note: This information is requested on national form "Preclosure Notification for Closure of Injection Wells,".	At least 30 days prior to closure.
(2) New or converted (construction not started before April 5, 2000).	Are prohibited	April 5, 2000.

(b) TABLE 2—ADDITIONAL REQUIREMENTS FOR MOTOR VEHICLE WASTE DISPOSAL WELLS

[See § 144.85 to determine if these additional requirements apply to you]

Well status	Requirement	Deadline
If your motor vehicle waste disposal well is	Then. . .	By. . .
(1) Existing (operational or under construction by April 5, 2000).	(i) If your well is in a ground water protection area, you must close the well or obtain a permit.	Within 1 year of the completion of your local source water assessment; your UIC Program Director may extend the closure deadline, but not the permit application deadline, for up to one year if the most efficient compliance option is connection to a sanitary sewer or installation of new treatment technology.
	(ii) If your well is in an other sensitive ground water area, you must close the well or obtain a permit.	By January 1, 2007; your UIC Program Director may extend the closure deadline, but not the permit application deadline, for up to one year if the most efficient compliance option is connection to a sanitary sewer or installation of new treatment technology.
	(iii) If you plan to seek a waiver from the ban and apply for a permit, you must meet MCLs at the point of injection while your permit application is under review, if you choose to keep operating your well.	The date you submit your permit application.

(b) TABLE 2—ADDITIONAL REQUIREMENTS FOR MOTOR VEHICLE WASTE DISPOSAL WELLS—Continued

[See § 144.85 to determine if these additional requirements apply to you]

Well status	Requirement	Deadline
If your motor vehicle waste disposal well is	Then. . .	By. . .
	(iv) If you receive a permit, you must comply with all permit conditions, if you choose to keep operating your well, including requirements to meet MCLs and other health based standards at the point of injection, follow best management practices, and monitor your injectate and sludge quality.	The date(s) specified in your permit.
	(v) If your well is in a State which has not completed all their local assessments by January 1, 2004 or by the extended date if your State has obtained an extension as described in 144.87, and you are outside an area with a completed assessment you must close the well or obtain a permit.	January 1, 2005 unless your State obtains an extension as described in 144.87 (b) in which case your deadline is January 1, 2006; your UIC Program Director may extend the closure deadline, but not the permit application deadline, for up to one year if the most efficient compliance option is connection to a sanitary sewer or installation of new treatment technology.
	(vi) If your well is in a State that has not delineated other sensitive ground water areas by January 1, 2004 and you are outside of an area with a completed assessment you must close the well or obtain a permit regardless of your location.	January 1, 2007 unless your State obtains an extension as described in 144.87(c) in which case your deadline is January 2008.
	(vii) If you plan to close your well, you must notify the UIC Program Director of your intent to close the well (this includes closing your well prior to conversion). Note: This information is requested on national form "Preclosure Notification for Closure of Injection Wells"..	At least 30 days prior to closure.
(2) New or converted (construction not started before April 5, 2000).	Are prohibited	April 5, 2000.

[64 FR 68566, Dec. 7, 1999; 64 FR 70316, Dec. 16, 1999]

§ 144.89 How do I close my Class V injection well?

The following describes the requirements for closing your Class V injection well.

(a) *Closure.* (1) Prior to closing a Class V large-capacity cesspool or motor vehicle waste disposal well, you must plug or otherwise close the well in a manner that complies with the prohibition of fluid movement standard in § 144.12 and summarized in § 144.82(a). If the UIC Program Director in your State or EPA Region has any additional or more specific closure standards, you have to meet those standards too. You also must dispose or otherwise manage any soil, gravel, sludge, liquids, or other materials removed from or adjacent to your well in accordance with all applicable Federal, State, and local regulations and requirements, as in § 144.82(b).

(2) Closure does not mean that you need to cease operations at your facility, only that you need to close your well. A number of alternatives are available for disposing of waste fluids. Examples of alternatives that may be available to motor vehicle stations include: recycling and reusing wastewater as much as possible; collecting and recycling petroleum-based fluids,

coolants, and battery acids drained from vehicles; washing parts in a self-contained, recirculating solvent sink, with spent solvents being recovered and replaced by the supplier; using absorbents to clean up minor leaks and spills, and placing the used materials in approved waste containers and disposing of them properly; using a wet vacuum or mop to pick up accumulated rain or snow melt, and if allowed, connecting floor drains to a municipal sewer system or holding tank, and if allowed, disposing of the holding tank contents through a publicly owned treatment works. You should check with the publicly owned treatment works you might use to see if they would accept your wastes. Alternatives that may be available to owners and operators of a large-capacity cesspool include: conversion to a septic system; connection to sewer; and installation of an on-site treatment unit.

(b) *Conversions.* In limited cases, the UIC Director may authorize the conversion (reclassification) of a motor vehicle waste disposal well to another type of Class V well. Motor vehicle wells may only be converted if: all motor vehicle fluids are segregated by physical barriers and are not allowed to enter the well; and, injection of motor vehicle waste is unlikely based on a facility's compliance history and records showing proper waste disposal. The use of a semi-permanent plug as the means to segregate waste is not sufficient to convert a motor vehicle waste disposal well to another type of Class V well.

[64 FR 68566, Dec. 7, 1999; 65 FR 5024, Feb. 2, 2000]

PART 145—STATE UIC PROGRAM REQUIREMENTS

Subpart A—General Program Requirements

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145.1 Purpose and scope.
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Subpart B—Requirements for State Programs

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145.12 Requirements for compliance evaluation programs.
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Subpart C—State Program Submissions

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145.31 Approval process.
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Subpart E—Indian Tribes

145.52 Requirements for Tribal eligibility.
145.56 Request by an Indian Tribe for a determination of eligibility.
145.58 Procedure for processing an Indian Tribe's application.

AUTHORITY: 42 U.S.C. 300f *et seq.*

SOURCE: 48 FR 14202, Apr. 1, 1983, unless otherwise noted.

Subpart A—General Program Requirements

§ 145.1 Purpose and scope.

(a) This part specifies the procedures EPA will follow in approving, revising, and withdrawing State programs under section 1422 (underground injection control—UIC) of SDWA, and includes the elements which must be part of submissions to EPA for program approval and the substantive provisions which must be present in State programs for them to be approved.

(b) State submissions for program approval must be made in accordance with the procedures set out in subpart C. This includes developing and submitting to EPA a program description (§145.23), an Attorney General's Statement (§145.24), and a Memorandum of Agreement with the Regional Administrator (§145.25).

(c) The substantive provisions which must be included in State programs to obtain approval include requirements

for permitting, compliance evaluation, enforcement, public participation, and sharing of information. The requirements are found in subpart B. Many of the requirements for State programs are made applicable to States by cross-referencing other EPA regulations. In particular, many of the provisions of parts 144 and 124 are made applicable to States by the references contained in §145.11.

(d) Upon submission of a complete program, EPA will conduct a public hearing, if interest is shown, and determine whether to approve or disapprove the program taking into consideration the requirements of this part, the Safe Drinking Water Act and any comments received.

(e) Upon approval of a State program, the Administrator shall suspend the issuance of Federal permits for those activities subject to the approved State program.

(f) Any State program approved by the Administrator shall at all times be conducted in accordance with the requirements of this part.

(g) Nothing in this part precludes a State from:

(1) Adopting or enforcing requirements which are more stringent or more extensive than those required under this part;

(2) Operating a program with a greater scope of coverage than that required under this part. Where an approved State program has a greater scope of coverage than required by Federal law the additional coverage is not part of the federally approved program.

(h) Section 1451 of the SDWA authorizes the Administrator to delegate primary enforcement responsibility for the Underground Injection Control Program to eligible Indian Tribes. An Indian Tribe must establish its eligibility to be treated as a State before it is eligible to apply for Underground Injection Control grants and primary enforcement responsibility. All requirements of parts 124, 144, 145, and 146 that apply to States with UIC primary enforcement responsibility also apply to Indian Tribes except where specifically noted.

[48 FR 14202, Apr. 1, 1983, as amended at 53 FR 37412, Sept. 26, 1988; 59 FR 64345, Dec. 14, 1994]

§145.2 Definitions.

The definitions of part 144 apply to all subparts of this part.

Subpart B—Requirements for State Programs

§145.11 Requirements for permitting.

(a) All State programs under this part must have legal authority to implement each of the following provisions and must be administered in conformance with each; except that States are not precluded from omitting or modifying any provisions to impose more stringent requirements.

(1) Section 144.5(b)—(Confidential information);

(2) Section 144.6—(Classification of injection wells);

(3) Section 144.7—(Identification of underground sources of drinking water and exempted aquifers);

(4) Section 144.8—(Noncompliance reporting);

(5) Section 144.11—(Prohibition of unauthorized injection);

(6) Section 144.12—(Prohibition of movement of fluids into underground sources of drinking water);

(7) Section 144.13—(Elimination of Class IV wells);

(8) Section 144.14—(Requirements for wells managing hazardous waste);

(9) Sections 144.21–144.26—(Authorization by rule);

(10) Section 144.31—(Application for a permit);

(11) Section 144.32—(Signatories);

(12) Section 144.33—(Area Permits);

(13) Section 144.34—(Emergency permits);

(14) Section 144.35—(Effect of permit);

(15) Section 144.36—(Duration);

(16) Section 144.38—(Permit transfer);

(17) Section 144.39—(Permit modification);

(18) Section 144.40—(Permit termination);

(19) Section 144.51—(Applicable permit conditions);

(20) Section 144.52—(Establishing permit conditions);

(21) Section 144.53(a)—(Schedule of compliance);

(22) Section 144.54—(Monitoring requirements);

(23) Section 144.55—(Corrective Action);

(24) Section 124.3(a)—(Application for a permit);

(25) Section 124.5 (a), (c), (d), and (f)—(Modification of permits);

(26) Section 124.6 (a), (c), (d), and (e)—(Draft Permit);

(27) Section 124.8—(Fact sheets);

(28) Section 124.10 (a)(1)(ii), (a)(1)(iii), (a)(1)(v), (b), (c), (d), and (e)—(Public notice);

(29) Section 124.11—(Public comments and requests for hearings);

(30) Section 124.12(a)—(Public hearings); and

(31) Section 124.17 (a) and (c)—(Response to comments).

(32) Section 144.88—(What are the additional requirements?);

(b)(1) States need not implement provisions identical to the provisions listed in paragraphs (a)(1) through (a)(32) of this section. Implemented provisions must, however, establish requirements at least as stringent as the corresponding listed provisions. While States may impose more stringent requirements, they may not make one requirement more lenient as a tradeoff for making another requirement more stringent; for example, by requiring that public hearings be held prior to issuing any permit while reducing the amount of advance notice of such a hearing.

(2) State programs may, if they have adequate legal authority, implement any of the provisions of parts 144 and 124. See, for example §144.37(d) (continuation of permits) and §124.4 (consolidation of permit processing).

[48 FR 14202, Apr. 1, 1983, as amended at 64 FR 78572, Dec. 7, 1999]

§ 145.12 Requirements for compliance evaluation programs.

(a) State programs shall have procedures for receipt, evaluation, retention and investigation for possible enforcement of all notices and reports required of permittees and other regulated persons (and for investigation for possible enforcement of failure to submit these notices and reports).

(b) State programs shall have inspection and surveillance procedures to determine, independent of information supplied by regulated persons, compliance or noncompliance with applicable program requirements. The State shall maintain:

(1) A program which is capable of making comprehensive surveys of all facilities and activities subject to the State Director's authority to identify persons subject to regulation who have failed to comply with permit application or other program requirements. Any compilation, index, or inventory of such facilities and activities shall be made available to the Regional Administrator upon request;

(2) A program for periodic inspections of the facilities and activities subject to regulation. These inspections shall be conducted in a manner designed to:

(i) Determine compliance or noncompliance with issued permit conditions and other program requirements;

(ii) Verify the accuracy of information submitted by permittees and other regulated persons in reporting forms and other forms supplying monitoring data; and

(iii) Verify the adequacy of sampling, monitoring, and other methods used by permittees and other regulated persons to develop that information;

(3) A program for investigating information obtained regarding violations of applicable program and permit requirements; and

(4) Procedures for receiving and ensuring proper consideration of information submitted by the public about violations. Public effort in reporting violations shall be encouraged and the State Director shall make available information on reporting procedures.

(c) The State Director and State officers engaged in compliance evaluation shall have authority to enter any site or premises subject to regulation or in which records relevant to program operation are kept in order to copy any records, inspect, monitor or otherwise investigate compliance with permit conditions and other program requirements. States whose law requires a search warrant before entry conform with this requirement.

(d) Investigatory inspections shall be conducted, samples shall be taken and other information shall be gathered in a manner [e.g., using proper "chain of custody" procedures] that will produce evidence admissible in an enforcement proceeding or in court.

§ 145.13 Requirements for enforcement authority.

(a) Any State agency administering a program shall have available the following remedies for violations of State program requirements:

(1) To restrain immediately and effectively any person by order or by suit in State court from engaging in any unauthorized activity which is endangering or causing damage to public health or environment;

NOTE: This paragraph requires that States have a mechanism (e.g., an administrative cease and desist order or the ability to seek a temporary restraining order) to stop any unauthorized activity endangering public health or the environment.

(2) To sue in courts of competent jurisdiction to enjoin any threatened or continuing violation of any program requirement, including permit conditions, without the necessity of a prior revocation of the permit;

(3) To assess or sue to recover in court civil penalties and to seek criminal remedies, including fines, as follows:

(i) For all wells except Class II wells, civil penalties shall be recoverable for any program violation in at least the amount of $2,500 per day. For Class II wells, civil penalties shall be recoverable for any program violation in at least the amount of $1,000 per day.

(ii) Criminal fines shall be recoverable in at least the amount of $5,000 per day against any person who willfully violates any program requirement, or for Class II wells, pipeline (production) severance shall be imposable against any person who willfully violates any program requirement.

NOTE: In many States the State Director will be represented in State courts by the State Attorney General or other appropriate legal officer. Although the State Director need not appear in court actions he or she should have power to request that any of the above actions be brought.

(b)(1) The maximum civil penalty or criminal fine (as provided in paragraph (a)(3) of this section) shall be assessable for each instance of violation and, if the violation is continuous, shall be assessable up to the maximum amount for each day of violation.

(2) The burden of proof and degree of knowledge or intent required under State law for establishing violations under paragraph (a)(3) of this section, shall be no greater than the burden of proof or degree of knowledge or intent EPA must provide when it brings an action under the Safe Drinking Water Act.

NOTE: For example, this requirement is not met if State law includes mental state as an element of proof for civil violations.

(c) A civil penalty assessed, sought, or agreed upon by the State Director under paragraph (a)(3) of this section shall be appropriate to the violation.

NOTE: To the extent that State judgments or settlements provide penalties in amounts which EPA believes to be substantially inadequate in comparison to the amounts which EPA would require under similar facts, EPA, when authorized by the applicable statute, may commence separate actions for penalties.

In addition to the requirements of this paragraph, the State may have other enforcement remedies. The following enforcement options, while not mandatory, are highly recommended:

Procedures for assessment by the State of the costs of investigations, inspections, or monitoring surveys which lead to the establishment of violations;

Procedures which enable the State to assess or to sue any persons responsible for unauthorized activities for any expenses incurred by the State in removing, correcting, or terminating any adverse effects upon human health and the environment resulting from the unauthorized activity, or both; and

Procedures for the administrative assessment of penalties by the Director.

(d) Any State administering a program shall provide for public participation in the State enforcement process by providing either:

(1) Authority which allows intervention as of right in any civil or administrative action to obtain remedies specified in paragraph (a) (1), (2) or (3) of this section by any citizen having an interest which is or may be adversely affected; or

(2) Assurance that the State agency or enforcement authority will:

(i) Investigate and provide written responses to all citizen complaints submitted pursuant to the procedures specified in §145.12(b)(4);

(ii) Not oppose intervention by any citizen when permissive intervention may be authorized by statute, rule, or regulation; and

(iii) Publish notice of and provide at least 30 days for public comment on any proposed settlement of a State enforcement action.

(e) To the extent that an Indian Tribe does not assert or is precluded from asserting criminal enforcement authority the Administrator will assume primary enforcement responsibility for criminal violations. The Memorandum of Agreement in §145.25 shall reflect a system where the Tribal agency will refer such violations to the Administrator in an appropriate and timely manner.

(Clean Water Act (33 U.S.C. 1251 *et seq.*), Safe Drinking Water Act (42 U.S.C. 300f *et seq.*), Clean Air Act (42 U.S.C. 7401 *et seq.*), Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*))

[48 FR 14202, Apr. 1, 1983, as amended at 48 FR 39621, Sept. 1, 1983; 53 FR 37412, Sept. 26, 1988]

§145.14 Sharing of information.

(a) Any information obtained or used in the administration of a State program shall be available to EPA upon request without restriction. If the information has been submitted to the State under a claim of confidentiality, the State must submit that claim to EPA when providing information under this section. Any information obtained from a State and subject to a claim of confidentiality will be treated in accordance with the regulations in 40 CFR part 2. If EPA obtains from a State information that is not claimed to be confidential, EPA may make that information available to the public without further notice.

(b) EPA shall furnish to States with approved programs the information in its files not submitted under a claim of confidentiality which the State needs to implement its approved program. EPA shall furnish to States with approved programs information submitted to EPA under a claim of confidentiality, which the State needs to implement its approved program, subject to the conditions in 40 CFR part 2.

Subpart C—State Program Submissions

§145.21 General requirements for program approvals.

(a) States shall submit to the Administrator a proposed State UIC program complying with §145.22 of this part within 270 days of the date of promulgation of the UIC regulations on June 24, 1980. The administrator may, for good cause, extend the date for submission of a proposed State UIC program for up to an additional 270 days.

(b) States shall submit to the Administrator 6 months after the date of promulgation of the UIC regulations a report describing the State's progress in developing a UIC program. If the Administrator extends the time for submission of a UIC program an additional 270 days, pursuant to §145.21(a), the State shall submit a second report six months after the first report is due. The Administrator may prescribe the manner and form of the report.

(c) The requirements of §145.21 (a) and (b) shall not apply to Indian Tribes.

(d) EPA will establish a UIC program in any State which does not comply with paragraph (a) of this section. EPA will continue to operate a UIC program in such a State until the State receives approval of a UIC program in accordance with the requirements of this part.

NOTE: States which are authorized to administer the NPDES permit program under section 402 of CWA are encouraged to rely on existing statutory authority, to the extent possible, in developing a State UIC program. Section 402(b)(1)(D) of CWA requires that NPDES States have the authority "to issue permits which control the disposal of pollutants into wells." In many instances, therefore, NPDES States will have existing statutory authority to regulate well disposal which satisfies the requirements of the UIC program. Note, however, that CWA excludes certain types of well injections from the definition of "pollutant." If the State's statutory authority contains a similar exclusion it may need to be modified to qualify for UIC program approval.

(e) If a State can demonstrate to EPA's satisfaction that there are no underground injections within the State for one or more classes of injection wells (other than Class IV wells)

subject to SDWA and that such injections cannot legally occur in the State until the State has developed an approved program for those classes of injections, the State need not submit a program to regulate those injections and a partial program may be approved. The demonstration of legal prohibition shall be made by either explicitly banning new injections of the class not covered by the State program or providing a certification from the State Attorney General that such new injections cannot legally occur until the State has developed an approved program for that class. The State shall submit a program to regulate both those classes of injections for which a demonstration is not made and class IV wells.

(f) When a State UIC program is fully approved by EPA to regulate all classes of injections, the State assumes primary enforcement authority under section 1422(b)(3) of SDWA. EPA retains primary enforcement responsibility whenever the State program is disapproved in whole or in part. States which have partially approved programs have authority to enforce any violation of the approved portion of their program. EPA retains authority to enforce violations of State underground injection control programs, except that, when a State has a fully approved program, EPA will not take enforcement actions without providing prior notice to the State and otherwise complying with section 1423 of SDWA.

(g) A State can assume primary enforcement responsibility for the UIC program, notwithstanding §145.21(3), when the State program is unable to regulate activities on Indian lands within the State. EPA will administer the program on Indian lands if the State does not seek this authority.

[48 FR 14202, Apr. 1, 1983, as amended at 53 FR 37412, Sept. 26, 1988]

§ 145.22 Elements of a program submission.

(a) Any State that seeks to administer a program under this part shall submit to the Administrator at least three copies of a program submission. The submission shall contain the following:

(1) A letter from the Governor of the State requesting program approval;

(2) A complete program description, as required by §145.23, describing how the State intends to carry out its responsibilities under this part;

(3) An Attorney General's statement as required by §145.24;

(4) A Memorandum of Agreement with the Regional Administrator as required by §145.25;

(5) Copies of all applicable State statutes and regulations, including those governing State administrative procedures;

(6) The showing required by §145.31(b) of the State's public participation activities prior to program submission.

(b) Within 30 days of receipt by EPA of a State program submission, EPA will notify the State whether its submission is complete. If EPA finds that a State's submission is complete, the statutory review period (i.e., the period of time allotted for formal EPA review of a proposed State program under the Safe Drinking Water Act) shall be deemed to have begun on the date of receipt of the State's submission. If EPA finds that a State's submission is incomplete, the statutory review period shall not begin until all the necessary information is received by EPA.

(c) If the State's submission is materially changed during the statutory review period, the statutory review period shall begin again upon receipt of the revised submission.

(d) The State and EPA may extend the statutory review period by agreement.

§ 145.23 Program description.

Any State that seeks to administer a program under this part shall submit a description of the program it proposes to administer in lieu of the Federal program under State law or under an interstate compact. The program description shall include:

(a) A description in narrative form of the scope, structure, coverage and processes of the State program.

(b) A description (including organization charts) of the organization and structure of the State agency or agencies which will have responsibility for administering the program, including the information listed below. If more

than one agency is responsible for administration of a program, each agency must have statewide jurisdiction over a class of activities. The responsibilities of each agency must be delineated, their procedures for coordination set forth, and an agency may be designated as a "lead agency" to facilitate communications between EPA and the State agencies having program responsibility. When the State proposes to administer a program of greater scope of coverage than is required by Federal law, the information provided under this paragraph shall indicate the resources dedicated to administering the Federally required portion of the program.

(1) A description of the State agency staff who will carry out the State program, including the number, occupations, and general duties of the employees. The State need not submit complete job descriptions for every employee carrying out the State program.

(2) An itemization of the estimated costs of establishing and administering the program for the first two years after approval, including cost of the personnel listed in paragraph (b)(1) of this section, cost of administrative support, and cost of technical support.

(3) An itemization of the sources and amounts of funding, including an estimate of Federal grant money, available to the State Director for the first two years after approval to meet the costs listed in paragraph (b)(2) of this section, identifying any restrictions or limitations upon this funding.

(c) A description of applicable State procedures, including permitting procedures and any State administrative or judicial review procedures.

(d) Copies of the permit form(s), application form(s), reporting form(s), and manifest format the State intends to employ in its program. Forms used by States need not be identical to the forms used by EPA but should require the same basic information. The State need not provide copies of uniform national forms it intends to use but should note its intention to use such forms.

NOTE: States are encouraged to use uniform national forms established by the Administrator. If uniform national forms are used, they may be modified to include the State Agency's name, address, logo, and other similar information, as appropriate, in place of EPA's.

(e) A complete description of the State's compliance tracking and enforcement program.

(f) A State UIC program description shall also include:

(1) A schedule for issuing permits within five years after program approval to all injection wells within the State which are required to have permits under this part and part 144;

(2) The priorities (according to criteria set forth in 40 CFR 146.09) for issuing permits, including the number of permits in each class of injection well which will be issued each year during the first five years of program operation;

(3) A description of how the Director will implement the mechanical integrity testing requirements of 40 CFR 146.08, including the frequency of testing that will be required and the number of tests that will be reviewed by the Director each year;

(4) A description of the procedure whereby the Director will notify owners and operators of injection wells of the requirement that they apply for and obtain a permit. The notification required by this paragraph shall require applications to be filed as soon as possible, but not later than four years after program approval for all injection wells requiring a permit;

(5) A description of any rule under which the Director proposes to authorize injections, including the text of the rule;

(6) For any existing enhanced recovery and hydrocarbon storage wells which the Director proposes to authorize by rule, a description of the procedure for reviewing the wells for compliance with applicable monitoring, reporting, construction, and financial responsibility requirements of §§144.51 and 144.52, and 40 CFR part 146;

(7) A description of and schedule for the State's program to establish and maintain a current inventory of injection wells which must be permitted under State law;

(8) Where the Director had designated underground sources of drinking water

in accordance with §144.7(a), a description and identification of all such designated sources in the State;

(9) A description of aquifers, or parts thereof, which the Director has identified under §144.7(b) as exempted aquifers, and a summary of supporting data;

(10) A description of and schedule for the State's program to ban Class IV wells prohibited under §144.13; and

(11) A description of and schedule for the State's program to establish an inventory of Class V wells and to assess the need for a program to regulate Class V wells.

(12) *For Class V programs only*. A description of and a schedule for the State's plan to identify and delineate other sensitive ground water areas. States should consider geologic and hydrogeologic settings, ground water flow and occurrence, topographic and geographic features, depth to ground water, significance as a drinking water source, prevailing land use practices and any other existing information relating to the susceptibility of ground water to contamination from Class V injection wells when developing their plan. Within the schedule for the plan, States must commit to: completing all delineations of other sensitive ground water areas by no later than Jan. 1, 2004; making these delineation available to the public; implementing the Class V regulations, effective April 5, 2000, in these delineated areas by no later than January 1, 2007. Alternately, if a State chooses not to identify other sensitive ground water areas, the requirements for motor vehicle waste disposal wells would apply statewide by January 1, 2007.

[48 FR 14202, Apr. 1, 1983, as amended at 64 FR 68572, Dec. 7, 1999]

§145.24 Attorney General's statement.

(a) Any State that seeks to administer a program under this part shall submit a statement from the State Attorney General (or the attorney for those State or interstate agencies which have independent legal counsel) that the laws of the State, or an interstate compact, provide adequate authority to carry out the program described under §145.23 and to meet the requirements of this part. This statement shall include citations to the specific statutes, administrative regulations, and, where appropriate, judicial decisions which demonstrate adequate authority. State statutes and regulations cited by the State Attorney General or independent legal counsel shall be in the form of lawfully adopted State statutes and regulations at the time the statement is signed and shall be fully effective by the time the program is approved. To qualify as "independent legal counsel" the attorney signing the statement required by this section must have full authority to independently represent the State agency in court on all matters pertaining to the State program.

NOTE: EPA will supply States with an Attorney General's statement format on request.

(b) When a State seeks authority over activities on Indian lands, the statement shall contain an appropriate analysis of the State's authority.

§145.25 Memorandum of Agreement with the Regional Administrator.

(a) Any State that seeks to administer a program under this part shall submit a Memorandum of Agreement. The Memorandum of Agreement shall be executed by the State Director and the Regional Administrator and shall become effective when approved by the Administrator. In addition to meeting the requirements of paragraph (b) of this section, the Memorandum of Agreement may include other terms, conditions, or agreements consistent with this part and relevant to the administration and enforcement of the State's regulatory program. The Administrator shall not approve any Memorandum of Agreement which contains provisions which restrict EPA's statutory oversight responsibility.

(b) The Memorandum of Agreement shall include the following:

(1) Provisions for the prompt transfer from EPA to the State of pending permit applications and any other information relevant to program operation not already in the possession of the State Director (e.g., support files for permit issuance, compliance reports,

etc.). When existing permits are transferred from EPA to State for administration, the Memorandum of Agreement shall contain provisions specifying a procedure for transferring the administration of these permits. If a State lacks the authority to directly administer permits issued by the Federal government, a procedure may be established to transfer responsibility for these permits.

NOTE: For example, EPA and the State and the permittee could agree that the State would issue a permit(s) identical to the outstanding Federal permit which would simultaneously be terminated.

(2) Provisions specifying classes and categories of permit applications, draft permits, and proposed permits that the State will send to the Regional Administrator for review, comment and, where applicable, objection.

(3) Provisions specifying the frequency and content of reports, documents and other information which the State is required to submit to EPA. The State shall allow EPA to routinely review State records, reports, and files relevant to the administration and enforcement of the approved program. State reports may be combined with grant reports where appropriate.

(4) Provisions on the State's compliance monitoring and enforcement program, including:

(i) Provisions for coordination of compliance monitoring activities by the State and by EPA. These may specify the basis on which the Regional Administrator will select facilities or activities within the State for EPA inspection. The Regional Administrator will normally notify the State at least 7 days before any such inspection; and

(ii) Procedures to assure coordination of enforcement activities.

(5) When appropriate, provisions for joint processing of permits by the State and EPA, for facilities or activities which require permits from both EPA and the State under different programs. See §124.4.

(6) Provisions for modification of the Memorandum of Agreement in accordance with this part.

(c) The Memorandum of Agreement, the annual program and grant and the State/EPA Agreement should be consistent. If the State/EPA Agreement indicates that a change is needed in the Memorandum of Agreement, the Memorandum of Agreement may be amended through the procedures set forth in this part. The State/EPA Agreement may not override the Memorandum of Agreement.

NOTE: Detailed program priorities and specific arrangements for EPA support of the State program will change and are therefore more appropriately negotiated in the context of annual agreements rather than in the MOA. However, it may still be appropriate to specify in the MOA the basis for such detailed agreements, e.g., a provision in the MOA specifying that EPA will select facilities in the State for inspection annually as part of the State/EPA agreement.

Subpart D—Program Approval, Revision and Withdrawal

§ 145.31 Approval process.

(a) Prior to submitting an application to the Administrator for approval of a State UIC program, the State shall issue public notice of its intent to adopt a UIC program and to seek program approval from EPA. This public notice shall:

(1) Be circulated in a manner calculated to attract the attention of interested persons. Circulation of the public notice shall include publication in enough of the largest newspapers in the State to attract Statewide attention and mailing to persons on appropriate State mailing lists and to any other persons whom the agency has reason to believe are interested;

(2) Indicate when and where the State's proposed program submission may be reviewed by the public;

(3) Indicate the cost of obtaining a copy of the submission;

(4) Provide for a comment period of not less than 30 days during which interested persons may comment on the proposed UIC program;

(5) Schedule a public hearing on the State program for no less than 30 days after notice of the hearing is published;

(6) Briefly outline the fundamental aspects of the State UIC program; and

(7) Identify a person that an interested member of the public may contact for further information.

(b) After complying with the requirements of paragraph (a) of this section any State may submit a proposed UIC

program under section 1422 of SDWA and §145.22 of this part to EPA for approval. Such a submission shall include a showing of compliance with paragraph (a) of this section; copies of all written comments received by the State; a transcript, recording or summary of any public hearing which was held by the State; and a responsiveness summary which identifies the public participation activities conducted, describes the matters presented to the public, summarizes significant comments received, and responds to these comments. A copy of the responsiveness summary shall be sent to those who testified at the hearing, and others upon request.

(c) After determining that a State's submission for UIC program approval is complete the Administrator shall issue public notice of the submission in the FEDERAL REGISTER and in accordance with paragraph (a)(1) of this section. Such notice shall:

(1) Indicate that a public hearing will be held by EPA no earlier than 30 days after notice of the hearing. The notice may require persons wishing to present testimony to file a request with the Regional Administrator, who may cancel the public hearing if sufficient public interest in a hearing is not expressed;

(2) Afford the public 30 days after the notice to comment on the State's submission; and

(3) Note the availability of the State submission for inspection and copying by the public.

(d) The Administrator shall approve State programs which conform to the applicable requirements of this part.

(e) Within 90 days of the receipt of a complete submission (as provided in §145.22) or material amendment thereto, the Administrator shall by rule either fully approve, disapprove, or approve in part the State's UIC program taking into account any comments submitted. The Administrator shall give notice of this rule in the FEDERAL REGISTER and in accordance with paragraph (a)(1) of this section. If the Administrator determines not to approve the State program or to approve it only in part, the notice shall include a concise statement of the reasons for this determination. A responsiveness summary shall be prepared by the Regional Office which identifies the public participation activities conducted, describes the matters presented to the public, summarizes significant comments received, and explains the Agency's response to these comments. The responsiveness summary shall be sent to those who testified at the public hearing, and to others upon request.

§145.32 Procedures for revision of State programs.

(a) Either EPA or the approved State may initiate program revision. Program revision may be necessary when the controlling Federal or State statutory or regulatory authority is modified or supplemented. The state shall keep EPA fully informed of any proposed modifications to its basic statutory or regulatory authority, its forms, procedures, or priorities.

(b) Revision of a State program shall be accomplished as follows:

(1) The State shall submit a modified program description, Attorney General's statement, Memorandum of Agreement, or such other documents as EPA determines to be necessary under the circumstances.

(2) Whenever EPA determines that the proposed program revision is substantial, EPA shall issue public notice and provide an opportunity to comment for a period of at least 30 days. The public notice shall be mailed to interested persons and shall be published in the FEDERAL REGISTER and in enough of the largest newspapers in the State to provide Statewide coverage. The public notice shall summarize the proposed revisions and provide for the opportunity to request a public hearing. Such a hearing will be held is there if significant public interest based on requests received.

(3) The Administrator shall approve or disapprove program revisions based on the requirements of this part and of the Safe Drinking Water Act.

(4) A program revision shall become effective upon the approval of the Administrator. Notice of approval of any substantial revision shall be published in the FEDERAL REGISTER. Notice of approval of non-substantial program revisions may be given by a letter from the

Administrator to the State Governor or his designee.

(c) States with approved programs shall notify EPA whenever they propose to transfer all or part of any program from the approved State agency to any other State agency, and shall identify any new division of responsibilities among the agencies involved. The new agency is not authorized to administer the program until approval by the Administrator under paragraph (b) of this section. Organizational charts required under §145.23(b) shall be revised and resubmitted.

(d) Whenever the Administrator has reason to believe that circumstances have changed with respect to a State program, he may request, and the State shall provide, a supplemental Attorney General's statement, program description, or such other documents or information as are necessary.

(e) The State shall submit the information required under paragraph (b)(1) of this section within 270 days of any amendment to this part or 40 CFR part 144, 146, or 124 which revises or adds any requirement respecting an approved UIC program.

§145.33 Criteria for withdrawal of State programs.

(a) The Administrator may withdraw program approval when a State program no longer complies with the requirements of this part, and the State fails to take corrective action. Such circumstances include the following:

(1) When the State's legal authority no longer meets their requirements of this part, including:

(i) Failure of the State to promulgate or enact new authorities when necessary; or

(ii) Action by a State legislature or court striking down or limiting State authorities.

(2) When the operation of the State program fails to comply with the requirements of this part, including:

(i) Failure to exercise control over activities required to be regulated under this part, including failure to issue permits;

(ii) Repeated issuance of permits which do not conform to the requirements of this part; or

(iii) Failure to comply with the public participation requirements of this part.

(3) When the State's enforcement program fails to comply with the requirements of this part, including:

(i) Failure to act on violations of permits or other program requirements;

(ii) Failure to seek adequate enforcement penalties or to collect administrative fines when imposed; or

(iii) Failure to inspect and monitor activities subject to regulation.

(4) When the State program fails to comply with the terms of the Memorandum of Agreement required under §145.24.

§145.34 Procedures for withdrawal of State programs.

(a) A State with a program approved under this part may voluntarily transfer program responsibilities required by Federal law to EPA by taking the following actions, or in such other manner as may be agreed upon with the Administrator.

(1) The State shall give the Administrator 180 days notice of the proposed transfer and shall submit a plan for the orderly transfer of all relevant program information not in the possession of EPA (such as permits, permit files, compliance files, reports, permit applications) which are necessary for EPA to administer the program.

(2) Within 60 days of receiving the notice and transfer plan, the Administrator shall evaluate the State's transfer plan and shall identify any additional information needed by the Federal government for program administration and/or identify any other deficiencies in the plan.

(3) At least 30 days before the transfer is to occur the Administrator shall publish notice of the transfer in the FEDERAL REGISTER and in enough of the largest newspapers in the State to provide Statewide coverage, and shall mail notice to all permit holders, permit applicants, other regulated persons and other interested persons on appropriate EPA and State mailing lists.

(b) Approval of a State UIC program may be withdrawn and a Federal program established in its place when the Administrator determines, after holding a public hearing, that the State

program is not in compliance with the requirements of SDWA and this part.

(1) *Notice to State of public hearing.* If the Administrator has cause to believe that a State is not administering or enforcing its authorized program in compliance with the requirements of SDWA and this part, he or she shall inform the State by registered mail of the specific areas of alleged noncompliance. If the State demonstrates to the Administrator within 30 days of such notification that the State program is in compliance, the Administrator shall take no further action toward withdrawal and shall so notify the State by registered mail.

(2) *Public hearing.* If the State has not demonstrated its compliance to the satisfaction of the Administrator within 30 days after notification, the Administrator shall inform the State Director and schedule a public hearing to discuss withdrawal of the State program. Notice of such public hearing shall be published in the FEDERAL REGISTER and in enough of the largest newspapers in the State to attract statewide attention, and mailed to persons on appropriate State and EPA mailing lists. This hearing shall be convened not less than 60 days nor more than 75 days following the publication of the notice of the hearing. Notice of the hearing shall identify the Administrator's concerns. All interested persons shall be given opportunity to make written or oral presentation on the State's program at the public hearing.

(3) *Notice to State of findings.* When the Administrator finds after the public hearing that the State is not in compliance, he or she shall notify the State by registered mail of the specific deficiencies in the State program and of necessary remedial actions. Within 90 days of receipt of the above letter, the State shall either carry out the required remedial action or the Administrator shall withdraw program approval. If the State carries out the remedial action or, as a result of the hearing is found to be in compliance, the Administrator shall so notify the State by registered mail and conclude the withdrawal proceedings.

Subpart E—Indian Tribes

SOURCE: 53 FR 37412, Sept. 26, 1988, unless otherwise noted.

§ 145.52 Requirements for Tribal eligibility.

The Administrator is authorized to treat an Indian Tribe as eligible to apply for primary enforcement responsibility for the Underground Injection Control Program if it meets the following criteria:

(a) The Indian Tribe is recognized by the Secretary of the Interior.

(b) The Indian Tribe has a Tribal governing body which is currently "carrying out substantial governmental duties and powers" over a defined area, (*i.e.*, is currently performing governmental functions to promote the health, safety, and welfare of the affected population within a defined geographic area).

(c) The Indian Tribe demonstrates that the functions to be performed in regulating the underground injection wells that the applicant intends to regulate are within the area of the Indian Tribal government's jurisdiction.

(d) The Indian Tribe is reasonably expected to be capable, in the Administrator's judgment, of administering (in a manner consistent with the terms and purposes of the Act and all applicable regulations) an effective Underground Injection Control Program.

[53 FR 37412, Sept. 26, 1988, as amended at 59 FR 64345, Dec. 14, 1994]

§ 145.56 Request by an Indian Tribe for a determination of eligibility.

An Indian Tribe may apply to the Administrator for a determination that it meets the criteria of section 1451 of the Act. The application shall be concise and describe how the Indian Tribe will meet each of the requirements of §145.52. The application shall consist of the following:

(a) A statement that the Tribe is recognized by the Secretary of the Interior.

(b) A descriptive statement demonstrating that the Tribal governing body is currently carrying out substantial governmental duties and powers over a defined area. The statement should:

(1) Describe the form of the Tribal government;

(2) Describe the types of governmental functions currently performed by the Tribal governing body such as, but not limited to, the exercise of police powers affecting (or relating to) the health, safety, and welfare of the affected population; taxation; and the exercise of the power of eminent domain; and

(3) Identify the sources of the Tribal government's authority to carry out the governmental functions currently being performed.

(c) A map or legal description of the area over which the Indian Tribe asserts jurisdiction; a statement by the Tribal Attorney General (or equivalent official) which describes the basis for the Tribe's jurisdictional assertion (including the nature or subject matter of the asserted jurisdiction); a copy of those documents such as Tribal constitutions, by-laws, charters, executive orders, codes, ordinances, and/or resolutions which the Tribe believes are relevant to its assertions regarding jurisdiction; and a description of the locations of the underground injection wells the Tribe proposes to regulate.

(d) A narrative statement describing the capability of the Indian Tribe to administer an effective Underground Injection Control program which should include:

(1) A description of the Indian Tribe's previous management experience which may include, the administration of programs and services authorized under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 *et seq.*), the Indian Mineral Development Act (25 U.S.C. 2101 *et seq.*), or the Indian Sanitation Facilities Construction Activity Act (42 U.S.C. 2004a).

(2) A list of existing environmental or public health programs administered by the Tribal governing body and a copy of related Tribal laws, regulations and policies.

(3) A description of the Indian Tribe's accounting and procurement systems.

(4) A description of the entity (or entities) which exercise the executive, legislative, and judicial functions of the Tribal government.

(5) A description of the existing, or proposed, agency of the Indian Tribe which will assume primary enforcement responsibility, including a description of the relationship between owners/operators of the underground injection wells and the agency.

(6) A description of the technical and administrative capabilities of the staff to administer and manage an effective Underground Injection Control Program or a plan which proposes how the Tribe will acquire additional administrative and/or technical expertise. The plan must address how the Tribe will obtain the funds to acquire the additional administrative and technical expertise.

(e) The Adminstrator may, in his discretion, request further documentation necessary to support a Tribe's eligibility.

(f) If the Administrator has previously determined that a Tribe has met the prerequisites that make it eligible to assume a role similar to that of a State as provided by statute under the Safe Drinking Water Act, the Clean Water Act, or the Clean Air Act, then that Tribe need provide only that information unique to the Underground Injection Control program (§ 145.76(c) and (d)(6)).

[53 FR 37412, Sept. 26, 1988, as amended at 59 FR 64345, Dec. 14, 1994]

§ 145.58 Procedure for processing an Indian Tribe's application.

(a) The Administrator shall process a completed application of an Indian Tribe in a timely manner. He shall promptly notify the Indian Tribe of receipt of the application.

(b) A tribe that meets the requirements of § 145.52 is eligible to apply for development grants and primary enforcement responsibility for an Underground Injection Control program and the associated funding under section 1443(b) of the Act and primary enforcement responsibility for the Underground Injection Control Program under sections 1422 and/or 1425 of the Act.

[53 FR 37412, Sept. 26, 1988, as amended at 59 FR 64345, Dec. 14, 1994]

PART 146—UNDERGROUND INJECTION CONTROL PROGRAM: CRITERIA AND STANDARDS

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146.73 Financial responsibility for post-closure care.

AUTHORITY: Safe Drinking Water Act, 42 U.S.C. 300f *et seq.;* Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.*

SOURCE: 45 FR 42500, June 24, 1980, unless otherwise noted.

Subpart A—General Provisions

§ 146.1 Applicability and scope.

(a) This part sets forth technical criteria and standards for the Underground Injection Control Program. This part should be read in conjunction with 40 CFR parts 124, 144, and 145, which also apply to UIC programs. 40 CFR part 144 defines the regulatory framework of EPA administered permit programs. 40 CFR part 145 describes the elements of an approvable State program and procedures for EPA approval of State participation in the permit programs. 40 CFR part 124 describes the procedures the Agency will use for issuing permits under the covered programs. Certain of these procedures will also apply to State-administered programs as specified in 40 CFR part 145.

(b) Upon the approval, partial approval or promulgation of a State UIC program by the Administrator, any underground injection which is not authorized by the Director by rule or by permit is unlawful.

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 48 FR 14293, Apr. 1, 1983]

§ 146.2 Law authorizing these regulations.

The Safe Drinking Water Act, 42 U.S.C. 300f *et seq*. authorizes these regulations and all other UIC program regulations referenced in 40 CFR part 144. Certain regulations relating to the injection of hazardous waste are also authorized by the Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq*.

[58 FR 63898, Dec. 3, 1993]

§ 146.3 Definitions.

The following definitions apply to the underground injection control program.

Abandoned well means a well whose use has been permanently discontinued or which is in a state of disrepair such that it cannot be used for its intended purpose or for observation purposes.

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

Application means the EPA standard national forms for applying for a permit, including any additions, revisions or modifications to the forms; or forms approved by EPA for use in approved States, including any approved modifications or revisions. For RCRA, application also includes the information required by the Director under §122.25 (contents of Part B of the RCRA application).

Aquifer means a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

Area of review means the area surrounding an injection well described according to the criteria set forth in §146.06 or in the case of an area permit, the project area plus a circumscribing area the width of which is either ¼ of a mile or a number calculated according to the criteria set forth in §146.06.

Casing means a pipe or tubing of appropriate material, of varying diameter and weight, lowered into a borehole during or after drilling in order to support the sides of the hole and thus prevent the walls from caving, to prevent loss of drilling mud into porous ground, or to prevent water, gas, or other fluid from entering or leaving the hole.

Catastrophic collapse means the sudden and utter failure of overlying "strata" caused by removal of underlying materials.

Cementing means the operation whereby a cement slurry is pumped into a drilled hole and/or forced behind the casing.

Cesspool means a "drywell" that receives untreated sanitary waste containing human excreta, and which sometimes has an open bottom and/or perforated sides.

Confining bed means a body of impermeable or distinctly less permeable material stratigraphically adjacent to one or more aquifers.

Confining zone means a geological formation, group of formations, or part of a formation that is capable of limiting fluid movement above an injection zone.

Contaminant means any physical, chemical, biological, or radiological substance or matter in water.

Conventional mine means an open pit or underground excavation for the production of minerals.

Director means the Regional Administrator, the State director or the Tribal director as the context requires, or an authorized representative. When there is no approved State or Tribal program, and there is an EPA administered program, "Director" means the Regional Administrator. When there is an approved State or Tribal program, "Director" normally means the State or Tribal director. In some circumstances, however, EPA retains the authority to take certain actions even when there is an approved State or Tribal program. (For example, when EPA has issued an NPDES permit prior to the approval of a State program, EPA may retain jurisdiction over that permit after program approval; see §123.69). In such cases, the term *Director* means the Regional Administrator and not the State or Tribal director.

Disposal well means a well used for the disposal of waste into a subsurface stratum.

Drywell means a well, other than an improved sinkhole or subsurface fluid distribution system, completed above the water table so that its bottom and sides are typically dry except when receiving fluids.

Effective date of a UIC program means the date that a State UIC program is approved or established by the Administrator.

Environmental Protection Agency ("EPA") means the United States Environmental Protection Agency.

EPA means the United States "Environmental Protection Agency."

Exempted aquifer means an aquifer or its portion that meets the criteria in the definition of "underground source of drinking water" but which has been exempted according to the procedures of §144.8(b).

Existing injection well means an "injection well" other than a "new injection well."

Experimental technology means a technology which has not been proven feasible under the conditions in which it is being tested.

Facility or activity means any "HWM facility," UIC "injection well," NPDES "point source," or State 404 dredge and fill activity, or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the RCRA, UIC, NPDES, or 404 programs.

Fault means a surface or zone of rock fracture along which there has been displacement.

Flow rate means the volume per time unit given to the flow of gases or other fluid substance which emerges from an orifice, pump, turbine or passes along a conduit or channel.

Fluid means material or substance which flows or moves whether in a semisolid, liquid, sludge, gas, or any other form or state.

Formation means a body of rock characterized by a degree of lithologic homogeneity which is prevailingly, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

Formation fluid means "fluid" present in a "formation" under natural conditions as opposed to introduced fluids, such as drilling mud.

Generator means any person, by site location, whose act or process produces hazardous waste identified or listed in 40 CFR part 261.

Ground water means water below the land surface in a zone of saturation.

Hazardous waste means a hazardous waste as defined in 40 CFR 261.3.

Hazardous Waste Management facility ("HWM facility") means all contiguous land, and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (for example, one or more landfills, surface impoundments, or combination of them).

HWM facility means "Hazardous Waste Management facility."

Improved sinkhole means a naturally occurring karst depression or other natural crevice found in volcanic terrain and other geologic settings which have been modified by man for the purpose of directing and emplacing fluids into the subsurface.

Indian Tribe means any Indian Tribe having a Federally recognized governing body carrying out substantial governmental duties and powers over a defined area.

Injection well means a "well" into which "fluids" are being injected.

Injection zone means a geological "formation", group of formations, or part of a formation receiving fluids through a well.

Lithology means the description of rocks on the basis of their physical and chemical characteristics.

Owner or operator means the owner or operator of any facility or activity subject to regulation under the RCRA, UIC, NPDES, or 404 programs.

Packer means a device lowered into a well to produce a fluid-tight seal.

Permit means an authorization, license, or equivalent control document issued by EPA or an "approved State" to implement the requirements of this part and parts 124, 144, and 145. Permit does not include RCRA interim status (§122.23), UIC authorization by rule (§§144.21 to 144.26 and 144.15), or any permit which has not yet been the subject of final agency action, such as a "draft permit" or a "proposed permit."

Plugging means the act or process of stopping the flow of water, oil or gas into or out of a formation through a borehole or well penetrating that formation.

Plugging record means a systematic listing of permanent or temporary abandonment of water, oil, gas, test, exploration and waste injection wells, and may contain a well log, description of amounts and types of plugging material used, the method employed for plugging, a description of formations which are sealed and a graphic log of the well showing formation location, formation thickness, and location of plugging structures.

Point of injection for Class V wells means the last accessible sampling point prior to waste fluids being released into the subsurface environment through a Class V injection well. For example, the point of injection of a Class V septic system might be the distribution box—the last accessible sampling point before the waste fluids drain into the underlying soils. For a dry well, it is likely to be the well bore itself.

Pressure means the total load or force per unit area acting on a surface.

Project means a group of wells in a single operation.

Radioactive waste means any waste which contains radioactive material in concentrations which exceed those listed in 10 CFR part 20, appendix B, table II column 2.

RCRA means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (Pub. L. 94–580, as amended by Pub. L. 95–609, 42 U.S.C. 6901 *et seq.)*.

Sanitary waste means liquid or solid wastes originating solely from humans and human activities, such as wastes collected from toilets, showers, wash basins, sinks used for cleaning domestic areas, sinks used for food preparation, clothes washing operations, and sinks or washing machines where food and beverage serving dishes, glasses, and utensils are cleaned. Sources of these wastes may include single or multiple residences, hotels and motels, restaurants, bunkhouses, schools, ranger stations, crew quarters, guard stations, campgrounds, picnic grounds, day-use recreation areas, other commercial facilities, and industrial facilities provided the waste is not mixed with industrial waste.

SDWA means the Safe Drinking Water Act (Pub. L. 95–523, as amended by Pub. L. 95–190, 42 U.S.C. 300(f) *et seq.)*.

Septic system means a "well" that is used to emplace sanitary waste below the surface and is typically comprised of a septic tank and subsurface fluid distribution system or disposal system.

Site means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

Sole or principal source aquifer means an aquifer which has been designated by the Administrator pursuant to section 1424 (a) or (e) of the SDWA.

State Director means the chief administrative officer of any State, interstate, or Tribal agency operating an "approved program," or the delegated representative of the State Director. If the responsibility is divided among two or more State, interstate, or Tribal agencies, "State Director" means the chief administrative officer of the State, interstate, or Tribal agency authorized to perform the particular procedure or function to which reference is made.

Stratum (plural *strata*) means a single sedimentary bed or layer, regardless of thickness, that consists of generally the same kind of rock material.

Subsidence means the lowering of the natural land surface in response to: Earth movements; lowering of fluid pressure; removal of underlying supporting material by mining or solution of solids, either artificially or from natural causes; compaction due to wetting (Hydrocompaction); oxidation of organic matter in soils; or added load on the land surface.

Subsurface fluid distribution system means an assemblage of perforated pipes, drain tiles, or other similar mechanisms intended to distribute fluids below the surface of the ground.

Surface casing means the first string of well casing to be installed in the well.

Total dissolved solids ("TDS") means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR part 136.

UIC means the Underground Injection Control program under Part C of the Safe Drinking Water Act, including an "approved program."

Underground injection means a "well injection."

Underground source of drinking water (USDW) means an aquifer or its portion:

(1)(i) Which supplies any public water system; or

(ii) Which contains a sufficient quantity of ground water to supply a public water system; and

(A) Currently supplies drinking water for human consumption; or

(B) Contains fewer than 10,000 mg/l total dissolved solids; and

(2) Which is not an exempted aquifer.

USDW means "underground source of drinking water."

Well means: A bored, drilled, or driven shaft whose depth is greater than the largest surface dimension; or, a dug hole whose depth is greater than the largest surface dimension; or, an improved sinkhole; or, a subsurface fluid distribution system.

Well injection means the subsurface emplacement of fluids through a well.

Well plug means a watertight and gastight seal installed in a borehole or well to prevent movement of fluids.

Well stimulation means several processes used to clean the well bore, enlarge channels, and increase pore space in the interval to be injected thus making it possible for wastewater to move more readily into the formation, and includes (1) surging, (2) jetting, (3) blasting, (4) acidizing, (5) hydraulic fracturing.

Well monitoring means the measurement, by on-site instruments or laboratory methods, of the quality of water in a well.

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 46 FR 43161, Aug. 27, 1981; 47 FR 4998, Feb. 3, 1982; 48 FR 14293, Apr. 1, 1983; 53 FR 37414, Sept. 26, 1988; 64 FR 68573, Dec. 7, 1999]

§ 146.4 Criteria for exempted aquifers.

An aquifer or a portion thereof which meets the criteria for an "underground source of drinking water" in § 146.3 may be determined under 40 CFR 144.8 to be an "exempted aquifer" if it meets the following criteria:

(a) It does not currently serve as a source of drinking water; and

(b) It cannot now and will not in the future serve as a source of drinking water because:

(1) It is mineral, hydrocarbon or geothermal energy producing, or can be demonstrated by a permit applicant as part of a permit application for a Class II or III operation to contain minerals or hydrocarbons that considering their quantity and location are expected to be commercially producible.

(2) It is situated at a depth or location which makes recovery of water for drinking water purposes economically or technologically impractical;

(3) It is so contaminated that it would be economically or technologically impractical to render that water fit for human consumption; or

(4) It is located over a Class III well mining area subject to subsidence or catastrophic collapse; or

(c) The total dissolved solids content of the ground water is more than 3,000 and less than 10,000 mg/l and it is not reasonably expected to supply a public water system.

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 47 FR 4998, Feb. 3, 1982; 48 FR 14293, Apr. 1, 1983]

§ 146.5 Classification of injection wells.

Injection wells are classified as follows:

(a) *Class I.* (1) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to inject hazardous waste beneath the lowermost formation containing, within one quarter (¼) mile of the well bore, an underground source of drinking water.

(2) Other industrial and municipal disposal wells which inject fluids beneath the lowermost formation containing, within one quarter mile of the well bore, an underground source of drinking water.

(3) Radioactive waste disposal wells which inject fluids below the lowermost formation containing an underground source of drinking water within one quarter mile of the well bore.

(b) *Class II.* Wells which inject fluids:

(1) Which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters are classified as a hazardous waste at the time of injection.

(2) For enhanced recovery of oil or natural gas; and

(3) For storage of hydrocarbons which are liquid at standard temperature and pressure.

(c) *Class III.* Wells which inject for extraction of minerals including:

(1) Mining of sulfur by the Frasch process;

(2) In situ production of uranium or other metals. This category includes only in-situ production from ore bodies which have not been conventionally mined. Solution mining of conventional mines such as stopes leaching is included in Class V.

(3) Solution mining of salts or potash.

(d) *Class IV.* (1) Wells used by generators of hazardous waste or of radioactive waste, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste into a formation which within one quarter (¼) mile of the well contains an underground source of drinking water.

(2) Wells used by generators of hazardous waste or of radioactive waste, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste above a formation which within one quarter (¼) mile of the well contains an underground source of drinking water.

(3) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to dispose of hazardous waste, which cannot be classified under §146.05(a)(1) or §146.05(d) (1) and (2) (e.g., wells used to dispose of hazardous wastes into or above a formation which contains an aquifer which has been exempted pursuant to §146.04).

(e) *Class V.* Injection wells not included in Class I, II, III, or IV. Specific types of Class V injection wells are also described in 40 CFR 144.81. Class V wells include:

(1) Air conditioning return flow wells used to return to the supply aquifer the water used for heating or cooling in a heat pump;

(2) Cesspools including multiple dwelling, community or regional cesspools, or other devices that receive wastes which have an open bottom and sometimes have perforated sides. The UIC requirements do not apply to single family residential cesspools nor to non-residential cesspools which receive solely sanitary wastes and have the capacity to serve fewer than 20 persons a day.

(3) Cooling water return flow wells used to inject water previously used for cooling;

(4) Drainage wells used to drain surface fluid, primarily storm runoff, into a subsurface formation;

(5) Dry wells used for the injection of wastes into a subsurface formation;

(6) Recharge wells used to replenish the water in an aquifer;

(7) Salt water intrusion barrier wells used to inject water into a fresh water aquifer to prevent the intrusion of salt water into the fresh water;

(8) Sand backfill and other backfill wells used to inject a mixture of water and sand, mill tailings or other solids into mined out portions of subsurface mines whether what is injected is a radioactive waste or not.

(9) Septic system wells used to inject the waste or effluent from a multiple dwelling, business establishment, community or regional business establishment septic tank. The UIC requirements do not apply to single family residential septic system wells, nor to non-residential septic system wells which are used solely for the disposal of sanitary waste and have the capacity to serve fewer than 20 persons a day.

(10) Subsidence control wells (not used for the purpose of oil or natural gas production) used to inject fluids into a non-oil or gas producing zone to reduce or eliminate subsidence associated with the overdraft of fresh water;

(11) Radioactive waste disposal wells other than Class IV;

(12) Injection wells associated with the recovery of geothermal energy for heating, aquaculture and production of electric power.

(13) Wells used for solution mining of conventional mines such as stopes leaching;

(14) Wells used to inject spent brine into the same formation from which it was withdrawn after extraction of halogens or their salts;

(15) Injection wells used in experimental technologies.

(16) Injection wells used for in situ recovery of lignite, coal, tar sands, and oil shale.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43161, Aug. 27, 1981; 47 FR 4999, Feb. 3, 1982; 64 FR 68573, Dec. 7, 1999]

§ 146.6 Area of review.

The area of review for each injection well or each field, project or area of the State shall be determined according to either paragraph (a) or (b) of this section. The Director may solicit input from the owners or operators of injection wells within the State as to which method is most appropriate for each geographic area or field.

(a) *Zone of endangering influence.* (1) The zone of endangering influence shall be:

(i) In the case of application(s) for well permit(s) under §122.38 that area the radius of which is the lateral distance in which the pressures in the injection zone may cause the migration of the injection and/or formation fluid into an underground source of drinking water; or

(ii) In the case of an application for an area permit under §122.39, the project area plus a circumscribing area the width of which is the lateral distance from the perimeter of the project area, in which the pressures in the injection zone may cause the migration of the injection and/or formation fluid into an underground source of drinking water.

(2) Computation of the zone of endangering influence may be based upon the parameters listed below and should be calculated for an injection time period equal to the expected life of the injection well or pattern. The following modified Theis equation illustrates one form which the mathematical model may take.

$$r = \left(\frac{2.25\,KHt}{S10^{X}}\right)^{1/2}$$

where:

$$X = \frac{4\pi KH\left(h_w - h_{bo} \times S_p G_b\right)}{2.3Q}$$

r=Radius of endangering influence from injection well (length)

k=Hydraulic conductivity of the injection zone (length/time)

H=Thickness of the injection zone (length)

t=Time of injection (time)

S=Storage coefficient (dimensionless)

Q=Injection rate (volume/time)

h_{bo}=Observed original hydrostatic head of injection zone (length) measured from the base of the lowermost underground source of drinking water

h_w=Hydrostatic head of underground source of drinking water (length) measured from the base of the lowest underground source of drinking water

S_p G_b=Specific gravity of fluid in the injection zone (dimensionless)

π=3.142 (dimensionless)

The above equation is based on the following assumptions:

(i) The injection zone is homogenous and isotropic;

(ii) The injection zone has infinite area extent;

(iii) The injection well penetrates the entire thickness of the injection zone;

(iv) The well diameter is infinitesimal compared to "r" when injection time is longer than a few minutes; and

(v) The emplacement of fluid into the injection zone creates instantaneous increase in pressure.

(b) *Fixed radius.* (1) In the case of application(s) for well permit(s) under §122.38 a fixed radius around the well of not less than one-fourth (¼) mile may be used.

(2) In the case of an application for an area permit under §122.39 a fixed width of not less than one-fourth (¼) mile for the circumscribing area may be used.

In determining the fixed radius, the following factors shall be taken into consideration: Chemistry of injected and formation fluids; hydrogeology; population and ground-water use and

dependence; and historical practices in the area.

(c) If the area of review is determined by a mathematical model pursuant to paragraph (a) of this section, the permissible radius is the result of such calculation even if it is less than one-fourth (¼) mile.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43161, Aug. 27, 1981; 47 FR 4999, Feb. 3, 1982]

§ 146.7 Corrective action.

In determining the adequacy of corrective action proposed by the applicant under 40 CFR 144.55 and in determining the additional steps needed to prevent fluid movement into underground sources of drinking water, the following criteria and factors shall be considered by the Director:

(a) Nature and volume of injected fluid;

(b) Nature of native fluids or by-products of injection;

(c) Potentially affected population;

(d) Geology;

(e) Hydrology;

(f) History of the injection operation;

(g) Completion and plugging records;

(h) Abandonment procedures in effect at the time the well was abandoned; and

(i) Hydraulic connections with underground sources of drinking water.

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 48 FR 14293, Apr. 1, 1983]

§ 146.8 Mechanical integrity.

(a) An injection well has mechanical integrity if:

(1) There is no significant leak in the casing, tubing or packer; and

(2) There is no significant fluid movement into an underground source of drinking water through vertical channels adjacent to the injection well bore.

(b) One of the following methods must be used to evaluate the absence of significant leaks under paragraph (a)(1) of this section:

(1) Following an initial pressure test, monitoring of the tubing-casing annulus pressure with sufficient frequency to be representative, as determined by the Director, while maintaining an annulus pressure different from atmospheric pressure measured at the surface;

(2) Pressure test with liquid or gas; or

(3) Records of monitoring showing the absence of significant changes in the relationship between injection pressure and injection flow rate for the following Class II enhanced recovery wells:

(i) Existing wells completed without a packer provided that a pressure test has been performed and the data is available and provided further that one pressure test shall be performed at a time when the well is shut down and if the running of such a test will not cause further loss of significant amounts of oil or gas; or

(ii) Existing wells constructed without a long string casing, but with surface casing which terminates at the base of fresh water provided that local geological and hydrological features allow such construction and provided further that the annular space shall be visually inspected. For these wells, the Director shall prescribe a monitoring program which will verify the absence of significant fluid movement from the injection zone into an USDW.

(c) One of the following methods must be used to determine the absence of significant fluid movement under paragraph (a)(2) of this section:

(1) The results of a temperature or noise log; or

(2) For Class II only, cementing records demonstrating the presence of adequate cement to prevent such migration; or

(3) For Class III wells where the nature of the casing precludes the use of the logging techniques prescribed at paragraph (c)(1) of this section, cementing records demonstrating the presence of adequate cement to prevent such migration;

(4) For Class III wells where the Director elects to rely on cementing records to demonstrate the absence of significant fluid movement, the monitoring program prescribed by §146.33(b)

shall be designed to verify the absence of significant fluid movement.

(d) The Director may allow the use of a test to demonstrate mechanical integrity other than those listed in paragraphs (b) and (c)(2) of this section with the written approval of the Administrator. To obtain approval, the Director shall submit a written request to the Administrator, which shall set forth the proposed test and all technical data supporting its use. The Administrator shall approve the request if it will reliably demonstrate the mechanical integrity of wells for which its use is proposed. Any alternate method approved by the Administrator shall be published in the FEDERAL REGISTER and may be used in all States unless its use is restricted at the time of approval by the Administrator.

(e) In conducting and evaluating the tests enumerated in this section or others to be allowed by the Director, the owner or operator and the Director shall apply methods and standards generally accepted in the industry. When the owner or operator reports the results of mechanical integrity tests to the Director, he shall include a description of the test(s) and the method(s) used. In making his/her evaluation, the Director shall review monitoring and other test data submitted since the previous evaluation.

(f) The Director may require additional or alternative tests if the results presented by the owner or operator under §146.8(e) are not satisfactory to the Director to demonstrate that there is no movement of fluid into or between USDWs resulting from the injection activity.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 47 FR 4999, Feb. 3, 1982; 58 FR 63898, Dec. 3, 1993]

§ 146.9 Criteria for establishing permitting priorities.

In determining priorities for setting times for owners or operators to submit applications for authorization to inject under the procedures of §144.31 (a), (c), (g) or §144.22(f), the Director shall base these priorities upon consideration of the following factors:

(a) Injection wells known or suspected to be contaminating underground sources of drinking water;

(b) Injection wells known to be injecting fluids containing hazardous contaminants;

(c) Likelihood of contamination of underground sources of drinking water;

(d) Potentially affected population;

(e) Injection wells violating existing State requirements;

(f) Coordination with the issuance of permits required by other State or Federal permit programs;

(g) Age and depth of the injection well; and

(h) Expiration dates of existing State permits, if any.

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 48 FR 14293, Apr. 1, 1983]

§ 146.10 Plugging and abandoning Class I, II, III, IV, and V wells.

(a) Requirements for Class I, II and III wells. (1) Prior to abandoning Class I, II and III wells, the well shall be plugged with cement in a manner which will not allow the movement of fluids either into or between underground sources of drinking water. The Director may allow Class III wells to use other plugging materials if the Director is satisfied that such materials will prevent movement of fluids into or between underground sources of drinking water.

(2) Placement of the cement plugs shall be accomplished by one of the following:

(i) The Balance method;

(ii) The Dump Bailer method;

(iii) The Two-Plug method; or

(iv) An alternative method approved by the Director, which will reliably provide a comparable level of protection to underground sources of drinking water.

(3) The well to be abandoned shall be in a state of static equilibrium with the mud weight equalized top to bottom, either by circulating the mud in the well at least once or by a comparable method prescribed by the Director, prior to the placement of the cement plug(s).

(4) The plugging and abandonment plan required in 40 CFR 144.51(o) and 144.52(a)(6) shall, in the case of a Class

III project which underlies or is in an aquifer which has been exempted under §146.04, also demonstrate adequate protection of USDWs. The Director shall prescribe aquifer cleanup and monitoring where he deems it necessary and feasible to insure adequate protection of USDWs.

(b) Requirements for Class IV wells. Prior to abandoning a Class IV well, the owner or operator shall close the well in accordance with 40 CFR 144.23(b).

(c) Requirements for Class V wells. (1) Prior to abandoning a Class V well, the owner or operator shall close the well in a manner that prevents the movement of fluid containing any contaminant into an underground source of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR part 141 or may otherwise adversely affect the health of persons. Closure requirements for motor vehicle waste disposal wells and large-capacity cesspools are reiterated at §144.89.

(2) The owner or operator shall dispose of or otherwise manage any soil, gravel, sludge, liquids, or other materials removed from or adjacent to the well in accordance with all applicable Federal, State, and local regulations and requirements.

[64 FR 68573, Dec. 7, 1999]

Subpart B—Criteria and Standards Applicable to Class I Wells

§146.11 Criteria and standards applicable to Class I nonhazardous wells.

This subpart establishes criteria and standards for underground injection control programs to regulate Class I nonhazardous wells.

[53 FR 28148, July 26, 1988]

§146.12 Construction requirements.

(a) All Class I wells shall be sited in such a fashion that they inject into a formation which is beneath the lowermost formation containing, within one quarter mile of the well bore, an underground source of drinking water.

(b) All Class I wells shall be cased and cemented to prevent the movement of fluids into or between underground sources of drinking water. The casing and cement used in the construction of each newly drilled well shall be designed for the life expectancy of the well. In determining and specifying casing and cementing requirements, the following factors shall be considered:

(1) Depth to the injection zone;

(2) Injection pressure, external pressure, internal pressure, and axial loading;

(3) Hole size;

(4) Size and grade of all casing strings (wall thickness, diameter, nominal weight, length, joint specification, and construction material);

(5) Corrosiveness of injected fluid, formation fluids, and temperatures;

(6) Lithology of injection and confining intervals; and

(7) Type or grade of cement.

(c) All Class I injection wells, except those municipal wells injecting noncorrosive wastes, shall inject fluids through tubing with a packer set immediately above the injection zone, or tubing with an approved fluid seal as an alternative. The tubing, packer, and fluid seal shall be designed for the expected service.

(1) The use of other alternatives to a packer may be allowed with the written approval of the Director. To obtain approval, the operator shall submit a written request to the Director, which shall set forth the proposed alternative and all technical data supporting its use. The Director shall approve the request if the alternative method will reliably provide a comparable level of protection to underground sources of drinking water. The Director may approve an alternative method solely for an individual well or for general use.

(2) In determining and specifying requirements for tubing, packer, or alternatives the following factors shall be considered:

(i) Depth of setting;

(ii) Characteristics of injection fluid (chemical content, corrosiveness, and density);

(iii) Injection pressure;

(iv) Annular pressure;

(v) Rate, temperature and volume of injected fluid; and

(vi) Size of casing.

(d) Appropriate logs and other tests shall be conducted during the drilling and construction of new Class I wells. A descriptive report interpreting the results of such logs and tests shall be prepared by a knowledgeable log analyst and submitted to the Director. At a minimum, such logs and tests shall include:

(1) Deviation checks on all holes constructed by first drilling a pilot hole, and then enlarging the pilot hole by reaming or another method. Such checks shall be at sufficiently frequent intervals to assure that vertical avenues for fluid migration in the form of diverging holes are not created during drilling.

(2) Such other logs and tests as may be needed after taking into account the availability of similar data in the area of the drilling site, the construction plan, and the need for additional information, that may arise from time to time as the construction of the well progresses. In determining which logs and tests shall be required, the following logs shall be considered for use in the following situations:

(i) For surface casing intended to protect underground sources of drinking water:

(A) Resistivity, spontaneous potential, and caliper logs before the casing is installed; and

(B) A cement bond, temperature, or density log after the casing is set and cemented.

(ii) For intermediate and long strings of casing intended to facilitate injection:

(A) Resistivity, spontaneous potential, porosity, and gamma ray logs before the casing is installed;

(B) Fracture finder logs; and

(C) A cement bond, temperature, or density log after the casing is set and cemented.

(e) At a minimum, the following information concerning the injection formation shall be determined or calculated for new Class I wells:

(1) Fluid pressure;

(2) Temperature;

(3) Fracture pressure;

(4) Other physical and chemical characteristics of the injection matrix; and

(5) Physical and chemical characteristics of the formation fluids.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981]

§ 146.13 Operating, monitoring and reporting requirements.

(a) *Operating requirements.* Operating requirements shall at a minimum, specify that:

(1) Except during stimulation injection pressure at the wellhead shall not exceed a maximum which shall be calculated so as to assure that the pressure in the injection zone during injection does not initiate new fractures or propagate existing fractures in the injection zone. In no case shall injection pressure initiate fractures in the confining zone or cause the movement of injection or formation fluids into an underground source of drinking water.

(2) Injection between the outermost casing protecting underground sources of drinking water and the well bore is prohibited.

(3) Unless an alternative to a packer has been approved under §146.12(c), the annulus between the tubing and the long string of casings shall be filled with a fluid approved by the Director and a pressure, also approved by the Director, shall be maintained on the annulus.

(b) *Monitoring requirements.* Monitoring requirements shall, at a minimum, include:

(1) The analysis of the injected fluids with sufficient frequency to yield representative data of their characteristics;

(2) Installation and use of continuous recording devices to monitor injection pressure, flow rate and volume, and the pressure on the annulus between the tubing and the long string of casing;

(3) A demonstration of mechanical integrity pursuant to §146.8 at least once every five years during the life of the well; and

(4) The type, number and location of wells within the area of review to be used to monitor any migration of fluids into and pressure in the underground sources of drinking water, the parameters to be measured and the frequency of monitoring.

(c) *Reporting requirements.* Reporting requirements shall, at a minimum, include:

(1) Quarterly reports to the Director on:

(i) The physical, chemical and other relevant characteristics of injection fluids;

(ii) Monthly average, maximum and minimum values for injection pressure, flow rate and volume, and annular pressure; and

(iii) The results of monitoring prescribed under paragraph (b)(4) of this section.

(2) Reporting the results, with the first quarterly report after the completion, of:

(i) Periodic tests of mechanical integrity;

(ii) Any other test of the injection well conducted by the permittee if required by the Director; and

(iii) Any well work over.

(d) *Ambient monitoring.* (1) Based on a site-specific assessment of the potential for fluid movement from the well or injection zone and on the potential value of monitoring wells to detect such movement, the Director shall require the owner or operator to develop a monitoring program. At a minimum, the Director shall require monitoring of the pressure buildup in the injection zone annually, including at a minimum, a shut down of the well for a time sufficient to conduct a valid observation of the pressure fall-off curve.

(2) When prescribing a monitoring system the Director may also require:

(i) Continuous monitoring for pressure changes in the first aquifer overlying the confining zone. When such a well is installed, the owner or operator shall, on a quarterly basis, sample the aquifer and analyze for constituents specified by the Director;

(ii) The use of indirect, geophysical techniques to determine the position of the waste front, the water quality in a formation designated by the Director, or to provide other site specific data;

(iii) Periodic monitoring of the ground water quality in the first aquifer overlying the injection zone;

(iv) Periodic monitoring of the ground water quality in the lowermost USDW; and

(v) Any additional monitoring necessary to determine whether fluids are moving into or between USDWs.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 47 FR 32129, July 26, 1982; 53 FR 28148, July 26, 1988]

§ 146.14 Information to be considered by the Director.

This section sets forth the information which must be considered by the Director in authorizing Class I wells. For an existing or converted new Class I well the Director may rely on the existing permit file for those items of information listed below which are current and accurate in the file. For a newly drilled Class I well, the Director shall require the submission of all the information listed below. For both existing and new Class I wells certain maps, cross-sections, tabulations of wells within the area of review and other data may be included in the application by reference provided they are current, readily available to the Director (for example, in the permitting agency's files) and sufficiently identified to be retrieved. In cases where EPA issues the permit all the information in this section must be submitted to the Administrator.

(a) Prior to the issuance of a permit for an existing Class I well to operate or the construction or conversion of a new Class I well the Director shall consider the following:

(1) Information required in 40 CFR 144.31 and 144.31(g);

(2) A map showing the injection well(s) for which a permit is sought and the applicable area of review. Within the area of review, the map must show the number, or name, and location of all producing wells, dry holes, surface bodies of water, springs, mines (surface and subsurface), quarries, water wells and other pertinent surface features including residences and roads. The map should also show faults, if known or suspected. Only information of public record is required to be included on this map;

(3) A tabulation of data on all wells within the area of review which penetrate into the proposed injection zone. Such data shall include a description of each well's type, construction, date

drilled, location, depth, record of plugging and/or completion, and any additional information the Director may require;

(4) Maps and cross sections indicating the general vertical and lateral limits of all underground sources of drinking water within the area of review, their position relative to the injection formation and the direction of water movement, where known, in each underground source of drinking water which may be affected by the proposed injection;

(5) Maps and cross sections detailing the geologic structure of the local area;

(6) Generalized maps and cross sections illustrating the regional geologic setting;

(7) Proposed operating data:

(i) Average and maximum daily rate and volume of the fluid to be injected;

(ii) Average and maximum injection pressure; and

(iii) Source and an analysis of the chemical, physical, radiological and biological characteristics of injection fluids;

(8) Proposed formation testing program to obtain an analysis of the chemical, physical and radiological characteristics of and other information on the receiving formation;

(9) Proposed stimulation program;

(10) Proposed injection procedure;

(11) Schematic or other appropriate drawings of the surface and subsurface construction details of the well.

(12) Contingency plans to cope with all shut-ins or well failures so as to prevent migration of fluids into any underground source of drinking water;

(13) Plans (including maps) for meeting the monitoring requirements in §146.13(b);

(14) For wells within the area of review which penetrate the injection zone but are not properly completed or plugged, the corrective action proposed to be taken under 40 CFR 144.55;

(15) Construction procedures including a cementing and casing program, logging procedures, deviation checks, and a drilling, testing, and coring program; and

(16) A certificate that the applicant has assured, through a performance bond or other appropriate means, the resources necessary to close, plug or abandon the well as required by 40 CFR 122.42(g).

(b) Prior to granting approval for the operation of a Class I well the Director shall consider the following information:

(1) All available logging and testing program data on the well;

(2) A demonstration of mechanical integrity pursuant to §146.8;

(3) The anticipated maximum pressure and flow rate at which the permittee will operate;

(4) The results of the formation testing program;

(5) The actual injection procedure;

(6) The compatibility of injected waste with fluids in the injection zone and minerals in both the injection zone and the confining zone; and

(7) The status of corrective action on defective wells in the area of review.

(c) Prior to granting approval for the plugging and abandonment of a Class I well the Director shall consider the following information:

(1) The type and number of plugs to be used;

(2) The placement of each plug including the elevation of the top and bottom;

(3) The type and grade and quantity of cement to be used;

(4) The method for placement of the plugs; and

(5) The procedure to be used to meet the requirement of §146.10(c).

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 48 FR 14293, Apr. 1, 1983]

Subpart C—Criteria and Standards Applicable to Class II Wells

§146.21 Applicability.

This subpart establishes criteria and standards for underground injection control programs to regulate Class II wells.

§146.22 Construction requirements.

(a) All new Class II wells shall be sited in such a fashion that they inject into a formation which is separated from any USDW by a confining zone

that is free of known open faults or fractures within the area of review.

(b)(1) All Class II injection wells shall be cased and cemented to prevent movement of fluids into or between underground sources of drinking water. The casing and cement used in the construction of each newly drilled well shall be designed for the life expectancy of the well. In determining and specifying casing and cementing requirements, the following factors shall be considered:

(i) Depth to the injection zone;

(ii) Depth to the bottom of all USDWs; and

(iii) Estimated maximum and average injection pressures;

(2) In addition the Director may consider information on:

(i) Nature of formation fluids;

(ii) Lithology of injection and confining zones;

(iii) External pressure, internal pressure, and axial loading;

(iv) Hole size;

(v) Size and grade of all casing strings; and

(vi) Class of cement.

(c) The requirements in paragraph (b) of this section need not apply to existing or newly converted Class II wells located in existing fields if:

(1) Regulatory controls for casing and cementing existed for those wells at the time of drilling and those wells are in compliance with those controls; and

(2) Well injection will not result in the movement of fluids into an underground source of drinking water so as to create a significant risk to the health of persons.

(d) The requirements in paragraph (b) of this section need not apply to newly drilled wells in existing fields if;

(1) They meet the requirements of the State for casing and cementing applicable to that field at the time of submission of the State program to the Administrator; and

(2) Well injection will not result in the movement of fluids into an underground source of drinking water so as to create a significant risk to the health of persons.

(e) Where a State did not have regulatory controls for casing and cementing prior to the time of the submission of the State program to the Administrator, the Director need not apply the casing and cementing requirements in paragraph (b) of this section if he submits as a part of his application for primacy, an appropriate plan for casing and cementing of existing, newly converted, and newly drilled wells in existing fields, and the Administrator approves the plan.

(f) Appropriate logs and other tests shall be conducted during the drilling and construction of new Class II wells. A descriptive report interpreting the results of that portion of those logs and tests which specifically relate to (1) an USDW and the confining zone adjacent to it, and (2) the injection and adjacent formations shall be prepared by a knowledgeable log analyst and submitted to the director. At a minimum, these logs and tests shall include:

(1) Deviation checks on all holes constructed by first drilling a pilot hole and then enlarging the pilot hole, by reaming or another method. Such checks shall be at sufficiently frequent intervals to assure that vertical avenues for fluid movement in the form of diverging holes are not created during drilling.

(2) Such other logs and tests as may be needed after taking into account the availability of similar data in the area of the drilling site, the construction plan, and the need for additional information that may arise from time to time as the construction of the well progresses. In determining which logs and tests shall be required the following shall be considered by the Director in setting logging and testing requirements:

(i) For surface casing intended to protect underground sources of drinking water in areas where the lithology has not been determined:

(A) Electric and caliper logs before casing is installed; and

(B) A cement bond, temperature, or density log after the casing is set and cemented.

(ii) for intermediate and long strings of casing intended to facilitate injection:

(A) Electric porosity and gamma ray logs before the casing is installed;

(B) Fracture finder logs; and

(C) A cement bond, temperature, or density log after the casing is set and cemented.

(g) At a minimum, the following information concerning the injection formation shall be determined or calculated for new Class II wells or projects:

(1) Fluid pressure;

(2) Estimated fracture pressure;

(3) Physical and chemical characteristics of the injection zone.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 47 FR 5000, Feb. 3, 1982]

§ 146.23 Operating, monitoring, and reporting requirements.

(a) *Operating requirements.* Operating requirements shall, at a minimum, specify that:

(1) Injection pressure at the wellhead shall not exceed a maximum which shall be calculated so as to assure that the pressure during injection does not initiate new fractures or propagate existing fractures in the confining zone adjacent to the USDWs. In no case shall injection pressure cause the movement of injection or formation fluids into an underground source of drinking water

(2) Injection between the outermost casing protecting underground sources of drinking water and the well bore shall be prohibited.

(b) *Monitoring requirements.* Monitoring requirements shall, at a minimum, include:

(1) Monitoring of the nature of injected fluids at time intervals sufficiently frequent to yield data representative of their characteristics;

(2) Observation of injection pressure, flow rate, and cumulative volume at least with the following frequencies:

(i) Weekly for produced fluid disposal operations;

(ii) Monthly for enhanced recovery operations;

(iii) Daily during the injection of liquid hydrocarbons and injection for withdrawal of stored hydrocarbons; and

(iv) Daily during the injection phase of cyclic steam operations

And recording of one observation of injection pressure, flow rate and cumulative volume at reasonable intervals no greater than 30 days.

(3) A demonstration of mechanical integrity pursuant to §146.8 at least once every five years during the life of the injection well;

(4) Maintenance of the results of all monitoring until the next permit review (see 40 CFR 144.52(a)(5)); and

(5) Hydrocarbon storage and enhanced recovery may be monitored on a field or project basis rather than on an individual well basis by manifold monitoring. Manifold monitoring may be used in cases of facilities consisting of more than one injection well, operating with a common manifold. Separate monitoring systems for each well are not required provided the owner/operator demonstrates that manifold monitoring is comparable to individual well monitoring.

(c) *Reporting requirements.* (1) Reporting requirements shall at a minimum include an annual report to the Director summarizing the results of monitoring required under paragraph (b) of this section. Such summary shall include monthly records of injected fluids, and any major changes in characteristics or sources of injected fluid. Previously submitted information may be included by reference.

(2) Owners or operators of hydrocarbon storage and enhanced recovery projects may report on a field or project basis rather than an individual well basis where manifold monitoring is used.

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act; 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 47 FR 5000, Feb. 3, 1982; 48 FR 14293, Apr. 1, 1983; 48 FR 31404, July 8, 1983]

§ 146.24 Information to be considered by the Director.

This section sets forth the information which must be considered by the Director in authorizing Class II wells. Certain maps, cross-sections, tabulations of wells within the area of review, and other data may be included in the application by reference provided they are current, readily available to the Director (for example, in the permitting agency's files) and sufficiently identified to be retrieved. In cases where

EPA issues the permit, all the information in this section is to be submitted to the Administrator.

(a) Prior to the issuance of a permit for an existing Class II well to operate or the construction or conversion of a new Class II well the Director shall consider the following:

(1) Information required in 40 CFR 144.31 and 144.31(g);

(2) A map showing the injection well or project area for which a permit is sought and the applicable area of review. Within the area of review, the map must show the number or name and location of all existing producing wells, injection wells, abandoned wells, dry holes, and water wells. The map may also show surface bodies of waters, mines (surface and subsurface), quarries and other pertinent surface features including residences and roads, and faults if known or suspended. Only information of public record and pertinent information known to the applicant is required to be included on this map. This requirement does not apply to existing Class II wells; and

(3) A tabulation of data reasonably available from public records or otherwise known to the applicant on all wells within the area of review included on the map required under paragraph (a)(2) of this section which penetrate the proposed injection zone or, in the case of Class II wells operating over the fracture pressure of the injection formation, all known wells within the area of review which penetrate formations affected by the increase in pressure. Such data shall include a description of each well's type, construction, date drilled, location, depth, record of plugging and complete, and any additional information the Director may require. In cases where the information would be repetitive and the wells are of similar age, type, and construction the Director may elect to only require data on a representative number of wells. This requirement does not apply to existing Class II wells.

(4) Proposed operating data:

(i) Average and maximum daily rate and volume of fluids to be injected.

(ii) Average and maximum injection pressure; and

(iii) Source and an appropriate analysis of the chemical and physical characteristics of the injection fluid.

(5) Appropriate geological data on the injection zone and confining zone including lithologic description, geological name, thickness and depth;

(6) Geologic name and depth to bottom of all underground sources of drinking water which may be affected by the injection;

(7) Schematic or other appropriate drawings of the surface and subsurface construction details of the well;

(8) In the case of new injection wells the corrective action proposed to be taken by the applicant under 40 CFR 122.44;

(9) A certificate that the applicant has assured through a performance bond or other appropriate means, the resources necessary to close plug or abandon the well as required by 40 CFR 122.42(g);

(b) In addition the Director may consider the following:

(1) Proposed formation testing program to obtain the information required by §146.22(g);

(2) Proposed stimulation program;

(3) Proposed injection procedure;

(4) Proposed contingency plans, if any, to cope with well failures so as to prevent migration of contaminating fluids into an underground source of drinking water;

(5) Plans for meeting the monitoring requirements of §146.23(b).

(c) Prior to granting approval for the operation of a Class II well the Director shall consider the following information:

(1) All available logging and testing program data on the well;

(2) A demonstration of mechanical integrity pursuant to §146.8;

(3) The anticipated maximum pressure and flow rate at which the permittee will operate.

(4) The results of the formation testing program;

(5) The actual injection procedure; and

(6) For new wells the status of corrective action on defective wells in the area of review.

(d) Prior to granting approval for the plugging and abandonment of a Class II

well the Director shall consider the following information:

(1) The type, and number of plugs to be used;

(2) The placement of each plug including the elevation of top and bottom;

(3) The type, grade, and quantity of cement to be used;

(4) The method of placement of the plugs; and

(5) The procedure to be used to meet the requirements of §146.10(c).

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 46 FR 43162, Aug. 27, 1981; 47 FR 5000, Feb. 3, 1982; 48 FR 14293, Apr. 1, 1983]

Subpart D—Criteria and Standards Applicable to Class III Wells

§146.31 Applicability.

This subpart establishes criteria and standards for underground injection control programs to regulate Class III wells.

§146.32 Construction requirements.

(a) All new Class III wells shall be cased and cemented to prevent the migration of fluids into or between underground sources of drinking water. The Director may waive the cementing requirement for new wells in existing projects or portions of existing projects where he has substantial evidence that no contamination of underground sources of drinking water would result. The casing and cement used in the construction of each newly drilled well shall be designed for the life expectancy of the well. In determining and specifying casing and cementing requirements, the following factors shall be considered:

(1) Depth to the injection zone;

(2) Injection pressure, external pressure, internal pressure, axial loading, etc.;

(3) Hole size;

(4) Size and grade of all casing strings (wall thickness, diameter, nominal weight, length, joint specification, and construction material);

(5) Corrosiveness of injected fluids and formation fluids;

(6) Lithology of injection and confining zones; and

(7) Type and grade of cement.

(b) Appropriate logs and other tests shall be conducted during the drilling and construction of new Class III wells. A descriptive report interpreting the results of such logs and tests shall be prepared by a knowledgeable log analyst and submitted to the Director. The logs and tests appropriate to each type of Class III well shall be determined based on the intended function, depth, construction and other characteristics of the well, availability of similar data in the area of the drilling site and the need for additional information that may arise from time to time as the construction of the well progresses. Deviation checks shall be conducted on all holes where pilot holes and reaming are used, unless the hole will be cased and cemented by circulating cement to the surface. Where deviation checks are necessary they shall be conducted at sufficiently frequent intervals to assure that vertical avenues for fluid migration in the form of diverging holes are not created during drillings.

(c) Where the injection zone is a formation which is naturally water-bearing the following information concerning the injection zone shall be determined or calculated for new Class III wells or projects:

(1) Fluid pressure;

(2) Fracture pressure; and

(3) Physical and chemical characteristics of the formation fluids.

(d) Where the injection formation is not a water-bearing formation, the information in paragraph (c)(2) of this section must be submitted.

(e) Where injection is into a formation which contains water with less than 10,000 mg/l TDS monitoring wells shall be completed into the injection zone and into any underground sources of drinking water above the injection zone which could be affected by the mining operation. These wells shall be located in such a fashion as to detect any excursion of injection fluids, process by-products, or formation fluids outside the mining area or zone. If the operation may be affected by subsidence or catastrophic collapse the monitoring wells shall be located so that they will not be physically affected.

(f) Where injection is into a formation which does not contain water with less than 10,000 mg/l TDS, no monitoring wells are necessary in the injection stratum.

(g) Where the injection wells penetrate an USDW in an area subject to subsidence or catastrophic collapse an adequate number of monitoring wells shall be completed into the USDW to detect any movement of injected fluids, process by-products or formation fluids into the USDW. The monitoring wells shall be located outside the physical influence of the subsidence or catastrophic collapse.

(h) In determining the number, location, construction and frequency of monitoring of the monitoring wells the following criteria shall be considered:

(1) The population relying on the USDW affected or potentially affected by the injection operation;

(2) The proximity of the injection operation to points of withdrawal of drinking water;

(3) The local geology and hydrology;

(4) The operating pressures and whether a negative pressure gradient is being maintained;

(5) The nature and volume of the injected fluid, the formation water, and the process by-products; and

(6) The injection well density.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43163, Aug. 27, 1981; 47 FR 5000, Feb. 3, 1982]

§ 146.33 Operating, monitoring, and reporting requirements.

(a) *Operating requirements.* Operating requirements prescribed shall, at a minimum, specify that:

(1) Except during well stimulation injection pressure at the wellhead shall be calculated so as to assure that the pressure in the injection zone during injection does not initiate new fractures or propagate existing fractures in the injection zone. In no case, shall injection pressure initiate fractures in the confining zone or cause the migration of injection or formation fluids into an underground source of drinking water.

(2) Injection between the outermost casing protecting underground sources of drinking water and the well bore is prohibited.

(b) *Monitoring requirements.* Monitoring requirements shall, at a minimum, specify:

(1) Monitoring of the nature of injected fluids with sufficient frequency to yield representative data on its characteristics. Whenever the injection fluid is modified to the extent that the analysis required by §146.34(a)(7)(iii) is incorrect or incomplete, a new analysis as required by §146.34(a)(7)(iii) shall be provided to the Director.

(2) Monitoring of injection pressure and either flow rate or volume semi-monthly, or metering and daily recording of injected and produced fluid volumes as appropriate.

(3) Demonstration of mechanical integrity pursuant to §146.08 at least once every five years during the life of the well for salt solution mining.

(4) Monitoring of the fluid level in the injection zone semi-monthly, where appropriate and monitoring of the parameters chosen to measure water quality in the monitoring wells required by §146.32(e), semi-monthly.

(5) Quarterly monitoring of wells required by §146.32(g).

(6) All Class III wells may be monitored on a field or project basis rather than an individual well basis by manifold monitoring. Manifold monitoring may be used in cases of facilities consisting of more than one injection well, operating with a common manifold. Separate monitoring systems for each well are not required provided the owner/operator demonstrates that manifold monitoring is comparable to individual well monitoring.

(c) *Reporting requirements.* Reporting requirements shall, at a minimum, include:

(1) Quarterly reporting to the Director on required monitoring;

(2) Results of mechanical integrity and any other periodic test required by the Director reported with the first regular quarterly report after the completion of the test; and

(3) Monitoring may be reported on a project or field basis rather than individual well basis where manifold monitoring is used.

[45 FR 42500, June 24, 1980, as amended at 46 FR 43163, Aug. 27, 1981; 46 FR 5001, Feb. 3, 1982; 48 FR 31404, July 8, 1983]

§ 146.34 Information to be considered by the Director.

This section sets forth the information which must be considered by the Director in authorizing Class III wells. Certain maps, cross sections, tabulations of wells within the area of review, and other data may be included in the application by reference provided they are current, readily available to the Director (for example, in the permitting agency's files) and sufficiently identified to be retrieved. In cases where EPA issues the permit, all the information in this section must be submitted to the Administrator.

(a) Prior to the issuance of a permit for an existing Class III well or area to operate or the construction of a new Class III well the Director shall consider the following:

(1) Information required in 40 CFR 144.31 and 144.31(g);

(2) A map showing the injection well or project area for which a permit is sought and the applicable area of review. Within the area of review, the map must show the number or name and location of all existing producing wells, injection wells, abandoned wells, dry holes, public water systems and water wells. The map may also show surface bodies of waters, mines (surface and subsurface), quarries and other pertinent surface features including residences and roads, and faults if known or suspected. Only information of public record and pertinent information known to the applicant is required to be included on this map.

(3) A tabulation of data reasonably available from public records or otherwise known to the applicant on wells within the area of review included on the map required under paragraph (a)(2) of this section which penetrate the proposed injection zone. Such data shall include a description of each well's type, construction, date drilled, location, depth, record of plugging and completion, and any additional information the Director may require. In cases where the information would be repetitive and the wells are of similar age, type, and construction the Director may elect to only require data on a representative number of wells.

(4) Maps and cross sections indicating the vertical limits of all underground sources of drinking water within the area of review, their position relative to the injection formation, and the direction of water movement, where known, in every underground source of drinking water which may be affected by the proposed injection:

(5) Maps and cross sections detailing the geologic structure of the local area;

(6) Generalized map and cross sections illustrating the regional geologic setting;

(7) Proposed operating data:

(i) Average and maximum daily rate and volume of fluid to be injected;

(ii) Average and maximum injection pressure; and

(iii) Qualitative analysis and ranges in concentrations of all constituents of injected fluids. The applicant may request Federal confidentiality as specified in 40 CFR part 2. If the information is proprietary an applicant may, in lieu of the ranges in concentrations, choose to submit maximum concentrations which shall not be exceeded. In such a case the applicant shall retain records of the undisclosed concentrations and provide them upon request to the Director as part of any enforcement investigation.

(8) Proposed formation testing program to obtain the information required by §146.32(c).

(9) Proposed stimulation program;

(10) Proposed injection procedure;

(11) Schematic or other appropriate drawings of the surface and subsurface construction details of the well;

(12) Plans (including maps) for meeting the monitoring requirements of §146.33(b);

(13) Expected changes in pressure, native fluid displacement, direction of movement of injection fluid;

(14) Contingency plans to cope with all shut-ins or well failures so as to prevent the migration of contaminating fluids into underground sources of drinking water;

(15) A certificate that the applicant has assured, through a performance bond, or other appropriate means, the resources necessary to close, plug, or abandon the well as required by 40 CFR 144.52(a)(7) and

(16) The corrective action proposed to be taken under 40 CFR 144.55.

(b) Prior to granting approval for the operation of a Class III well the Director shall consider the following information:

(1) All available logging and testing data on the well;

(2) A satisfactory demonstration of mechanical integrity for all new wells and for all existing salt solution wells pursuant to §146.08;

(3) The anticipated maximum pressure and flow rate at which the permittee will operate;

(4) The results of the formation testing program;

(5) The actual injection procedures; and

(6) The status of corrective action on defective wells in the area of review.

(c) Prior to granting approval for the plugging and abandonment of a Class III well the Director shall consider the following information:

(1) The type and number of plugs to be used;

(2) The placement of each plug including the elevation of the top and bottom;

(3) The type, grade, and quantity of cement to be used;

(4) The method of placement of the plugs; and

(5) The procedure to be used to meet the requirements of §146.10(c).

(Clean Water Act, Safe Drinking Water Act, Clean Air Act, Resource Conservation and Recovery Act: 42 U.S.C. 6905, 6912, 6925, 6927, 6974)

[45 FR 42500, June 24, 1980, as amended at 46 FR 43163, Aug. 27, 1981; 47 FR 5001, Feb. 3, 1982; 48 FR 14293, Apr. 1, 1983]

Subpart E—Criteria and Standards Applicable to Class IV Injection Wells [Reserved]

Subpart F—Criteria and Standards Applicable to Class V Injection Wells

§146.51 Applicability.

This subpart sets forth criteria and standards for underground injection control programs to regulate all injection not regulated in subparts B, C, D, and E.

(a) Generally, wells covered by this subpart inject non-hazardous fluids into or above formations that contain underground sources of drinking water. It includes all wells listed in §146.5(e) but is not limited to those types of injection wells.

(b) It also includes wells not covered in Class IV that inject radioactive material listed in 10 CFR part 20, appendix B, table II, column 2.

[45 FR 42500, June 24, 1980, as amended at 47 FR 5001, Feb. 3, 1982]

Subpart G—Criteria and Standards Applicable to Class I Hazardous Waste Injection Wells

SOURCE: 53 FR 28148, July 26, 1988, unless otherwise noted.

§146.61 Applicability

(a) This subpart establishes criteria and standards for underground injection control programs to regulate Class I hazardous waste injection wells. Unless otherwise noted this subpart supplements the requirements of subpart A and applies instead of subpart B to Class I hazardous waste injection wells.

(b) *Definitions.*

Cone of influence means that area around the well within which increased injection zone pressures caused by injection into the hazardous waste injection well would be sufficient to drive fluids into an underground source of drinking water (USDW).

Existing well means a Class I well which was authorized prior to August 25, 1988, by an approved State program, or an EPA-administered program or a well which has become a Class I well as a result of a change in the definition of the injected waste which would render the waste hazardous under §261.3 of this part.

Injection interval means that part of the injection zone in which the well is screened, or in which the waste is otherwise directly emplaced.

New well means any Class I hazardous waste injection well which is not an existing well.

Transmissive fault or fracture is a fault or fracture that has sufficient permeability and vertical extent to allow fluids to move between formations.

§ 146.62 Minimum criteria for siting.

(a) All Class I hazardous waste injection wells shall be sited such that they inject into a formation that is beneath the lowermost formation containing within one quarter mile of the well bore an underground source of drinking water.

(b) The siting of Class I hazardous waste injection wells shall be limited to areas that are geologically suitable. The Director shall determine geologic suitability based upon:

(1) An analysis of the structural and stratigraphic geology, the hydrogeology, and the seismicity of the region;

(2) An analysis of the local geology and hydrogeology of the well site, including, at a minimum, detailed information regarding stratigraphy, structure and rock properties, aquifer hydrodynamics and mineral resources; and

(3) A determination that the geology of the area can be described confidently and that limits of waste fate and transport can be accurately predicted through the use of models.

(c) Class I hazardous waste injection wells shall be sited such that:

(1) The injection zone has sufficient permeability, porosity, thickness and areal extent to prevent migration of fluids into USDWs.

(2) The confining zone:

(i) Is laterally continuous and free of transecting, transmissive faults or fractures over an area sufficient to prevenet the movement of fluids into a USDW; and

(ii) Contains at least one formation of sufficient thickness and with lithologic and stress characteristics capable of preventing vertical propagation of fractures.

(d) The owner or operator shall demonstrate to the satisfaction of the Director that:

(1) The confining zone is separated from the base of the lowermost USDW by at least one sequence of permeable and less permeable strata that will provide an added layer of protection for the USDW in the event of fluid movement in an unlocated borehole or transmissive fault; or

(2) Within the area of review, the piezometric surface of the fluid in the injection zone is less than the piezometric surface of the lowermost USDW, considering density effects, injection pressures and any significant pumping in the overlying USDW; or

(3) There is no USDW present.

(4) The Director may approve a site which does not meet the requirements in paragraphs (d) (1), (2), or (3) of this section if the owner or operator can demonstrate to the Director that because of the geology, nature of the waste, or other considerations, abandoned boreholes or other conduits would not cause endangerment of USDWs.

§ 146.63 Area of review.

For the purposes of Class I hazardous waste wells, this section shall apply to the exclusion of §146.6. The area of review for Class I hazardous waste injection wells shall be a 2-mile radius around the well bore. The Director may specify a larger area of review based on the calculated cone of influence of the well.

§ 146.64 Corrective action for wells in the area of review.

For the purposes of Class I hazardous waste wells, this section shall apply to the exclusion of §§144.55 and 146.07.

(a) The owner or operator of a Class I hazardous waste well shall as part of the permit application submit a plan to the Director outlining the protocol used to:

(1) Identify all wells penetrating the confining zone or injection zone within the area of review; and

(2) Determine whether wells are adequately completed or plugged.

(b) The owner or operator of a Class I hazardous waste well shall identify the location of all wells within the area of review that penetrate the injection zone or the confining zone and shall submit as required in §146.70(a):

(1) A tabulation of all wells within the area of review that penetrate the injection zone or the confining zone; and

(2) A description of each well or type of well and any records of its plugging or completion.

(c) For wells that the Director determines are improperly plugged, completed, or abandoned, or for which

plugging or completion information is unavailable, the applicant shall also submit a plan consisting of such steps or modification as are necessary to prevent movement of fluids into or between USDWs. Where the plan is adequate, the Director shall incorporate it into the permit as a condition. Where the Director's review of an application indicates that the permittee's plan is inadequate (based at a minimum on the factors in paragraph (e) of this section), the Director shall:

(1) Require the applicant to revise the plan;

(2) Prescribe a plan for corrective action as a condition of the permit; or

(3) Deny the application.

(d) Requirements:

(1) Existing injection wells. Any permit issued for an existing Class I hazardous waste injection well requiring corrective action other than pressure limitations shall include a compliance schedule requiring any corrective action accepted or prescribed under paragraph (c) of this section. Any such compliance schedule shall provide for compliance no later than 2 years following issuance of the permit and shall require observance of appropriate pressure limitations under paragraph (d)(3) until all other corrective action measures have been implemented.

(2) New injection wells. No owner or operator of a new Class I hazardous waste injection well may begin injection until all corrective actions required under this section have been taken.

(3) The Director may require pressure limitations in lieu of plugging. If pressure limitations are used in lieu of plugging, the Director shall require as a permit condition that injection pressure be so limited that pressure in the injection zone at the site of any improperly completed or abandoned well within the area of review would not be sufficient to drive fluids into or between USDWs. This pressure limitation shall satisfy the corrective action requirement. Alternatively, such injection pressure limitation may be made part of a compliance schedule and may be required to be maintained until all other required corrective actions have been implemented.

(e) In determining the adequacy of corrective action proposed by the applicant under paragraph (c) of this section and in determining the additional steps needed to prevent fluid movement into and between USDWs, the following criteria and factors shall be considered by the Director:

(1) Nature and volume of injected fluid;

(2) Nature of native fluids or byproducts of injection;

(3) Geology;

(4) Hydrology;

(5) History of the injection operation;

(6) Completion and plugging records;

(7) Closure procedures in effect at the time the well was closed;

(8) Hydraulic connections with USDWs;

(9) Reliability of the procedures used to identify abandoned wells; and

(10) Any other factors which might affect the movement of fluids into or between USDWs.

§ 146.65 Construction requirements.

(a) *General.* All existing and new Class I hazardous waste injection wells shall be constructed and completed to:

(1) Prevent the movement of fluids into or between USDWs or into any unauthorized zones;

(2) Permit the use of appropriate testing devices and workover tools; and

(3) Permit continuous monitoring of injection tubing and long string casing as required pursuant to §146.67(f).

(b) *Compatibility.* All well materials must be compatible with fluids with which the materials may be expected to come into contact. A well shall be deemed to have compatibility as long as the materials used in the construction of the well meet or exceed standards developed for such materials by the American Petroleum Institute, The American Society for Testing Materials, or comparable standards acceptable to the Director.

(c) *Casing and Cementing of New Wells.* (1) Casing and cement used in the construction of each newly drilled well shall be designed for the life expectancy of the well, including the postclosure care period. The casing and cementing program shall be designed to prevent the movement of fluids into or

between USDWs, and to prevent potential leaks of fluids from the well. In determining and specifying casing and cementing requirements, the Director shall consider the following information as required by §146.70:

(i) Depth to the injection zone;

(ii) Injection pressure, external pressure, internal pressure and axial loading;

(iii) Hole size;

(iv) Size and grade of all casing strings (well thickness, diameter, nominal weight, length, joint specification and construction material);

(v) Corrosiveness of injected fluid, formation fluids and temperature;

(vi) Lithology of injection and confining zones;

(vii) Type or grade of cement; and

(viii) Quantity and chemical composition of the injected fluid.

(2) One surface casing string shall, at a minimum, extend into the confining bed below the lowest formation that contains a USDW and be cemented by circulating cement from the base of the casing to the surface, using a minimum of 120% of the calculated annual volume. The Director may require more than 120% when the geology or other circumstances warrant it.

(3) At least one long string casing, using a sufficient number of centralizers, shall extend to the injection zone and shall be cemented by circulating cement to the surface in one or more stages:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure; and

(ii) In a quantity no less than 120% of the calculated volume necessary to fill the annular space. The Director may require more than 120% when the geology or other circumstances warrant it.

(4) Circulation of cement may be accomplished by staging. The Director may approve an alternative method of cementing in cases where the cement cannot be recirculated to the surface, provided the owner or operator can demonstrate by using logs that the cement is continuous and does not allow fluid movement behind the well bore.

(5) Casings, including any casing connections, must be rated to have sufficient structural strength to withstand, for the design life of the well:

(i) The maximum burst and collapse pressures which may be experienced during the construction, operation and closure of the well; and

(ii) The maximum tensile stress which may be experienced at any point along the length of the casing during the construction, operation, and closure of the well.

(6) At a minimum, cement and cement additivies must be of sufficient quality and quantity to maintain integrity over the design life of the well.

(d) *Tubing and packer.* (1) All Class I hazardous waste injection wells shall inject fluids through tubing with a packer set at a point specified by the Director.

(2) In determining and specifying requirements for tubing and packer, the following factors shall be considered:

(i) Depth of setting;

(ii) Characteristics of injection fluid (chemical content, corrosiveness, temperature and density);

(iii) Injection pressure;

(iv) Annular pressure;

(v) Rate (intermittent or continuous), temperature and volume of injected fluid;

(vi) Size of casing; and

(vii) Tubing tensile, burst, and collapse strengths.

(3) The Director may approve the use of a fluid seal if he determines that the following conditions are met:

(i) The operator demonstrates that the seal will provide a level of protection comparable to a packer;

(ii) The operator demonstrates that the staff is, and will remain, adequately trained to operate and maintain the well and to identify and interpret variations in parameters of concern;

(iii) The permit contains specific limitations on variations in annular pressure and loss of annular fluid;

(iv) The design and construction of the well allows continuous monitoring of the annular pressure and mass balance of annular fluid; and

(v) A secondary system is used to monitor the interface between the annulus fluid and the injection fluid and the permit contains requirements for testing the system every three months and recording the results.

§ 146.66 Logging, sampling, and testing prior to new well operation.

(a) During the drilling and construction of a new Class I hazardous waste injection well, appropriate logs and tests shall be run to determine or verify the depth, thickness, porosity, permeability, and rock type of, and the salinity of any entrained fluids in, all relevant geologic units to assure conformance with performance standards in §146.65, and to establish accurate baseline data against which future measurements may be compared. A descriptive report interpreting results of such logs and tests shall be prepared by a knowledgeable log analyst and submitted to the Director. At a minimum, such logs and tests shall include:

(1) Deviation checks during drilling on all holes constructed by drilling a pilot hole which are enlarged by reaming or another method. Such checks shall be at sufficiently frequent intervals to determine the location of the borehole and to assure that vertical avenues for fluid movement in the form of diverging holes are not created during drilling; and

(2) Such other logs and tests as may be needed after taking into account the availability of similar data in the area of the drilling site, the construction plan, and the need for additional information that may arise from time to time as the construction of the well progresses. At a minimum, the following logs shall be required in the following situations:

(i) Upon installation of the surface casing:

(A) Resistivity, spontaneous potential, and caliper logs before the casing is installed; and

(B) A cement bond and variable density log, and a temperature log after the casing is set and cemented.

(ii) Upon installation of the long string casing:

(A) Resistivity, spontaneous potential, porosity, caliper, gamma ray, and fracture finder logs before the casing is installed; and

(B) A cement bond and variable density log, and a temperature log after the casing is set and cemented.

(iii) The Director may allow the use of an alternative to the above logs when an alternative will provide equivalent or better information; and

(3) A mechanical integrity test consisting of:

(i) A pressure test with liquid or gas;

(ii) A radioactive tracer survey;

(iii) A temperature or noise log;

(iv) A casing inspection log, if required by the Director; and

(v) Any other test required by the Director.

(b) Whole cores or sidewall cores of the confining and injection zones and formation fluid samples from the injection zone shall be taken. The Director may accept cores from nearby wells if the owner or operator can demonstrate that core retrieval is not possible and that such cores are representative of conditions at the well. The Director may require the owner or operator to core other formations in the borehole.

(c) The fluid temperature, pH, conductivity, pressure and the static fluid level of the injection zone must be recorded.

(d) At a minimum, the following information concerning the injection and confining zones shall be determined or calculated for Class I hazardous waste injection wells:

(1) Fracture pressure;

(2) Other physical and chemical characteristics of the injection and confining zones; and

(3) Physical and chemical characteristics of the formation fluids in the injection zone.

(e) Upon completion, but prior to operation, the owner or operator shall conduct the following tests to verify hydrogeologic characteristics of the injection zone:

(1) A pump test; or

(2) Injectivity tests.

(f) The Director shall have the opportunity to witness all logging and testing by this subpart. The owner or operator shall submit a schedule of such activities to the Director 30 days prior to conducting the first test.

§ 146.67 Operating requirements.

(a) Except during stimulation, the owner or operator shall assure that injection pressure at the wellhead does not exceed a maximum which shall be calculated so as to assure that the pressure in the injection zone during

injection does not initiate new fractures or propagate existing fractures in the injection zone. The owner or operator shall assure that the injection pressure does not initiate fractures or propagate existing fractures in the confining zone, nor cause the movement of injection or formation fluids into a USDW.

(b) Injection between the outermost casing protecting USDWs and the well bore is prohibited.

(c) The owner or operator shall maintain an annulus pressure that exceeds the operating injection pressure, unless the Director determines that such a requirement might harm the integrity of the well. The fluid in the annulus shall be noncorrosive, or shall contain a corrosion inhibitor.

(d) The owner or operator shall maintain mechanical integrity of the injection well at all times.

(e) Permit requirements for owners or operators of hazardous waste wells which inject wastes which have the potential to react with the injection formation to generate gases shall include:

(1) Conditions limiting the temperature, pH or acidity of the injected waste; and

(2) Procedures necessary to assure that pressure imbalances which might cause a backflow or blowout do not occur.

(f) The owner or operator shall install and use continuous recording devices to monitor: the injection pressure; the flow rate, volume, and temperature of injected fluids; and the pressure on the annulus between the tubing and the long string casing, and shall install and use:

(1) Automatic alarm and automatic shut-off systems, designed to sound and shut-in the well when pressures and flow rates or other parameters approved by the Director exceed a range and/or gradient specified in the permit; or

(2) Automatic alarms, designed to sound when the pressures and flow rates or other parameters approved by the Director exceed a rate and/or gradient specified in the permit, in cases where the owner or operator certifies that a trained operator will be on-site at all times when the well is operating.

(g) If an automatic alarm or shutdown is triggered, the owner or operator shall immediately investigate and identify as expeditiously as possible the cause of the alarm or shutoff. If, upon such investigation, the well appears to be lacking mechanical integrity, or if monitoring required under paragraph (f) of this section otherwise indicates that the well may be lacking mechanical integrity, the owner or operator shall:

(1) Cease injection of waste fluids unless authorized by the Director to continue or resume injection.

(2) Take all necessary steps to determine the presence or absence of a leak; and

(3) Notify the Director within 24 hours after the alarm or shutdown.

(h) If a loss of mechanical integrity is discovered pursuant to paragraph (g) of this section or during periodic mechanical integrity testing, the owner or operator shall:

(1) Immediately cease injection of waste fluids;

(2) Take all steps reasonably necessary to determine whether there may have been a release of hazardous wastes or hazardous waste constituents into any unauthorized zone;

(3) Notify the Director within 24 hours after loss of mechanical integrity is discovered;

(4) Notify the Director when injection can be expected to resume; and

(5) Restore and demonstrate mechanical integrity to the satisfaction of the Director prior to resuming injection of waste fluids.

(i) Whenever the owner or operator obtains evidence that there may have been a release of injected wastes into an unauthorized zone:

(1) The owner or operator shall immediately case injection of waste fluids, and:

(i) Notify the Director within 24 hours of obtaining such evidence;

(ii) Take all necessary steps to identify and characterize the extent of any release;

(iii) Comply with any remediation plan specified by the Director;

(iv) Implement any remediation plan approved by the Director; and

(v) Where such release is into a USDW currently serving as a water

supply, place a notice in a newspaper of general circulation.

(2) The Director may allow the operator to resume injection prior to completing cleanup action if the owner or operator demonstrates that the injection operation will not endanger USDWs.

(j) The owner or operator shall notify the Director and obtain his approval prior to conducting any well workover.

§ 146.68 Testing and monitoring requirements.

Testing and monitoring requirements shall at a minimum include:

(a) Monitoring of the injected wastes. (1) The owner or operator shall develop and follow an approved written waste analysis plan that describes the procedures to be carried out to obtain a detailed chemical and physical analysis of a representative sample of the waste, including the quality assurance procedures used. At a minimum, the plan shall specify:

(i) The paramenters for which the waste will be analyzed and the rationale for the selection of these parameters;

(ii) The test methods that will be used to test for these parameters; and

(iii) The sampling method that will be used to obtain a representative sample of the waste to be analyzed.

(2) The owner or operator shall repeat the analysis of the injected wastes as described in the waste analysis plan at frequencies specified in the waste analysis plan and when process or operating changes occur that may significantly alter the characteristics of the waste stream.

(3) The owner or operator shall conduct continuous or periodic monitoring of selected parameters as required by the Director.

(4) The owner or operator shall assure that the plan remains accurate and the analyses remain representative.

(b) Hydrogeologic compatibility determination. The owner or operator shall submit information demonstrating to the satisfaction of the Director that the waste stream and its anticipated reaction products will not alter the permeability, thickness or other relevant characteristics of the confining or injection zones such that they would no longer meet the requirements specified in §146.62.

(c) Compatibility of well materials. (1) The owner or operator shall demonstrate that the waste stream will be compatible with the well materials with which the waste is expected to come into contact, and submit to the Director a description of the methodology used to make that determination. Compatibility for purposes of this requirement is established if contact with injected fluids will not cause the well materials to fail to satisfy any design requirement imposed under §146.65(b).

(2) The Director shall require continuous corrosion monitoring of the construction materials used in the well for wells injecting corrosive waste, and may require such monitoring for other waste, by:

(i) Placing coupons of the well construction materials in contact with the waste stream; or

(ii) Routing the waste stream through a loop constructed with the material used in the well; or

(iii) Using an alternative method approved by the Director.

(3) If a corrosion monitoring program is required:

(i) The test shall use materials identical to those used in the construction of the well, and such materials must be continuously exposed to the operating pressures and temperatures (measured at the well head) and flow rates of the injection operation; and

(ii) The owner or operator shall monitor the materials for loss of mass, thickness, cracking, pitting and other signs of corrosion on a quarterly basis to ensure that the well components meet the minimum standards for material strength and performance set forth in §146.65(b).

(d) *Periodic mechanical integrity testing.* In fulfilling the requirements of §146.8, the owner or operator of a Class I hazardous waste injection well shall conduct the mechanical integrity testing as follows:

(1) The long string casing, injection tube, and annular seal shall be tested by means of an approved pressure test with a liquid or gas annually and whenever there has been a well workover;

(2) The bottom-hole cement shall be tested by means of an approved radioactive tracer survey annually;

(3) An approved temperature, noise, or other approved log shall be run at least once every five years to test for movement of fluid along the borehole. The Director may require such tests whenever the well is worked over;

(4) Casing inspection logs shall be run whenever the owner or operator conducts a workover in which the injection string is pulled, unless the Director waives this requirement due to well construction or other factors which limit the test's reliability, or based upon the satisfactory results of a casing inspection log run within the previous five years. The Director may require that a casing inspection log be run every five years, if he has reason to believe that the integrity of the long string casing of the well may be adversely affected by naturally-occurring or man-made events;

(5) Any other test approved by the Director in accordance with the procedures in §146.8(d) may also be used.

(e) *Ambient monitoring.* (1) Based on a site-specific assessment of the potential for fluid movement from the well or injection zone, and on the potential value of monitoring wells to detect such movement, the Director shall require the owner or operator to develop a monitoring program. At a minimum, the Director shall require monitoring of the pressure buildup in the injection zone annually, including at a minimum, a shut down of the well for a time sufficient to conduct a valid observation of the pressure fall-off curve.

(2) When prescribing a monitoring system the Director may also require:

(i) Continuous monitoring for pressure changes in the first aquifer overlying the confining zone. When such a well is installed, the owner or operator shall, on a quarterly basis, sample the aquifer and analyze for constituents specified by the Director;

(ii) The use of indirect, geophysical techniques to determine the position of the waste front, the water quality in a formation designated by the Director, or to provide other site specific data;

(iii) Periodic monitoring of the ground water quality in the first aquifer overlying the injection zone;

(iv) Periodic monitoring of the ground water quality in the lowermost USDW; and

(v) Any additional monitoring necessary to determine whether fluids are moving into or between USDWs.

(f) The Director may require seismicity monitoring when he has reason to believe that the injection activity may have the capacity to cause seismic disturbances.

[53 FR 28148, July 26, 1988, as amended at 57 FR 46294, Oct. 7, 1992]

§146.69 Reporting requirements.

Reporting requirements shall, at a minimum, include:

(a) Quarterly reports to the Director containing:

(1) The maximum injection pressure;

(2) A description of any event that exceeds operating parameters for annulus pressure or injection pressure as specified in the permit;

(3) A description of any event which triggers an alarm or shutdown device required pursuant to §146.67(f) and the response taken;

(4) The total volume of fluid injected;

(5) Any change in the annular fluid volume;

(6) The physical, chemical and other relevant characteristics of injected fluids; and

(7) The results of monitoring prescribed under §146.68.

(b) Reporting, within 30 days or with the next quarterly report whichever comes later, the results of:

(1) Periodic tests of mechanical integrity;

(2) Any other test of the injection well conducted by the permittee if required by the Director; and

(3) Any well workover.

§146.70 Information to be evaluated by the Director.

This section sets forth the information which must be evaluated by the Director in authorizing Class I hazardous waste injection wells. For a new Class I hazardous waste injection well, the owner or operator shall submit all the information listed below as part of the permit application. For an existing or converted Class I hazardous waste injection well, the owner or operator shall submit all information listed

below as part of the permit application except for those items of information which are current, accurate, and available in the existing permit file. For both existing and new Class I hazardous waste injection wells, certain maps, cross-sections, tabulations of wells within the area of review and other data may be included in the application by reference provided they are current and readily available to the Director (for example, in the permitting agency's files) and sufficiently identifiable to be retrieved. In cases where EPA issues the permit, all the information in this section must be submitted to the Administrator or his designee.

(a) Prior to the issuance of a permit for an existing Class I hazardous waste injection well to operate or the construction or conversion of a new Class I hazardous waste injection well, the Director shall review the following to assure that the requirements of this part and part 144 are met:

(1) Information required in §144.31;

(2) A map showing the injection well for which a permit is sought and the applicable area of review. Within the area of review, the map must show the number or name and location of all producing wells, injection wells, abandoned wells, dry holes, surface bodies of water, springs, mines (surface and subsurface), quarries, water wells and other pertinent surface features, including residences and roads. The map should also show faults, if known or suspected;

(3) A tabulation of all wells within the area of review which penetrate the proposed injection zone or confining zone. Such data shall include a description of each well's type, construction, date drilled, location, depth, record of plugging and/or completion and any additional information the Director may require;

(4) The protocol followed to identify, locate and ascertain the condition of abandoned wells within the area of review which penetrate the injection or the confining zones;

(5) Maps and cross-sections indicating the general vertical and lateral limits of all underground sources of drinking water within the area of review, their position relative to the injection formation and the direction of water movement, where known, in each underground source of drinking water which may be affected by the proposed injection;

(6) Maps and cross-sections detailing the geologic structure of the local area;

(7) Maps and cross-sections illustrating the regional geologic setting;

(8) Proposed operating data;

(i) Average and maximum daily rate and volume of the fluid to be injected; and

(ii) Average and maximum injection pressure;

(9) Proposed formation testing program to obtain an analysis of the chemical, physical and radiological characteristics of and other information on the injection formation and the confining zone;

(10) Proposed stimulation program;

(11) Proposed injection procedure;

(12) Schematic or other appropriate drawings of the surface and subsurface construction details of the well;

(13) Contingency plans to cope with all shut-ins or well failures so as to prevent migration of fluids into any USDW;

(14) Plans (including maps) for meeting monitoring requirements of §146.68;

(15) For wells within the area of review which penetrate the injection zone or the confining zone but are not properly completed or plugged, the corrective action to be taken under §146.64;

(16) Construction procedures including a cementing and casing program, well materials specifications and their life expectancy, logging procedures, deviation checks, and a drilling, testing and coring program; and

(17) A demonstration pursuant to part 144, subpart F, that the applicant has the resources necessary to close, plug or abandon the well and for post-closure care.

(b) Prior to the Director's granting approval for the operation of a Class I hazardous waste injection well, the owner or operator shall submit and the Director shall review the following information, which shall be included in the completion report:

(1) All available logging and testing program data on the well;

(2) A demonstration of mechanical integrity pursuant to §146.68;

(3) The anticipated maximum pressure and flow rate at which the permittee will operate;

(4) The results of the injection zone and confining zone testing program as required in §146.70(a)(9);

(5) The actual injection procedure;

(6) The compatibility of injected waste with fluids in the injection zone and minerals in both the injection zone and the confining zone and with the materials used to construct the well;

(7) The calculated area of review based on data obtained during logging and testing of the well and the formation, and where necessary revisions to the information submitted under §146.70(a) (2) and (3).

(8) The status of corrective action on wells identified in §146.70(a)(15).

(c) Prior to granting approval for the plugging and abandonment (i.e., closure) of a Class I hazardous waste injection well, the Director shall review the information required in §§146.71(a)(4) and 146.72(a).

(d) Any permit issued for a Class I hazardous waste injection well for disposal on the premises where the waste is generated shall contain a certification by the owner or operator that:

(1) The generator of the hazardous waste has a program to reduce the volume or quantity and toxicity of such waste to the degree determined by the generator to be economically practicable; and

(2) Injection of the waste is that practicable method of disposal currently available to the generator which minimizes the present and future threat to human health and the environment.

§146.71 Closure.

(a) *Closure Plan*. The owner or operator of a Class I hazardous waste injection well shall prepare, maintain, and comply with a plan for closure of the well that meets the requirements of paragraph (d) of this section and is acceptable to the Director. The obligation to implement the closure plan survives the termination of a permit or the cessation of injection activities. The requirement to maintain and implement an approved plan is directly enforceable regardless of whether the requirement is a condition of the permit.

(1) The owner or operator shall submit the plan as a part of the permit application and, upon approval by the Director, such plan shall be a condition of any permit issued.

(2) The owner or operator shall submit any proposed significant revision to the method of closure reflected in the plan for approval by the Director no later than the date on which notice of closure is required to be submitted to the Director under paragraph (b) of this section.

(3) The plan shall assure financial responsibility as required in §144.52(a)(7).

(4) The plan shall include the following information:

(i) The type and number of plugs to be used;

(ii) The placement of each plug including the elevation of the top and bottom of each plug;

(iii) The type and grade and quantity of material to be used in plugging;

(iv) The method of placement of the plugs;

(v) Any proposed test or measure to be made;

(vi) The amount, size, and location (by depth) of casing and any other materials to be left in the well;

(vii) The method and location where casing is to be parted, if applicable;

(viii) The procedure to be used to meet the requirements of paragraph (d)(5) of this section;

(ix) The estimated cost of closure; and

(x) Any proposed test or measure to be made.

(5) The Director may modify a closure plan following the procedures of §124.5.

(6) An owner or operator of a Class I hazardous waste injection well who ceases injection temporarily, may keep the well open provided he:

(i) Has received authorization from the Director; and

(ii) Has described actions or procedures, satisfactory to the Director, that the owner or operator will take to ensure that the well will not endanger USDWs during the period of temporary disuse. These actions and procedures

shall include compliance with the technical requirements applicable to active injection wells unless waived by the Director.

(7) The owner or operator of a well that has ceased operations for more than two years shall notify the Director 30 days prior to resuming operation of the well.

(b) *Notice of intent to close.* The owner or operator shall notify the Director at least 60 days before closure of a well. At the discretion of the Director, a shorter notice period may be allowed.

(c) *Closure report.* Within 60 days after closure or at the time of the next quarterly report (whichever is less) the owner or operator shall submit a closure report to the Director. If the quarterly report is due less than 15 days after completion of closure, then the report shall be submitted within 60 days after closure. The report shall be certified as accurate by the owner or operator and by the person who performed the closure operation (if other than the owner or operator). Such report shall consist of either:

(1) A statement that the well was closed in accordance with the closure plan previously submitted and approved by the Director; or

(2) Where actual closure differed from the plan previously submitted, a written statement specifying the differences between the previous plan and the actual closure.

(d) *Standards for well closure.* (1) Prior to closing the well, the owner or operator shall observe and record the pressure decay for a time specified by the Director. The Director shall analyze the pressure decay and the transient pressure observations conducted pursuant to §146.68(e)(1)(i) and determine whether the injection activity has conformed with predicted values.

(2) Prior to well closure, appropriate mechanical integrity testing shall be conducted to ensure the integrity of that portion of the long string casing and cement that will be left in the ground after closure. Testing methods may include:

(i) Pressure tests with liquid or gas;

(ii) Radioactive tracer surveys;

(iii) Noise, temperature, pipe evaluation, or cement bond logs; and

(iv) Any other test required by the Director.

(3) Prior to well closure, the well shall be flushed with a buffer fluid.

(4) Upon closure, a Class I hazardous waste well shall be plugged with cement in a manner that will not allow the movement of fluids into or between USDWs.

(5) Placement of the cement plugs shall be accomplished by one of the following:

(i) The Balance Method;

(ii) The Dump Bailer Method;

(iii) The Two-Plug Method; or

(iv) An alternate method, approved by the Director, that will reliably provide a comparable level of protection.

(6) Each plug used shall be appropriately tagged and tested for seal and stability before closure is completed.

(7) The well to be closed shall be in a state of static equilibrium with the mud weight equalized top to bottom, either by circulating the mud in the well at least once or by a comparable method prescribed by the Director, prior to the placement of the cement plug(s).

§146.72 Post-closure care.

(a) The owner or operator of a Class I hazardous waste well shall prepare, maintain, and comply with a plan for post-closure care that meets the requirements of paragraph (b) of this section and is acceptable to the Director. The obligation to implement the post-closure plan survives the termination of a permit or the cessation of injection activities. The requirement to maintain an approved plan is directly enforceable regardless of whether the requirement is a condition of the permit.

(1) The owner or operator shall submit the plan as a part of the permit application and, upon approval by the Director, such plan shall be a condition of any permit issued.

(2) The owner or operator shall submit any proposed significant revision to the plan as appropriate over the life of the well, but no later than the date of the closure report required under §146.71(c).

(3) The plan shall assure financial responsibility as required in §146.73.

(4) The plan shall include the following information:

(i) The pressure in the injection zone before injection began;

(ii) The anticipated pressure in the injection zone at the time of closure;

(iii) The predicted time until pressure in the injection zone decays to the point that the well's cone of influence no longer intersects the base of the lowermost USDW;

(iv) Predicted position of the waste front at closure;

(v) The status of any cleanups required under §146.64; and

(vi) The estimated cost of proposed post-closure care.

(5) At the request of the owner or operator, or on his own initiative, the Director may modify the post-closure plan after submission of the closure report following the procedures in §124.5.

(b) The owner or operator shall:

(1) Continue and complete any cleanup action required under §146.64, if applicable;

(2) Continue to conduct any groundwater monitoring required under the permit until pressure in the injection zone decays to the point that the well's cone of influence no longer intersects the base of the lowermost USDW. The Director may extend the period of post-closure monitoring if he determines that the well may endanger a USDW.

(3) Submit a survey plat to the local zoning authority designated by the Director. The plat shall indicate the location of the well relative to permanently surveyed benchmarks. A copy of the plat shall be submitted to the Regional Administrator of the appropriate EPA Regional Office.

(4) Provide appropriate notification and information to such State and local authorities as have cognizance over drilling activities to enable such State and local authorities to impose appropriate conditions on subsequent drilling activities that may penetrate the well's confining or injection zone.

(5) Retain, for a period of three years following well closure, records reflecting the nature, composition and volume of all injected fluids. The Director shall require the owner or operator to deliver the records to the Director at the conclusion of the retention period, and the records shall thereafter be retained at a location designated by the Director for that purpose.

(c) Each owner of a Class I hazardous waste injection well, and the owner of the surface or subsurface property on or in which a Class I hazardous waste injection well is located, must record a notation on the deed to the facility property or on some other instrument which is normally examined during title search that will in perpetuity provide any potential purchaser of the property the following information:

(1) The fact that land has been used to manage hazardous waste;

(2) The name of the State agency or local authority with which the plat was filed, as well as the address of the Regional Environmental Protection Agency Office to which it was submitted;

(3) The type and volume of waste injected, the injection interval or intervals into which it was injected, and the period over which injection occurred.

§146.73 Financial responsibility for post-closure care.

The owner or operator shall demonstrate and maintain financial responsibility for post-closure by using a trust fund, surety bond, letter of credit, financial test, insurance or corporate guarantee that meets the specifications for the mechanisms and instruments revised as appropriate to cover closure and post-closure care in 40 CFR part 144, subpart F. The amount of the funds available shall be no less than the amount identified in §146.72(a)(4)(vi). The obligation to maintain financial responsibility for post-closure care survives the termination of a permit or the cessation of injection. The requirement to maintain financial responsibility is enforceable regardless of whether the requirement is a condition of the permit.

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147.2910 Duration of authorization by rule.
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147.2921 Schedule of compliance.
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147.2924 Area permits.
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147.3000 EPA-administered program.
147.3001 Definition.
147.3002 Public notice of permit actions.
147.3003 Aquifer exemptions.
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147.3005 Radioactive waste injection wells.
147.3006 Injection pressure for existing Class II wells authorized by rule.
147.3007 Application for a permit.
147.3008 Criteria for aquifer exemptions.
147.3009 Area of review.
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147.3013 Information to be considered for Class I wells.
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147.3015 Information to be considered for Class III wells.
147.3016 Criteria and standards applicable to Class V wells.

APPENDIX A TO SUBPART HHH OF PART 147—EXEMPTED AQUIFERS IN NEW MEXICO.

Subpart III—Lands of Certain Oklahoma Indian Tribes

147.3100 EPA-administered program.
147.3101 Public notice of permit actions.
147.3102 Plugging and abandonment plans.
147.3103 Fluid seals.
147.3104 Notice of abandonment.
147.3105 Plugging and abandonment report.
147.3106 Area of review.
147.3107 Mechanical integrity.
147.3108 Plugging Class I, II, and III wells.
147.3109 Timing of mechanical integrity test.

AUTHORITY: 42 U.S.C. 300h; and 42 U.S.C. 6901 *et seq.*

SOURCE: 49 FR 20197, May 11, 1984, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 147 appear at 69 FR 18803, Apr. 9, 2004.

Subpart A—General Provisions

§ 147.1 Purpose and scope.

(a) This part sets forth the applicable Underground Injection Control (UIC) programs for each of the states, territories, and possessions identified pursuant to the Safe Drinking Water Act (SDWA) as needing a UIC program.

(b) The applicable UIC program for a State is either a State-administered program approved by EPA, or a federally-administered program promulgated by EPA. In some cases, the UIC program may consist of a State-administered program applicable to some classes of wells and a federally-administered program applicable to other classes of wells. Approval of a State program is based upon a determination by the Administrator that the program meets the requirements of section 1422 or section 1425 of the Safe Drinking Water Act and the applicable provisions of parts 124, 144, and 146 of this chapter. A federally-administered program is promulgated in those instances where the state has failed to submit a program for approval or where the submitted program does not meet the minimum statutory and regulatory requirements.

(c) In the case of State programs approved by EPA pursuant to section 1422 of the SDWA, each State subpart describes the major elements of such programs, including State statutes and regulations, Statement of Legal Authority, Memorandum of Agreement, and Program Description. State statutes and regulations that contain standards, requirements, and procedures applicable to owners or operators have been incorporated by reference

pursuant to regulations of the Office of the Federal Register. Material incorporated by reference is available for inspection in the appropriate EPA Regional Office, in EPA Headquarters, and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html*. Other State statutes and regulations containing standards and procedures that constitute elements of the State program but do not apply directly to owners or operators have been listed but have not been incorporated by reference.

(d) In the case of State programs promulgated under section 1422 that are to be administered by EPA, the State subpart makes applicable the provisions of parts 124, 144, and 146, and provides additional requirements pertinent to the specific State program.

(e) Regulatory provisions incorporated by reference (in the case of approved State programs) or promulgated by EPA (in the case of EPA-administered programs), and all permit conditions or permit denials issued pursuant to such regulations, are enforceable by the Administrator pursuant to section 1423 of the SDWA.

(f) The information requirements located in the following sections have been cleared by the Office of Management and Budget: Sections 147.104, 147.304, 147.754, 147.904, 147.1154, 147.1354, 147.1454, 147.1654, 147.1954, and 147.2154.

The OMB clearance number is No. 2040–0042.

§ 147.2 Severability of provisions.

The provisions in this part and the various applications thereof are distinct and severable. If any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of such provision to other persons or circumstances which can be given effect without the invalid provision or application.

Subpart B—Alabama

§ 147.50 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Alabama, except those on Indian lands, is the program administered by the State Oil and Gas Board of Alabama, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 2, 1982 (47 FR 33268); the effective date of this program is August 2, 1982. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Alabama. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Code of Alabama Sections 9–17–1 through 9–17–109 (Cumm. Supp. 1989);

(2) State Oil and Gas Board of Alabama Administrative Code, Oil and Gas Report 1 (supplemented through May 1989), Rules and Regulations Governing the Conservation of Oil and Gas in Alabama, and Oil and Gas Statutes of Alabama with Oil and Gas Board Forms, § 400–1–2 and § 400–1–5–.04.

(b) The Memorandum of Agreement between EPA Region IV and the Alabama Oil and Gas Board, signed by the EPA Regional Administrator on June 15, 1982.

(c) *Statement of legal authority.* "State Oil and Gas Board has Authority to Carry Out Underground Injection Control Program Relating to Class II Wells as Described in Federal Safe Drinking Water Act—Opinion by Assistant Attorney General," May 28, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43086, Oct. 25, 1988; 56 FR 9411, Mar. 6, 1991]

§ 147.51 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV and V wells in the State of Alabama, except those on Indian lands, is the program administered by the Alabama Department of Environmental Management, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 25, 1983 (48 FR 38640); the effective date of this program is August 25, 1983. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Alabama. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Alabama Water Pollution Control Act, Code of Alabama 1975, sections 22–22–1 through 22–22–14 (1980 and Supp. 1983);

(2) Regulations, Policies and Procedures of the Alabama Water Improvement Commission, Title I (Regulations) (Rev. December 1980), as amended May 17, 1982, to add Chapter 9, Underground Injection Control Regulations (effective June 10, 1982), as amended April 6, 1983 (effective May 11, 1983).

(b) The Memorandum of Agreement between EPA Region IV and the Alabama Department of Environment Management, signed by the EPA Regional Administrator on May 24, 1983.

(c) *Statement of legal authority.* (1) "Water Pollution—Public Health—State has Authority to Carry Out Underground Injection Control Program Described in Federal Safe Drinking Water Act—Opinion by Legal Counsel for the Water Improvement Commission," June 25, 1982;

(2) Letter from Attorney, Alabama Water Improvement Commission, to Regional Administrator, EPA Region IV, "Re: AWIC Response to Phillip Tate's (U.S. EPA, Washington) Comments on AWIC's Final Application for Class I, III, IV, and V UIC Program," September 21, 1982;

(3) Letter from Alabama Chief Assistant Attorney General to Regional Counsel, EPA Region IV, "Re: Status of Independent Legal Counsel in Alabama Water Improvement Commission's Underground Injection Control Program," September 14, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43086, Oct. 25, 1988]

§ 147.52 State-administered program—Hydraulic Fracturing of Coal Beds.

The UIC program for hydraulic fracturing of coal beds in the State of Alabama, except those on Indian lands, is the program administered by the State Oil and Gas Board of Alabama, approved by EPA pursuant to Section 1425 of the SDWA on December 22, 1999 and effective on January 19, 2000. The Alabama program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in State Oil and Gas Board of Alabama Rule 400–4–1–.02, Definitions, and Rule 400–4–5–.04, Protection of Underground Sources of Drinking Water during the Hydraulic Fracturing of Coal Beds, are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Alabama. This incorporation by reference was approved by the Director of the Federal Register on January 19, 2000 in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained at the State Oil and Gas Board of Alabama, 420 Hackberry Lane, Tuscaloosa, AL 35489–9780. Copies may be inspected at the Environmental Protection Agency, Region 4, Water Management Division, Ground Water/Drinking Water Branch, Ground Water & UIC Section, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, S.W., Room15–T53, Atlanta, GA 30303-8960, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/*

code__of__federal__regulations/ibr__locations.html.

(b) Addendum One, Underground Injection Control Program, Memorandum of Agreement Between the State of Alabama and the USEPA Region 4, signed by the Supervisor, Alabama State Oil and Gas Board on December 10, 1999, and the Regional Administrator, U.S. Environmental Protection Agency Region 4, on December 13, 1999.

(c) *Statement of Legal Authority.* "I hereby certify, pursuant to my authority as Attorney General for the State of Alabama and for reasons set forth in this statement, that in my opinion, the laws of the State of Alabama provide the State Oil and Gas Board (hereinafter referred to as "the Board") adequate authority to carry out an Underground Injection Program for the control of underground injection activity related to the hydraulic fracturing of coal beds." Opinion by Alabama's Attorney General Office, extracted from Letter from R. Craig Kneisel, Chief, Environmental Division, Office of the Attorney General, dated October 8, 1999, to Dr. Donald F. Oltz, Supervisor, State Oil and Gas Board of Alabama, Subject: Attorney General's Statement for Final Authorization of Alabama Class II Underground injection Control Program.

(d) The Program Description for the Regulation of Hydraulic Fracturing of Coal Beds As required by 40 CFR 145.23—State Oil and Gas Board of Alabama, including Appendices A through F.

[65 FR 2897, Jan. 19, 2000]

§ 147.60 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in Alabama is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148 and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Alabama is November 25, 1988.

[53 FR 43086, Oct. 25, 1988, as amended at 56 FR 9411, Mar. 6, 1991]

Subpart C—Alaska

§ 147.100 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Alaska, other than those on Indian lands, is the program administered by the Alaska Oil and Gas Conservation Commission approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER [May 6, 1986]; the effective date of this program is June 19, 1986. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Alaska. This incorporation by reference was approved by the Director of the Federal Register effective June 19, 1986.

(1) Alaska Statutes, Alaska Oil and Gas Conservation Act, Title 31, §§ 31.05.005 through 31.30.010 (1979 and Cum. Supp. 1984);

(2) Alaska Statutes, Administrative Procedures Act, Title 44, §§ 44.62.010 through 44.62.650 (1984);

(3) Alaska Administrative Code, Alaska Oil and Gas Conservation Commission, 20 AAC 25.005 through 20 AAC 25.570 (Supp. 1986).

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 10, and the Alaska Oil and Gas Conservation Commission, signed by the EPA Regional Administrator on January 29, 1986, as amended on June 21, 1988.

(c) *Statement of Legal Authority.* Statement from the Attorney General of the State of Alaska, signed by the Assistant Attorney General on December 10, 1985.

(d) The Program Description and any other materials submitted as part of

the original application or as supplements thereto.

[51 FR 16684, May 6, 1986, as amended at 56 FR 9411, Mar. 6, 1991]

§ 147.101 EPA-administered program.

(a) *Contents.* The UIC program in the State of Alaska for Class I, III, IV, and V wells, and for all classes of wells on Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for all non-Class II wells in Alaska and for all wells on Indian lands, is June 25, 1984.

[52 FR 17680, May 11, 1987, as amended at 56 FR 9412, Mar. 6, 1991]

§ 147.102 Aquifer exemptions.

(a) This section identifies any aquifers or their portions exempted in accordance with §§144.7(b) and 146.4 of this chapter at the time of program promulgation. EPA may in the future exempt other aquifers or portions, according to applicable procedures, without codifying such exemptions in this section. An updated list of exemptions will be maintained in the Regional office.

(b) The following aquifers are exempted in accordance with the provisions of §§144.7(b) and 146.4 of this chapter for Class II injection activities only:

(1) The portions of aquifers in the Kenai Peninsula, greater than the indicated depths below the ground surface, and described by a ¼ mile area beyond and lying directly below the following oil and gas producing fields:

(i) Swanson River Field—1700 feet.

(ii) Beaver Creek Field—1650 feet.

(iii) Kenai Gas Field—1300 feet.

(2) The portion of aquifers beneath Cook Inlet described by a ¼ mile area beyond and lying directly below the following oil and gas producing fields:

(i) Granite Point.

(ii) McArthur River Field.

(iii) Middle Ground Shoal Field.

(iv) Trading Bay Field.

(3) The portions of aquifers on the North Slope described by a ¼ mile area beyond and lying directly below the Kuparuk River Unit oil and gas producing field.

§ 147.103 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.733–0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch

Sg=specific gravity of inject fluid (unitless)

d=injection depth in feet.

§ 147.104 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish maximum injection pressures after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according

to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within 1 year of the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4) of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) as needed to protect USDWs.

Subpart D—Arizona

§147.150 State-administered program. [Reserved]

§147.151 EPA-administered program.

(a) *Contents.* The UIC program that applies to all injection activities in Arizona, including those on Indian lands, is administered by EPA. The UIC program for Navajo Indian lands consists of the requirements contained in subpart HHH of this part. The program for all injection activity except that on Navajo Indian lands consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program in Arizona, except for the lands of the Navajo Indians, is June 25, 1984. The effective date for the UIC program on the lands of the Navajo is November 25, 1988.

[53 FR 43086, Oct. 25, 1988, as amended at 56 FR 9412, Mar. 6, 1991]

§147.152 Aquifer exemptions. [Reserved]

Subpart E—Arkansas

§147.200 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV and V wells in the State of Arkansas, except those wells on Indian lands, is the program administered by the Arkansas Department of Pollution Control and Ecology approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on July 6, 1982 (47 FR 29236); the effective date of this program is July 6, 1982. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by

reference and made a part of the applicable UIC program under the SDWA for the State of Arkansas. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Arkansas Water and Air Pollution Control Act, Act 472 of 1949 as amended, Arkansas Statutes Annotated sections 82–1901 through 82–1943 (1976);

(2) Act 105 of 1939, Arkansas Statutes Annotated sections 53–101 through 53–130 (1971 and Supp. 1981); Act 937 of 1979, Arkansas Statutes Annotated sections 53–1301 through 53–1320 (Supp. 1981); Act 523 of 1981;

(3) Arkansas Underground Injection Control Code, Department of Pollution Control and Ecology, promulgated January 22, 1982;

(4) General Rule and Regulations, Arkansas Oil and Gas Commission (Order No. 2–39, revised July 1972);

(5) Arkansas Hazardous Waste Management Code, Department of Pollution Control and Ecology, promulgated August 21, 1981.

(b) The Memorandum of Agreement and Addendum No. 1 to the Memorandum of Agreement, between EPA Region VI and the Arkansas Department of Pollution Control and Ecology and the Arkansas Oil and Gas Commission, signed by the EPA Regional Administrator on May 25, 1982.

(c) *Statement of legal authority.* (1) Letter from Chief Attorney, Arkansas Department of Pollution Control and Ecology, to Acting Regional Administrator, EPA Region VI, "Re: Legal Authority of the Department of Pollution Control and Ecology of the State of Arkansas to Administer an Underground Injection Control Program," July 29, 1981;

(2) Letter from Chief Attorney, Arkansas Department of Pollution Control and Ecology, to Acting Regional Counsel, EPA Region VI, "Re: Addendum to Legal Statement—Underground Injection Control Program," October 13, 1981;

(3) Letter from General Counsel, Arkansas Oil and Gas Commission, to Acting Regional Counsel, EPA Region VI, "Re: Supplemental Addendum to Legal Statement—Underground Injection Control Program," October 20, 1981;

(4) Letter from Chief Attorney, Arkansas Department of Pollution Control and Ecology, to Attorney, Office of Regional Counsel, EPA Region VI (re: status as independent legal counsel), December 31, 1981;

(5) Letter from General Counsel, Arkansas Oil and Gas Commission, to Acting Regional Counsel, EPA Region VI, "Re: Supplemental Addendum to Legal Statement—Underground Injection Control Program," January 13, 1982;

(6) Letter from Chief Counsel, Arkansas Department of Pollution Control and Ecology, to Acting Regional Counsel, EPA Region VI, "Re: Addendum to Legal Statement—Underground Injection Control Program," February 15, 1982;

(7) Letter from Chief Counsel, Arkansas Department of Pollution Control and Ecology, to Acting Regional Counsel, EPA Region VI, "Re: Addendum to Legal Statement—Underground Injection Control Program," May 13, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43086, Oct. 25, 1988]

§ 147.201 State-administered program—Class II wells. [Reserved]

§ 147.205 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in Arkansas is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148 and any additional requirements set forth in this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Arkansas is November 25, 1988.

[53 FR 43086, Oct. 25, 1988, as amended at 56 FR 9412, Mar. 6, 1991]

Subpart F—California

§ 147.250 State-administered program—Class II wells.

The UIC program for Class II wells in the State of California, except those on Indian lands, is the program administered by the California Division of Oil and Gas, approved by EPA pursuant to SDWA section 1425.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of California. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) California Laws for Conservation of Petroleum and Gas, California Public Resources Code Div. 3, Chapt. 1, §§3000–3359 (1989);

(2) California Administrative Code, title 14, §§1710 to 1724.10 (May 28, 1988).

(b) The Memorandum of Agreement between EPA Region IX and the California Division of Oil and Gas, signed by the EPA Regional Administrator on September 29, 1982.

(c) *Statement of legal authority.* (1) Letter from California Deputy Attorney General to the Administrator of EPA, "Re: Legal Authority of California Division of Oil and Gas to Carry Out Class II Injection Well Program," April 1, 1981;

(2) Letter from California Deputy Attorney General to Chief of California Branch, EPA Region IX, "Re: California Application for Primacy, Class II UIC Program," December 3, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9412, Mar. 6, 1991]

§ 147.251 EPA-administered program—Class I, III, IV and V wells and Indian lands.

(a) *Contents.* The UIC program in the State of California for Class I, III, IV and V wells, and for all classes of wells on Indian lands, is administered by EPA. The program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program for all lands in California, including Indian lands, is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9412, Mar. 6, 1991]

§ 147.252 Aquifer exemptions. [Reserved]

§ 147.253 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.733-0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch

Sg=specific gravity of inject fluid (unitless)

d=injection depth in feet.

Subpart G—Colorado

§ 147.300 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Colorado, except those wells on Indian Lands, is the program administered by the Colorado Oil and Gas Commission approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FR on April 2, 1984 (49 FR 13040); the effective date of this program is April 2, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for

the State of Colorado. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the State of Colorado Oil and Gas Conservation Commission, Department of Natural Resources, Suite 380 Logan Tower Building, 1580 Logan Street, Denver, Colorado, 80203. Copies may be inspected at the Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202–2405, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html*.

(1) Colorado Revised Statutes, 1989 replacement volume, Section 34–60–101 through 34–60–123;

(2) Colorado Revised Statutes, 1989 replacement volume, Section 25–8–101 through 25–8–612;

(3) Rules and Regulations, Rules of Practice and Procedure, and Oil and Gas Conservation Act (As Amended) Department of Natural Resources, Oil and Gas Conservation Commission of the State of Colorado (revised July 1989);

(4) Oil and Gas Conservation Commission Revised Rules and Regulations in the 300, 400, 500, and 600 series, effective March 20, 1989.

(b) *Memorandum of agreement*. The Memorandum of Agreement between EPA Region VIII and the Colorado Oil and Gas Conservation Commission, signed by the EPA Regional Administrator on March 3, 1984 and amended on August 30, 1989.

(c) *Statement of legal authority*. (1) Letter from Colorado Assistant Attorney General to the Acting Regional Counsel, EPA Region VIII, "Re: Class II Well Underground Injection Control Program of Colorado Oil and Gas Conservation Commission", March 15, 1983;

(2) Letter from Colorado Assistant Attorney General to the Acting Regional Counsel, EPA Region VIII, "Re: Class II Well Injection Control Program of Colorado Oil and Gas Conservation Commission", April 29, 1983;

(3) Letter from Colorado Assistant Attorney General to the Acting Regional Counsel, EPA Region VIII, "Re: Class II Underground Injection Control Program of Colorado Oil and Gas Conservation Commission, interpretation of C.R.S. 1973, 34–60–110", July 11, 1983;

(4) Letter from Colorado Assistant Attorney General to the Acting Regional Counsel, EPA Region VIII, "Re: Class II Well Underground Injection Control Program of Colorado Oil and Gas Conservation Commission", February 17, 1984;

(5) Memorandum from Colorado Assistant Attorney General to the Acting Regional Counsel, EPA Region VIII, "Re: Authority to set and enforce maximum pressure for injecting fluids into Class II wells with existing permits", March 7, 1984.

(d) *Program description*. The Program Description and any other materials submitted as part of the application or as supplements thereto:

(1) Application and accompanying materials for approval of Colorado's UIC program for Class II wells submitted by the Director of the Colorado Oil and Gas Conservation Commission to the Regional Administrator, May 3, 1983;

(2) Supplemental amendment to Colorado's application for primacy for the UIC program for Class II wells describing the process through which the State will ensure enforceable limits for maximum injection pressure, describing the Commission's plan of administration for Class II wells, and describing Mechanical Integrity Test procedures for Class II wells, March 7, 1984;

(3) Official correspondence concerning various program issues between the Colorado Oil and Gas Conservation Commission and EPA Region VIII, for the period from March 7, 1984 to May 8, 1989.

[56 FR 9412, Mar. 6, 1991]

§ 147.301 EPA-administered program—Class I, III, IV, V wells and Indian lands.

(a) *Contents*. The UIC program for Class I, III, IV and V wells on all lands in Colorado, including Indian lands, and for Class II wells on Indian lands, is administered by EPA. The program

for all EPA-administered wells in Colorado other than Class II wells on the lands of the Ute Mountain Ute consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on all lands in Colorado, including Indian lands, except for Class II wells on lands of the Ute Mountain Ute, is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9413, Mar. 6, 1991]

§ 147.302 Aquifer exemptions.

(a) This section identifies any aquifers of their portions exempted in accordance with §§144.7(b) and 146.4 of this chapter at the time of program promulgation. EPA may in the future exempt other aquifers or portions according to applicable procedures without codifying such exemptions in this section. An updated list of exemptions will be maintained in the Regional office.

(b) For all aquifers into which existing Class II wells are injecting, those portions within a ¼ mile radius of the well are exempted for the purpose of Class II injection activities only.

§ 147.303 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3) (i) or (ii) as applicable; or

(b) A value for wellhead pressure calculated by using the following formula;

$$Pm=(0.733–0.433\ Sg)d$$

where:

Pm=injection pressure at the wellhead in pounds per square inch

Sg=specific gravity of injected fluid (unitless)

d=injection depth in feet.

§ 147.304 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirements of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressures based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within one year of the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4) of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistent to deterioration from formation and injection fluids; and

(iii) In quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) as needed to protect USDWs.

§147.305 Requirements for all wells.

(a) The owner or operator converting an existing well to an injection well shall check the condition of the casing with one of the following logging tools:

(1) A Pipe analysis log; or

(2) A Caliper log.

(b) The owner or operator of a new injection well cased with plastic (PVC, ABS, and others) casings shall:

(1) Not construct a well deeper than 500 feet;

(2) Use cement and additives compatible with such casing material;

(3) Cement the annular space above the injection interval from the bottom of the blank casing to the surface.

(c) The owner or operator of a newly drilled well shall install centralizers as directed by the Regional Administrator.

(d) The owner or operator shall as required by the Regional Administrator:

(1) Protect USDWs by:

(i) Setting surface casing 50 feet below the base of the lowermost USDW;

(ii) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(iii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may approve alternate casing and cementing practices provided that the owner or operator demonstrates that such practices will adequately protect USDWs.

(e) *Area of review.* Notwithstanding the alternatives presented in §146.6 of this chapter, the area of review shall be a fixed radius as described in §146.6(b) of this chapter.

(f) The applicant must give separate notice of intent to apply for a permit to each owner or tenant of the land within one-quarter mile of the site. The addresses of those to whom notice is given, and a description of how notice is given, shall be submitted with the permit application. The notice shall include:

(1) Name and address of applicant;

(2) A brief description of the planned injection activities, including well location, name and depth of the injection zone, maximum injection pressure and volume, and fluid to be injected;

(3) EPA contact person; and

(4) A statement that opportunity to comment will be announced after EPA

prepares a draft permit. This requirement may be waived by the Regional Administrator when he determines that individual notice to all land owners and tenants would be impractical.

Subpart H—Connecticut

§ 147.350 State-administered program.

The UIC program for all classes of wells in the State of Connecticut, except those wells on Indian lands, is the program administered by the Connecticut Department of Environmental Protection approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FR on March 26, 1984 (49 FR 11179); the effective date of this program is March 26, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made part of the applicable UIC program under the SDWA for the State of Connecticut. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and CFR part 51. Copies may be obtained at the State of Connecticut, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, 06106. Copies may be inspected at the Environmental Protection Agency, Region I, John F. Kennedy Federal Building, room 2203, Boston, Massachusetts, 02203, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Connecticut General Statutes Annotated, title 22a (Environmental Protection), chapter 439, sections 22a–1 through 22a–27 (1985 and Cumm. Supp. 1990);

(2) Connecticut General Statutes Annotated, Title 22a (Environmental Protection), Chapter 446K (1985 and Cumm. Supp. 1990).

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region I and the Connecticut Department of Environmental Protection, signed by the EPA Regional Administrator on August 9, 1983.

(c) *Statement of legal authority.* (1) Statement from the Attorney General of the State of Connecticut, signed by the Attorney General on May 8, 1981;

(2) Addendum to the Statement from the Attorney General of the State of Connecticut, signed by the Attorney General on May 10, 1983.

(d) *Program Description.* The Program Description and any other materials submitted as part of the application or as supplements thereto.

[56 FR 9413, Mar. 6, 1991]

§§ 147.351–147.352 [Reserved]

§ 147.353 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in Connecticut is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Connecticut is November 25, 1988.

[53 FR 43086, Oct. 25, 1988, as amended at 56 FR 9413, Mar. 6, 1991]

§§ 147.354–147.359 [Reserved]

Subpart I—Delaware

§ 147.400 State-administered program.

The UIC program for all classes of wells in the State of Delaware, except those wells on Indian lands, is the program administered by the Delaware Department of Natural Resources and Environmental Control approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FR on April 5, 1984 (49 FR 13525); the effective date of this program is May 7, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Delaware. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware, 19903. Copies may be inspected at the Environmental Protection Agency, Region III, 841 Chestnut Street, Philadelphia, Pennsylvania, 19107, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Delaware Environmental Protection Act, (Environmental Control) 7 Delaware Code Annotated, Chapter 60, Sections 6001–6060 (Revised 1974 and Cumm. Supp. 1988);

(2) State of Delaware Regulations Governing Underground Injection Control, parts 122, 124 and 146 (Department of Natural Resources and Environmental Control), effective August 15, 1983.

(b) *Memorandum of agreement.* The Memorandum of Agreement between EPA Region III and the Delaware Department of Natural Resources and Environmental Control, signed by the EPA Regional Administrator on March 28, 1984.

(c) *Statement of legal authority.* Statement of the Delaware Attorney General for the Underground Injection Control Program, signed by the Attorney General on January 26, 1984.

(d) *Program Description.* The Program Description and any other materials submitted as part of the application (August 10, 1983), or as supplements thereto (October 14, 1983).

[56 FR 9413, Mar. 6, 1991]

§§ 147.401–147.402 [Reserved]

§ 147.403 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in Delaware is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Delaware is November 25, 1988.

[53 FR 43086, Oct. 25, 1988, as amended at 56 FR 9413, Mar. 6, 1991]

§§ 147.404–147.449 [Reserved]

Subpart J—District of Columbia

§ 147.450 State-administered program. [Reserved]

§ 147.451 EPA-administered program.

(a) *Contents.* The UIC program for the District of Columbia, including any Indian lands in the District, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in the District of Columbia is November 25, 1988. The effective date for the UIC program in the rest of the District is June 25, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9413, Mar. 6, 1991]

§ 147.452 Aquifer exemptions. [Reserved]

Subpart K—Florida

§ 147.500 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Florida, except for those on Indian lands is administered by the Florida Department of Environmental Regulations, approved

by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 7, 1983 (48 FR 5556); the effective date of this program is March 9, 1983. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Florida. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Florida Air and Water Pollution Control Act, Florida Statutes Annotated sections 403.011 through 403.90 (1973 and Supp. 1983);

(2) Chapter 17–28, Underground Injection Control, Florida Administrative Code (April 27, 1989).

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Administrative Procedures Act, Florida Statutes Chapter 120;

(2) Florida Administrative Code, Chapter 17–1 (1982) (Administrative Procedures Act);

(3) Florida Administrative Code, Chapter 17–3 (1982) (Water Quality Standards);

(4) Florida Administrative Code, Chapter 17–4 (1982) (Permits);

(5) Florida Administrative Code, Chapter 28–5 (1982) (Decisions Determining Substantial Interests);

(6) Florida Administrative Code, Chapter 28–6 (1982) (Licensing);

(c) The Memorandum of Agreement between EPA Region IV and the Florida Department of Environmental Regulation, signed by the EPA Regional Administrator on March 31, 1983.

(d) *Statement of legal authority.* (1) "Statement of Legal Authority for Implementation of Underground Injection Control Program" and accompanying certifications, signed by General Counsel for the Florida Department of Environmental Regulation, January 14, 1982;

(2) "Addendum to Statement of Legal Authority for Implementation of Underground Injection Control Program" and accompanying certifications, signed by Acting General Counsel for the Florida Department of Environmental Regulation, September 20, 1982.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43087, Oct. 25, 1988; 56 FR 9414, Mar. 6, 1991]

§ 147.501 EPA-administered program—Class II wells and Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands and for Class II wells on non-Indian lands in the State of Florida is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Florida is November 25, 1988. The effective date for Class II wells on non-Indian lands is December 30, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9414, Mar. 6, 1991]

§ 147.502 Aquifer exemptions. [Reserved]

§ 147.503 Existing Class II (except enhanced recovery and hydrocarbon storage) wells authorized by rule.

Maximum injection pressure. To meet the operating requirements of §144.28(f)(3)(i) of this chapter, the owner or operator shall use an injection pressure at the well head no greater than the pressure calculated using the following formula:

$$Pm=(0.733-0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch

Sg=specific gravity of injected fluid (unitless)

d=injection depth in feet.

[49 FR 45306, Nov. 15, 1984]

§ 147.504 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressure greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within 1 year of the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) Comply with other requirements which the Regional Administrator may specify either in addition to or in lieu of the requirements set forth in paragraphs (b)(1) through (3) of this section as needed to protect USDWs.

(c) *Area of review.* Notwithstanding the alternatives presented in §146.06 of this chapter, the area of review shall be a minimum fixed radius as described in §146.06(b) of this chapter.

(The information collection requirements contained in paragraph (a)(2)(ii) were appoved by the Office of Management and Budget under control number 2040–0042)

[49 FR 45306, Nov. 15, 1984]

Subpart L—Georgia

§ 147.550 State-administered program.

The UIC program for all classes of wells in the State of Georgia, except

those wells on Indian lands, is the program administered by the Georgia Department of Natural Resources, Environmental Protection Division approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on April 19, 1984 (49 FR 15553); the effective date of this program is May 21, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Georgia. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Georgia Department of Natural Resources, Environmental Protection Division, 270 Washington Street, SW., Atlanta, Georgia, 30334. Copies may be inspected at the Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia, 30365, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Oil and Gas and Deep Drilling Act of 1975, Official Code of Georgia Annotated (O.C.G.A.) §§12–4–40 through 12–4–53 (1988);

(2) Ground Water Use Act of 1972, O.C.G.A. §§12–5–90 through 12–5–107 (1988);

(3) Water Well Standards Act of 1985, O.C.G.A. §§12–5–120, through 12–5–138 (1988);

(4) Georgia Administrative Procedure Act, O.C.G.A. §§50–13–1 through 50–13–22 (Reprinted from the O.C.G.A. and 1988 Cumm. Supp.);

(5) Georgia Water Quality Control Act, O.C.G.A. §§12–5–20 through 12–5–53 (1988);

(6) Georgia Hazardous Waste Management Act, O.C.G.A. §§12–8–60 through 12–8–83 (1988);

(7) Georgia Safe Drinking Water Act of 1977, O.C.G.A. §§12–5–170 through 12–5–193 (1988);

(8) Rules of Georgia Department of Natural Resources, Environmental Protection Division, Water Quality Control, GA. COMP. R. & REGS. Chapter 391–3–6–.13 (Revised July 28, 1988).

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region IV and the State of Georgia, signed March 1, 1984.

(c) *Statement of legal authority.* (1) Unofficial Opinion of the Georgia Attorney General, Op. Atty. Gen. 080–24, June 12, 1980;

(2) Underground Injection Control Program, Attorney General's Statement, February 4, 1982;

(3) Amended Attorney General's Statement Relating to Authority of the State of Georgia to Implement an Underground Injection Control Program, April 22, 1983;

(4) Letter to EPA Office of General Counsel from Senior Assistant Attorney General "Re: State UIC Program", July 13, 1983.

(d) *Program Description.* The Program Description and any other materials submitted as part of the application or as supplements thereto.

[56 FR 9414, Mar. 6, 1991; 56 FR 14150, Apr. 5, 1991]

§§ 147.551–147.552 [Reserved]

§ 147.553 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Georgia is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Georgia is November 25, 1988.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9414, Mar. 6, 1991]

§§ 147.554–147.559 [Reserved]

Subpart M—Hawaii

§ 147.600 State-administered program. [Reserved]

§ 147.601 EPA-administered program.

(a) *Contents.* The UIC program for the State of Hawaii, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Hawaii is November 25, 1988. The effective date for the UIC program for all other lands in Hawaii is December 30, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9414, Mar. 6, 1991]

Subpart N—Idaho

§ 147.650 State-administrative program—Class I, II, III, IV, and V wells.

The UIC program for Class I, II, III, IV, and V wells in the State of Idaho, other than those on Indian lands, is the program administered by the Idaho Department of Water Resources, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on June 7, 1985; the effective date of this program is July 22, 1985. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Idaho. This incorporation by reference was approved by the Director of the Federal Register effective July 22, 1985.

(1) Public Writings, Title 9, Chapter 3, Idaho Code, sections 9–301 through 9–302 (Bobbs-Merrill 1979);

(2) Crimes and Punishments, Title 18, Chapter 1, Idaho Code, sections 18–113 through 18–114 (Bobbs-Merrill 1979 and Supp. 1984);

(3) Department of Health and Welfare, Title 39, Chapter 1, Idaho Code, Chapter 39–108 (Bobbs-Merrill 1977);

(4) Drainage-Water Rights and Reclamation, Title 42, Chapter 2, Idaho Code sections 42–237(e); section 42–238 (Bobbs-Merrill 1977 and Supp. 1984);

(5) Department of Water Resources-Water Resources Board, Title 42, Chapter 17, Idaho Code, sections 42–1701, 42–1703, 42–1735 (Bobbs-Merrill 1977, section 42–1701A (Supp. 1984);

(6) Director of Department of Water Resources, Title 42, Chapter 18, Idaho Code, sections 42–1801 through 42–1805 (Bobbs-Merrill 1977);

(7) Waste Disposal and Injection Wells, Title 42, Chapter 39, Idaho Code, sections 42–3901 through 42–3914 (Bobbs-Merrill 1977), sections 42–3915 through 42–3919 (Supp. 1984);

(8) Idaho Trade Secrets Act, Title 48, Chapter 8, Idaho Code, sections 48–801 through 48–807 (Bobbs-Merrill 1977 and Supp. 1984);

(9) Administrative Procedure, Title 67, Chapter 52, Idaho Code, sections 67–5201 through 67–5218 (Bobbs-Merrill 1980 and Supp. 1984);

(10) Idaho Radiation Control Regulations (IRCR section 1–9002.70; sections 1–9100 through 1–9110, Department of Health and Welfare (May 1981);

(11) Rules and Regulations: Construction and Use of Injection Wells, Idaho Department of Water Resources, Rules 1 through 14 (August 1984);

(12) Rules and Regulations: Practice and Procedures, Idaho Department of Water Resources, Rules 1 through 14 (October 1983).

(b) The Memorandum of Agreement between EPA and Region X and the Idaho Department of Water Resources signed by the EPA Regional Administrator on February 11, 1985.

(c) *Statement of legal authority.* (1) The Idaho Attorney General's Statement for the Underground Injection Control Program, October 31, 1984.

(2) Letter from David J. Barber, Deputy Attorney General, Idaho Department of Water Resources to Harold

Scott, EPA, Region 10, revising the Attorney General's Statement, February 14, 1985.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[50 FR 23957, June 7, 1985]

§ 147.651 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Idaho is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Idaho is June 11, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9414, Mar. 6, 1991]

§ 147.652 Aquifer exemptions. [Reserved]

Subpart O—Illinois

§ 147.700 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV and V wells in the State of Illinois, except those on Indian lands, is the program administered by the Illinois Environmental Protection Agency, approved by EPA pursuant to section 1422 of the SDWA. Notice of the approval was published in the FEDERAL REGISTER on February 1, 1984 (49 FR 3991); the effective date of this program is March 3, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the state statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Illinois. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Illinois Environmental Protection Act, Illinois ch. 111½, sections 1001 to 1051 (Smith-Hurd 1977 Revised Statutes and Supp. 1983), as amended by Public Act No. 83–431, 1983 Illinois Legislative Service, pages 2910 to 2916 (West);

(2) Illinois Pollution Control Board Rules and Regulations at Title 35, Illinois Administrative Code, Chapter I, Part 700, Outline of Waste Disposal Regulations; Part 702, RCRA and UIC Permit Programs; Part 704, UIC Permit Program; Part 705, Procedures for Permit Issuance and Part 730, Underground Injection Control Operating Requirements as amended by IPCB Order No. R–83039 on December 15, 1983.

(b) The Memorandum of Agreement between EPA Region V and the Illinois Environmental Protection Agency, signed by the EPA Regional Administrator on March 22, 1984.

(c) *Statement of legal authority.* Letter from Illinois Attorney General to Regional Administrator, EPA Region V, and attached statement, December 16, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43087, Oct. 25, 1988]

§ 147.701 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Illinois, except those on Indian lands, is the program administered by the Illinois Environmental Protection Agency, approved by EPA pursuant to section 1425 of the SDWA. Notice of the approval was published in the FEDERAL REGISTER on February 1, 1984 (49 FR 3990); the effective date of this program is March 3, 1984. This program consists of the following elements, as submitted to EPA in the state's program application:

(a) *Incorporation by reference.* The requirements set forth in the State Statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Illinois. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Conservation of Oil and Gas, etc., Illinois Revised Statutes ch. 96½, sections 5401 to 5457 (Smith-Hurd 1979 and Supp. 1983), as amended by Public Act No. 83–1074 1983 Illinois Legislative Service pages 7183 to 7185 (West);

(2) Illinois Environmental Protection Act, Illinois Revised Statutes ch. 111½, sections 1001–1051 (Smith-Hurd 1977 and Supp. 1983), as amended by Public Act No. 83–431, 1983 Illinois Legislative Services pages 2910 to 2916 (West);

(3) Illinois Revised Statutes ch. 100½, section 26 (Smith-Hurd Supp. 1983);

(4) Illinois Department of Mines and Minerals Regulations for the Oil and Gas Division, Rules I, II, IIA, III, V, VII, and IX (1981).

(b) The Memorandum of Agreement between EPA Region V and the Illinois Department of Mines and Minerals, signed by the EPA Regional Administrator on March 22, 1984.

(c) *Statement of legal authority*. "Certification of Legal Authority," signed by State Attorney, Richland County, Illinois, May 5, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43087, Oct. 25, 1988]

§ 147.703 EPA-administered program—Indian lands.

(a) *Contents*. The UIC program for all classes of wells on Indian lands in the State of Illinois is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates*. The effective date for the UIC program for Indian lands is November 25, 1988.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9414, Mar. 6, 1991]

Subpart P—Indiana

§ 147.750 State-administered program—Class II wells.

The UIC program for Class II injection wells in the State of Indiana on non-Indian lands is the program administered by the Indiana Department of Natural Resources (INDR) approved by the EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FR on August 19, 1991; the effective date of this program is August 19, 1991. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference*. The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Indiana. This incorporation by reference was approved by the Director of the FR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Indiana Department of Natural Resources, Division of Oil and Gas, 402 West Washington Street, room 293, Indianapolis, Indiana, 46204. Copies may be inspected at the Environmental Protection Agency, Region V, 77 West Jackson Boulevard, Chicago, Illinois, 60604, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

(1) Indiana Code, title 4, article 21.5, chapters 1 through 6 (1988).

(2) West's Annotated Indiana Code, title 13, article 8, chapters 1 through 15 (1990 and Cumm. Supp. 1990).

(3) Indiana Administrative Code, title 310, article 7, rules 1 through 3 (Cumm. Supp. 1991).

(b) *Memorandum of agreement*. The Memorandum of Agreement between EPA Region V and the Indiana Department of Natural Resources signed by the EPA Regional Administrator on February 18, 1991.

(c) *Statement of legal authority*. Statement and Amendment to the Statement from the Attorney General of the State of Indiana, signed on July 12, 1990, and December 13, 1990, respectively.

(d) The Program Description and any other materials submitted as part of

the original application or as supplements thereto.

[56 FR 41072, Aug. 19, 1991, as amended at 62 FR 1834, Jan. 14, 1997]

§ 147.751 EPA-administered program.

(a) *Contents.* The UIC program for all classes of wells on Indian lands, and for Class I, III, IV, and V wells on non-Indian lands in the State of Indiana is administered by the EPA. The program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, and 148 and the additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on Indian lands is November 25, 1988. The effective date of the UIC program for the rest of Indiana is June 25, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9414, Mar. 6, 1991; 56 FR 41072, Aug. 19, 1991]

§ 147.752 Aquifer exemptions. [Reserved]

§ 147.753 Existing Class I and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lessor of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.800–0.433\ Sg)d$$

where:

Pm=injection pressure at the wellhead in pounds per square inch
Sg=specific gravity of injected fluid (unitless)
d=injection depth in feet.

[49 FR 20197, May 11, 1984, as amended at 56 FR 41072, Aug. 19, 1991]

Subpart Q—Iowa

§ 147.800 State-administered program. [Reserved]

§ 147.801 EPA-administered program.

(a) *Contents.* The UIC program for the State of Iowa, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program for all lands in Iowa, including Indian lands, is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9415, Mar. 6, 1991]

§ 147.802 Aquifer exemptions. [Reserved]

Subpart R—Kansas

§ 147.850 State-administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV and V wells in the State of Kansas, except those on Indian lands as described in §147.860, is the program administered by the Kansas Department of Health and Environment, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on December 2, 1983 (48 FR 54350); the effective date of this program is December 2, 1983. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Kansas. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Kansas Department of Health and Environment, Forbes Field, Building 740, Topeka, Kansas, 66620. Copies may be inspected at the Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas, 66101, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/*

code_of_federal_regulations/ibr_locations.html.

(1) Chapter 28, Article 46, Underground Injection Control Regulations, Kansas Administrative Regulations §§ 28–46–1 through 28–46–42 (1986 and Supp. 1987);

(2) Chapter 28, Article 43, Construction, operation, monitoring and abandonment of salt solution mining wells, Kansas Administrative Regulations §§ 28–43–1 through 28–43–10 (1986);

(3) Kansas Statutes Annotated §§ 65–161, 65–164 through 65–166a, 65–171d (1980 and Cumm. Supp. 1989).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for the select sections identified in paragraph (a) of this section, are also part of the approved State-administered program: Kansas Statutes Annotated §§ 65–161 through 65–171(w), (1980 and Supp. 1983).

(c) *Memorandum of Agreement.* (1) The Memorandum of Agreement between EPA Region VII and the Kansas Department of Health and Environment, signed by the EPA Regional Administrator on July 29, 1983;

(2) Addendum No. 1 of the Memorandum of Agreement, signed by the EPA Regional Administrator on August 29, 1983.

(d) *Statement of legal authority.* (1) "Statement of Attorney General", signed by the Attorney General of the State of Kansas, November 25, 1981;

(2) "Supplemental Statement of Attorney General", signed by the Attorney General of the State of Kansas, undated (one page).

(e) *Program description.* The program description and any other materials submitted as part of the application or supplements thereto.

[49 FR 45306, Nov. 15, 1984, as amended at 56 FR 9415, Mar. 6, 1991]

§ 147.851 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Kansas, except those on Indian lands as described in § 147.860, is the program administered by the Kansas Corporation Commission and the Kansas Department of Health and Environment, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 8, 1984 (49 FR 4735); the effective date of this program is February 8, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

[49 FR 45306, Nov. 15, 1984]

§§ 147.852–147.859 [Reserved]

§ 147.860 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Kansas is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Kansas is December 30, 1984.

[49 FR 45307, Nov. 15, 1984, as amended at 56 FR 9415, Mar. 6, 1991]

Subpart S—Kentucky

§ 147.900 State-administered program. [Reserved]

§ 147.901 EPA-administered program.

(a) *Contents.* The UIC program for the Commonwealth of Kentucky, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on Indian lands is November 25, 1988. The effective date for the UIC program in the remainder of Kentucky is June 25, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9415, Mar. 6, 1991]

§ 147.902 Aquifer exemptions. [Reserved]

§ 147.903 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable or;

(b) A value for well head pressure calculated by using the following formula:

Pm=(0.733–0.433 Sg)d

where:

Pm=injection pressure at the well head in pounds per square inch
Sg=specific gravity of inject fluid (unitless)
d=injection depth in feet.

§ 147.904 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within 1 year of the effective date of this program.

(b) *Casing and Cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4) of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between and the casing the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3)

of this section, as needed to protect USDWs.

§ 147.905 Requirements for all wells—area of review.

Notwithstanding the alternatives presented in § 146.6 of this chapter, the area of review shall be a minimum fixed radius as described in § 146.6(b) of this chapter.

Subpart T—Louisiana

§ 147.950 State-administered program.

The UIC program for Class I, II, III, IV, and V wells in the State of Louisiana, except those wells on Indian lands, is the program administered by the Louisiana Department of Natural Resources approved by EPA pursuant to sections 1422 and 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on April 23, 1982 (47 FR 17487); the effective date of this program is March 23, 1982. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Louisiana. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Louisiana Revised Statutes Annotated sections 30:1–30:24 (1975 and Supp. 1982);

(2) Underground Injection Control Program Regulations for Class I, III, IV, and V wells, Statewide Order No. 29–N–1 (February 20, 1982), as amended June 1, 1985 and January 20, 1986;

(3)(i) Statewide Order Governing the Drilling for and Producing of Oil and Gas in the State of Louisiana, Statewide Order No. 29–B (August 26, 1974) (Composite Order Incorporating Amendments through March 1, 1974);

(ii) Amendments to Statewide Order No. 29–B (Off-site Disposal of Drilling Mud and Salt Water Generated from Drilling and Production of Oil and Gas Wells) (effective July 20, 1980);

(iii) Amendment to Statewide Order No. 29–B (Amendment concerning the use of Tables 5A and 6A, etc.) (December 15, 1980, effective January 1, 1981);

(iv) Amendment to Statewide Order No. 29–B (Amendment concerning the underground injection control of saltwater disposal wells, enhanced recovery injection wells, and liquid hydrocarbon storage wells) (effective February 20, 1982);

(v) Amendment to Statewide Order No. 29–B (Amendment concerning the offsite disposal of drilling mud and saltwater) (effective May 20, 1983);

(vi) Amendment to Statewide Order No. 29–B (Amendment concerning disposal of nonhazardous oilfield waste) (March 20, 1984, effective May 20, 1984);

(vii) Amendment to Statewide Order No. 29–B (Amendment concerning the administrative approval of injectivity tests and pilot projects in order to determine the feasibility of proposed enhanced recovery projects) (June 20, 1985, effective July 1, 1985).

(4) (i) Statewide Order adopting rules and regulations pertaining to the use of salt dome cavities (i.e., storage chambers) for storage of liquid and/or gaseous hydrocarbons, etc., Statewide Order No. 29–M (July 6, 1977, effective July 20, 1977);

(ii) Supplement to Statewide Order No. 29–M (October 2, 1978);

(iii) Second Supplement to Statewide Order No. 29–M (June 8, 1979).

(b)(1) The Memorandum of Agreement (Class I, III, IV, and V wells) between EPA Region VI and the Louisiana Department of Natural Resources, Office of Conservation, signed by the EPA Regional Administrator on March 17, 1982 and amended by Addendum 1 and Addendum 2 on November 3, 1989;

(2) The Memorandum of Agreement (Class II wells) between EPA Region VI and the Louisiana Department of Natural Resources, Office of Conservation, signed by the EPA Regional Administrator on March 17, 1982.

(c) *Statement of legal authority.* (1) Letter from Attorney General of Louisiana to EPA, "Re: Louisiana Underground Injection Control Program Authorization for State of Louisiana" (Class I, III, IV and V Wells), January 13, 1982, (10 pages);

(2) Letter from Attorney General of Louisiana to EPA, "Re: Louisiana Underground Injection Control Program Authorization for State of Louisiana" (Class II Wells), January 13, 1982 (5 pages).

(3) Letter from Attorney General of Louisiana to EPA, "Re: Class I Hazardous Waste Injection Well Regulatory Program; Attorney General's Statement, October 9, 1989 (9 pages);

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 56 FR 9415, Mar. 6, 1991]

§ 147.951 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Louisiana is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Louisiana is November 25, 1988.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9415, Mar. 6, 1991]

Subpart U—Maine

§ 147.1000 State-administered program.

The UIC program for all classes of wells in the State of Maine, except those on Indian lands, is the program administered by the Maine Department of Environmental Protection approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 25, 1983 (48 FR 38641); the effective date of this program is September 26, 1983. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made part of the applicable UIC program under the SDWA for the State of Maine. This incorporation by reference was approved by the Director of the OFR on June 25, 1984.

(1) Maine Revised Statutes Annotated title 38, sections 361–A, 363–B, 413, 414, 414–A, 420, and 1317–A (1978);

(2) Rules to Control the Subsurface Discharge of Pollutants by Well Injection, Rules of the Department of Environmental Protection, Chapter 543 (adopted June 22, 1983, effective July 4, 1983).

(b) The Memorandum of Agreement between EPA Region I and the Maine Department of Environmental Protection, signed by the EPA Regional Administrator on May 16, 1983.

(c) *Statement of legal authority.* Letter from Attorney General of Maine to EPA Regional Administrator, "Re: Attorney General's Statement: Maine Underground Injection Control Program Primacy Application," June 30, 1983.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43088, Oct. 25, 1988; 56 FR 9415, Mar. 6, 1991]

§ 147.1001 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Maine is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Maine is November 25, 1988.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9416, Mar. 6, 1991]

Subpart V—Maryland

§ 147.1050 State-administered program—Class I, II, III, IV, and V wells.

The UIC program for Class I, II, III, IV, and V wells in the State of Maryland, except those wells on Indian

lands, is the program administered by the Maryland Department of the Environment approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FR on April 19, 1984 (49 FR 15553); the effective date of this program is June 4, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Maryland. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224. Copies may be inspected at the Environmental Protection Agency, Region III, 841 Chestnut Street, Philadelphia, Pennsylvania, 19107, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Code of Maryland Regulations, Title 26, Subtitle 08, Chapter 07 promulgated and effective as of March 1, 1989;

(2) Code of Maryland Regulations, Title 26, Subtitle 08, Chapter 01, promulgated and effective as of March 1, 1989;

(3) Code of Maryland Regulations, Title 26, Subtitle 08, Chapter 02, promulgated and effective as of March 1, 1989;

(4) Code of Maryland Regulations, Title 26, Subtitle 08, Chapter 03, promulgated and effective as of March 1, 1989;

(5) Code of Maryland Regulations, Title 26, Subtitle 08, Chapter 04, promulgated and effective as of March 1, 1989;

(6) Code of Maryland Regulations, Title 26, Subtitle 13, Chapter 05, section .19, promulgated and effective as of August 1, 1989;

(7) Code of Maryland Regulations, Title 26, Subtitle 01, Chapter 02, promulgated and effective as of March 1, 1989;

(8) Code of Maryland Regulations, Title 26, Subtitle 01, Chapter 04, promulgated and effective as of March 1, 1989.

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region III and the Maryland Department of the Environment, as submitted on August 2, 1983, and revised on February 16, 1984.

(c) *Statement of legal authority.* Statement from the Maryland Attorney General on the Underground Injection Control Program, as submitted on August 2, 1983, and revised on February 16, 1984.

(d) *Program Description.* The Program Description and other materials submitted as part of the application or as supplements thereto.

[56 FR 9416, Mar. 6, 1991]

§§ 147.1051–147.1052 [Reserved]

§ 147.1053 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Maryland is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Maryland is November 25, 1988.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9416, Mar. 6, 1991]

§§ 147.1054–147.1099 [Reserved]

Subpart W—Massachusetts

§ 147.1100 State-administered program.

The UIC program for all classes of wells in the State of Massachusetts, except those on Indian lands, is the program administered by the Massachusetts Department of Environmental Protection, approved by EPA pursuant to section 1422 of the SDWA. Notice of

this approval was published in the FEDERAL REGISTER on November 23, 1982 (47 FR 52705); the effective date of this program is December 23, 1982. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Massachusetts. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Massachusetts General Laws Annotated chapter 21, sections 27, 43, and 44 (West 1981);

(2) Code of Massachusetts Regulations, title 310, sections 23.01–23.11 as amended April 26, 1982.

(b) The Memorandum of Agreement between EPA Region I and the Massachusetts Department of Environmental Quality Engineering, signed by the EPA Regional Administrator on August 18, 1982.

(c) *Statement of legal authority.* "Underground Injection Control Program—Attorney General's Statement for Class I, II, III, IV and V Injection Wells," signed by Assistant Attorney General for Attorney General of Massachusetts, May 13, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43088, Oct. 25, 1988]

§ 147.1101 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Massachusetts is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Massachusetts is November 25, 1988.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9416, Mar. 6, 1991]

Subpart X—Michigan

§ 147.1150 State-administered program. [Reserved]

§ 147.1151 EPA-administered program.

(a) *Contents.* The UIC program for the State of Michigan, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program for all lands in Michigan, including Indian lands, is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9416, Mar. 6, 1991]

§ 147.1152 Aquifer exemptions. [Reserved]

§ 147.1153 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.800-0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch

Sg=specific gravity of injected fluid (unitless)

d=injection depth in feet.

§ 147.1154 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regonal Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes field rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within 1 year following the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage will may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4) of this section, when required by the regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section, as needed to protect USDWs.

§147.1155 Requirements for all wells.

(a) *Area of review.* Notwithstanding the alternatives presented in §146.6 of this chapter, the area of review for Class II wells shall be a fixed radius as described in §146.6(b) of this chapter.

(b) *Tubing and packer.* The owner or operator of an injection well injecting salt water for disposal shall inject through tubing and packer. The owner of an existing well must comply with this requirement within one year of the effective date of this program.

Subpart Y—Minnesota

§147.1200 State-administered program. [Reserved]

§147.1201 EPA-administered program.

(a) *Contents.* The UIC program for the State of Minnesota is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners

and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Minnesota is: June 11, 1984.

[49 FR 20197, May 11, 1984, as amended at 56 FR 9416, Mar. 6, 1991]

§ 147.1202 Aquifer exemptions. [Reserved]

§ 147.1210 Requirements for Indian lands.

(a) *Purpose and scope.* This section sets forth additional requirements that apply to injection activities on Indian lands in Minnesota.

(b) *Requirements.* Notwithstanding the other requirements of this subpart, for Indian lands described in paragraph (a) of this section, no owner or operator shall construct, operate, maintain, or convert any Class I, II, III, or IV well. The UIC program for Class V wells on such Indian Lands is administered by EPA, and consists of the applicable requirements of 40 CFR parts 124, 144, and 146. In addition, no owner or operator shall abandon a well without the approval of the Regional Administrator.

(c) *Effective date.* The effective date of the UIC program requirements for Indian lands in Minnesota is December 30, 1984.

[49 FR 45307, Nov. 15, 1984]

Subpart Z—Mississippi

§ 147.1250 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV and V wells in the State of Mississippi, except those on Indian lands, is the program administered by the Mississippi Department of Natural Resources approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 25, 1983 (48 FR 38641); the effective date of this program is September 26, 1983. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Mississippi. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Mississippi Air and Water Pollution Control Law, Mississippi Code Annotated sections 49–17–1 through 49–17–29 (1972) and Supp. 1983);

(2) Mississippi Department of Natural Resources, Bureau of Pollution Control, Underground Injection Control Program Regulations (adopted February 11, 1982);

(3) Mississippi Department of Natural Resources, Bureau of Pollution Control, State of Mississippi Wastewater Permit Regulations for National Pollutant Discharge Elimination System (NPDES), Underground Injection Control (UIC), and State Operating Permits (adopted May 1, 1974; amended February 11, 1982).

(b) The Memorandum of Agreement between EPA Region IV and the Mississippi Department of Natural Resources, signed by the EPA Regional Administrator on February 8, 1983.

(c) *Statement of legal authority.* (1) Letter from Attorney General of Mississippi (by Special Assistant Attorney General) to Executive Director, Mississippi Department of Natural Resources, "Re: Mississippi Department of Natural Resources, Bureau of Pollution Control, State Underground Injection Control (UIC) Program; Statement of the Attorney General of the State of Mississippi," December 3, 1981;

(2) Letter from Attorney General of Mississippi (by Special Assistant Attorney General) to Executive Director, Mississippi Department of Natural Resources, "Re: Authority to Regulate and Take Samples from Underground Injection Systems," October 18, 1982;

(3) Letter from Attorney General of Mississippi (by Special Assistant Attorney General) to Regional Administrator, EPA Region IV, "Re: Public Participation in State Enforcement Actions, UIC Program," June 10, 1983.

(d) The Program Description and any other materials submitted as part of the application or supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43088, Oct. 25, 1988]

§ 147.1251 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Mississippi, other than those on Indian lands, is the program administered by the State Oil and Gas Board of Mississippi approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on March 2, 1989; the effective date of this program is March 2, 1989. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) Incorporation by reference. The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Mississippi. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a).

(1) Mississippi Code Annotated, section 5–9–9 (Supp. 1988).

(2) Mississippi Code Annotated, sections 53–1–1 through 53–1–47, inclusive and sections 53–1–71 through 53–1–77, inclusive (1972 and Supp. 1988).

(3) Mississippi Code Annotated, sections 53–3–1 through 53–3–165, inclusive (1972 and Supp. 1988).

(4) State Oil and Gas Board Statewide Rules and Regulations, Rules 1 through 65, inclusive (Aug. 1, 1987, as amended, Sept. 17, 1987).

(b) The Memorandum of Agreement between EPA Region IV and the State Oil and Gas Board of Mississippi signed by the Regional Administrator on October 31, 1988.

(c) Statement of legal authority. Statement from the Attorney General signed on October 1, 1987 with amendments to the Statement signed August 5, 1988 and September 15, 1988 by the Special Assistant Attorney General.

(d) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[54 FR 8735, Mar. 2, 1989]

§ 147.1252 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Mississippi is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program on Indian lands is November 25, 1988.

[53 FR 8735, Mar. 2, 1989, as amended at 56 FR 9416, Mar. 6, 1991]

Subpart AA—Missouri

§ 147.1300 State-administered program.

The UIC program for all classes of wells in the State of Missouri, except those on Indian lands, is administered by the Missouri Department of Natural Resources, approved by EPA pursuant to section 1422 and 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on December 2, 1983 (48 FR 54349); the effective date of this program is December 2, 1983). This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Missouri. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Vernon's Annotated Missouri Statutes sections 259.010 to 259.240 (Supp. 1984);

(2) Missouri Code of State Regulations, title 10, division 50, chapters 1 and 2 (June 1984);

(3) Vernon's Annotated Missouri Statutes chapter 204, §§204.006 through 204.470 (1983 and Cumm. Supp. 1990).

(b) The Memorandum of Agreement between EPA Region VII and the Missouri Department of Oil and Gas,

signed by the EPA Regional Administrator on December 3, 1982.

(c) *Statement of legal authority.* (1) Opinion Letter No. 63 and attached Memorandum Opinion, signed by Attorney General of Missouri, March 16, 1982;

(2) Addendum to Opinion Letter No. 63 (1982), signed by Attorney General of Missouri, October 28, 1982.

(3) Opinion No. 127–83, signed by Attorney General of Missouri, July 11, 1983.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43088, Oct. 25, 1988; 56 FR 9416, Mar. 6, 1991]

§ 147.1301 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Missouri, other than those on Indian lands, is the program administered by the Missouri Department of Natural Resources, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on November 2, 1984; the effective date of this program is July 31, 1985. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Missouri. This incorporation by reference was approved by the Director of the Federal Register effective July 31, 1985.

(1) Revised Statutes of the State of Missouri, Volume 2, sections 204.016, 204.026, 204.051, 204.056 and Volume V, section 577.155 (1978 and Cumm. Supp. 1984);

(2) Missouri Code of State Regulations, title 10, division 20, Chapter 6, sections 20–6.010, 20–6.020, 20–6.070, 20–6.080, 20–6.090, and title 10, division 20, Chapter 7, section 20–7.031 (1977, amended 1984).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for select sections identified in paragraph (a) of this section, are also part of the approved State-administered program.

(1) Revised Statutes of the State of Missouri, chapters 204, 260, 536, 557, 558 and 560; sections 640.130.1 and 1.020 (1978 and Cumm. Supp. 1984);

(2) Rule 52.12 Vernon's Annotated Missouri Rules (1978);

(3) Missouri Code of State Regulations, title 10, division 20, Chapters 1 through 7 (1977, amended 1984).

(c) The Memorandum of Agreement between EPA Region VII and the Missouri Department of Natural Resources, signed by the EPA Regional Administrator on October 10, 1984.

(d) *Statement of Legal Authority.* Opinion No. 123–84, signed by Attorney General of Missouri, September 24, 1984. Amended April 2, 1985.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[50 FR 28942, July 17, 1985]

§ 147.1302 Aquifer exemptions. [Reserved]

§ 147.1303 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Missouri is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 145, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the UIC program for Indian lands is November 25, 1988.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9417, Mar. 6, 1991]

Subpart BB—Montana

§ 147.1350 State-administered programs—Class II wells.

The UIC program for Class II injection wells in the State of Montana, except for those in Indian Country, is the program administered by the Montana Board of Oil and Gas Conservation

(MBOGC) approved by the EPA pursuant to Section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on November 19, 1996; the effective date of this program is November 19, 1996. This program consists of the following elements as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made part of the applicable UIC program under the SDWA for the State of Montana. This incorporation by reference was approved by the Director of the FR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Montana Board of Oil and Gas Conservation, 2535 St. Johns Avenue, Billings, Montana, 59102. Copies may be inspected at the Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202–2466, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html.*

(1) Montana Statutory Requirements Applicable to the Underground Injection Control Program, August, 1996.

(2) Montana Regulatory Requirements Applicable to the Underground Injection Control Program, August, 1996.

(b) *Memorandum of Agreement (MOA).* (1) The MOA between EPA Region VIII and the MBOGC signed by the Acting EPA Regional Administrator on June 9, 1996.

(2) Letter dated May 24, 1996, from the Administrator of the MBOGC and the attached addendum (Addendum No. 1–96) to the MOA between MBOGC and EPA Region VIII, signed by the Acting EPA Regional Administrator on August 14, 1996.

(c) *Statement of legal authority.* (1) Letter from the Montana Attorney General to the Regional Administrator dated August 1, 1995.

(2) MBOGC independent counsel's certification of Montana's UIC program for Class II wells dated July 24, 1995.

(3) Letter dated March 8,1996, from MBOGC independent counsel to USEPA, Region VIII; "Re: EPA comments of November 29, 1995, on Montana Class II primacy application."

(4) Letter dated March 8, 1996, from the Administrator of the MBOGC and the attached proposed replacement language for the MOA; "Re: Responses to EPA comments on Montana Class II Primacy Application."

(d) *Program Description.* The Program Description and any other materials submitted as part of the application or as supplemented thereto:

(1) Application and accompanying materials for approval of Montana's UIC program for Class II wells submitted by the Governor of Montana, August 3, 1995.

(2) [Reserved]

[61 FR 58933, Nov. 19, 1996]

§ 147.1351 EPA-administered program.

(a) *Contents.* The UIC program in the State of Montana for Class I, III, IV, and V wells, and for all Classes of wells in Indian Country is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on all lands in Montana, including all Indian lands, is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9417, Mar. 6, 1991; 61 FR 58933, Nov. 19, 1996]

§ 147.1352 Aquifer exemptions.

Those portions of aquifers within one-quarter mile of existing Class II wells are exempted for the purpose of Class II injection activities only.

NOTE: A complete listing of the exemptions and their location is available for review in the EPA Regional Office, 1860 Lincoln Street, Denver, Colorado. An updated list of exemptions will be maintained in the Regional Office.

§ 147.1353 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable or

(b) A value for well head pressure calculated by using the following formula:

Pm=(0.733 - 0.433 Sg)d

where:

Pm=injection pressure at the well head in pounds per square inch
Sg=specific gravity of inject fluid (unitless)
d=injection depth in feet.

§ 147.1354 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator established rules for maximum injection pressure based on data provided pursuant to paragraph (ii) below the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within 1 year of the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall when required by the Regional Administrator:

(1) Isolate all USDWs by placing cement between the outermost casing and the well bore as follows:

(i) If the injection well is east of the 108th meridian, cement the outermost casing from a point 50 feet into a major shale formation underlying the uppermost USDW to the surface. For the purpose of this paragraph, major shale formations are defined as the Bearpaw, Clagget, and Colorado formations.

(ii) If the injection well is west of the 108th meridian, cement the outermost casing to a depth of 1,000 feet, or to the base of the lowermost USDW in use as a source of drinking water whichever is deeper. The Regional Administrator may allow an owner or operator to cement to a lesser depth if he can demonstrate to the satisfaction of the Regional Administrator that no USDW will be affected by the injection facilities.

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deteriortion from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section, as needed to protect USDWs.

§ 147.1355 Requirements for all wells.

(a) *Area of review*. Notwithstanding the alternatives presented in §146.6 of this chapter, the area of review shall be a fixed radius as described in §146.06(b) of this chapter.

(b) The applicant must give separate notice of intent to apply for a permit to each owner or tenant of the land within one-quarter mile of the site. This requirement may be waived by the Regional Administrator where individual notice to all land owners and tenants would be impractical. The addresses of those to whom notice is given, and a description of how notice was given, shall be submitted with the permit application. The notice shall include:

(1) Name and address of applicant;

(2) A brief description of the planned injection activities, including well location, name and depth of the injection zone, maximum injection pressure and volume, and fluid to be injected;

(3) EPA contact person; and

(4) A statement that opportunity to comment will be announced after EPA prepares a draft permit.

(c) Owners and operators on or within one-half mile of Indian lands shall provide notice as specified in paragraph (b) of this section, except that such notice shall be provided within a one-half mile radius of the site.

APPENDIX A TO SUBPART BB OF PART 147—STATE REQUIREMENTS INCORPORATED BY REFERENCE IN SUBPART BB OF PART 147 OF THE CODE OF FEDERAL REGULATIONS

The following is an informational listing of state requirements incorporated by reference in Subpart BB of part 147 of the Code of Federal Regulations:

Subpart BB—Montana

(a) The statutory provisions include:

(1) Montana Code annotated, 1995, Title 2, Chapter 15:

Section 2–15–121. Allocation for administrative purposes only.

Section 2–15–124. Quasi-judicial boards.

Section 2–15–3303. Board of oil and gas conservation-composition—allocation—quasi-judicial.

(2) Montana Code annotated, 1995, Title 82, Chapter 10:

Section 82–10–101. Action for accounting for royalty.

Section 82–10–102. Remedy not exclusive.

Section 82–10–103. Obligation to pay royalties as essence of contract-interest.

Section 82–10–104. Payment of royalties-form of record required.

Section 82–10–105 through 82–10–109 reserved.

Section 82–10–110. Division order-definition-effect.

Section 82–10–201. Authorization for lease and terms-land not subject to leasing.

Section 82–10–202. Acreage pooling.

Section 82–10–203. Interference with normal use of land prohibited.

Section 82–10–204. Lease of acquired oil and gas interests.

Section 82–10–301. Definitions.

Section 82–10–302. Policy.

Section 82–10–303. Use of eminent domain to acquire underground reservoirs.

Section 82–10–304. Certificate of board required prior to use of eminent domain.

Section 82–10–305. Proceedings.

Section 82–10–401. Notice required before abandonment of well-owner's option.

Section 82–10–402. Inventory of abandoned wells and seismic operations-reclamation procedures.

Section 82–10–501. Purpose-legislative findings.

Section 82–10–502. Definitions.

Section 82–10–503. Notice of drilling operations.

Section 82–10–504. Surface damage and disruption payments-penalty for late payment.

Section 82–10–505. Liability for damages to property.

Section 82–10–506. Notification of injury.

Section 82–10–0507. Agreement—offer of settlement.

Section 82–10–508. Rejection—legal action.

Section 82–10–509 and 82–10–510. Reserved.

Section 82–10–511. Remedies cumulative.

(3) Montana Code annotated, 1995, Title 82, Chapter 11:

Section 82–11–101. Definitions.

Section 82–11–102. Oil or gas wells not public utilities.

Section 82–11–103. Lands subject to law.

Section 82–11–104. Construction-no conflict with board of land commissioners' authority.

Section 82–11–105 through 82–11–110 reserved.

Section 82–11–111. Powers and duties of board.
Section 82–11–112. Intergovernmental cooperation.
Section 82–11–113. Role of board in implementation of national gas policy.
Section 82–11–114. Appointment of examiners.
Section 82–11–115. Procedure to make determinations.
Section 82–11–116. Public access.
Section 82–11–117. Confidentiality of records.
Section 82–11–118. Fees for processing applications.
Section 82–11–119 through 82–11–120 reserved.
Section 82–11–121. Oil and gas waste prohibited.
Section 82–11–122. Notice of intention to drill or conduct seismic operations-notice to surface owner.
Section 82–11–123. Requirements for oil and gas operations.
Section 82–11–124. Requirement relating to waste prevention.
Section 82–11–125. Availability of cores or chips, cuttings, and bottom-hole temperatures to board.
Section 82–11–126. Availability of facilities to bureau of mines.
Section 82–11–127. Prohibited activity.
Section 82–11–128 through 82–11–130 reserved.
Section 82–11–131. Privilege and license tax.
Section 82–11–132. Statements to treasurer and payment of tax.
Section 82–11–133. Penalty for late payment.
Section 82–11–134. Permit fees.
Section 82–11–135. Money earmarked for board expenses.
Section 82–11–136. Expenditure of funds from bonds for plugging wells.
Section 82–11–137. Class II injection well operating fee.
Section 82–11–138 through 82–11–140 reserved.
Section 82–11–141. Administrative procedure.
Section 82–11–142. Subpoena power-civil actions.
Section 82–11–143. Rehearing.
Section 82–11–144. Court review.
Section 82–11–145. Injunction or restraining order.
Section 82–11–146. Appeal.
Section 82–11–147. Violations.
Section 82–11–148. Criminal penalties.
Section 82–11–149. Civil penalties.
Section 82–11–150. Legal assistance.
Section 82–11–151. Emergencies-notice and hearing.
Section 82–11–152 through 82–11–160 reserved.
Section 82–11–161. Oil and gas production damage mitigation account-statutory appropriation.
Section 82–11–162. Release of producing oil or gas well from drilling bond-fee.
Section 82–11–163. Landowner's bond on noncommercial well.
Section 82–11–164. Lien created.
Section 82–11–165 through 82–11–170 reserved.
Section 82–11–171. Terminated.
Section 82–11–201. Establishment of well spacing units.
Section 82–11–202. Pooling of interest within spacing unit.
Section 82–11–203. Pooling agreements not in violation of antitrust laws.
Section 82–11–204. Hearing on operation of pool as unit.
Section 82–11–205. Board order for unit operation-criteria.
Section 82–11–206. Terms and conditions of plan for unit operations.
Section 82–11–207. Approval of plan for unit operations by persons paying costs.
Section 82–11–208. Board orders-amendment.
Section 82–11–209. Units established by previous order.
Section 82–11–210. Unit operations-less than whole of pool.
Section 82–11–211. Operations considered as done by all owners in unit.
Section 82–11–212. Property rights and operator's lien.
Section 82–11–213. Contract not terminated by board order.
Section 82–11–214. Title to oil and gas rights not affected by board order.
Section 82–11–215. Unit operation not restraint of trade.
Section 82–11–216. No creation of relationship between parties in unit.
Section 82–11–301. Authorization to join interstate compact for conservation of oil and gas.
Section 82–11–302. Interstate oil and gas compact.
Section 82–11–303. Extension of expiration date.
Section 82–11–304. Governor as member of Interstate Oil Compact Commission.
Section 82–11–305. Limitation on power of representative.
Section 82–11–306. Expenses of representative.

(b) The regulatory provisions include: Administrative Rules of Montana Board of Oil and Gas Conservation, Chapter 22, revised March 1996:

Rule 36.22.101. Organizational Rule.
Rule 36.22.201. Procedural Rules.
Rule 36.22.202. Environmental Policy Act Procedural Rules.
Rule 36.22.301. Effective Scope of Rules.
Rule 36.22.302. Definitions.

Rule 36.22.303. Classification of Wildcat or Exploratory Wells.
Rule 36 22.304. Inspection of Record, Properties, and Wells.
Rule 36.22.305. Naming of Pools.
Rule 36.22.306. Organization of Reports.
Rule 36.22.307. Adoption of Forms.
Rule 36.22.308. Seal of Board.
Rule 36.22.309. Referral of Administrative Decisions.
Rule 36.22.401. Office and Duties of Petroleum Engineer.
Rule 36.22.402. Office and Duties of Administrator.
Rule 36.22.403. Office and Duties of Geologist.
Rule 36.22.501. Shot Location Limitations.
Rule 36.22.502. Plugging and Abandonment.
Rule 36.22.503. Notification.
Rule 36.22.504. Identification.
Rule 36.22.601. Notice of Intention and Permit to Drill.
Rule 36.22.602. Notice of Intention to Drill and Application for Permit to Drill.
Rule 36.22.603. Permit Fees.
Rule 36.22.604. Permit Issuance - Expiration - Extension.
Rule 36.22.605. Transfer of Permits.
Rule 36.22.606. Notice and Eligibility Statement for Drilling or Recompletion in Unit Operations.
Rule 36.22.607. Drilling Permits Pending Special Field Rules.
Rule 36.22.701. Spacing Units - General.
Rule 36.22.702. Spacing of Wells.
Rule 36.22.703. Horizontal Wells.
Rule 36.22.1001. Rotary Drilling Procedure.
Rule 36.22.1002. Cable Drilling Procedure.
Rule 36.22.1003. Vertical Drilling Required Deviation.
Rule 36.22.1004. Dual Completion of Wells.
Rule 36.22.1005. Drilling Waste Disposal and Surface Restoration.
Rules 36.22.1006 through 36.22.1010. Reserved.
Rule 36.22.1011. Well Completion and Recompletion Reports.
Rule 36.22.1012. Samples of Cores and Cuttings.
Rule 36.22.1013. Filing of Completion Reports, Well Logs, Analyses, Reports, and Surveys.
Rule 36.22.1014. Blowout Prevention and Well Control Equipment.
Rule 36.22.1101. Fire Hazard Prevention.
Rule 36.22.1102. Fire Walls Required.
Rule 36.22.1103. Notification and Report of Emergencies and Undesirable Incidents.
Rule 36.22.1104. Control and Cleanup.
Rule 36.22.1105. Solid Waste.
Rule 36.22.1201. Surface Equipment.
Rule 36.22.1202. Identification.
Rule 36.22.1203. Chokes Required.
Rule 36.22.1204. Separators Required.
Rule 36.22.1205. Vacuum Pumps Prohibited.
Rule 36.22.1206. Tubing Required.
Rule 36.22.1207. Earthen Pits and Open Vessels.
Rule 36.22.1208. Producing from Different Pools Through the Same Casing.
Rules 36.22.1209 through 36.22.1212. Reserved.
Rule 36.22.1213. Reservoir or Pool Surveys.
Rule 36.22.1214. Subsurface Pressure Tests.
Rule 36.22.1215. Stabilized Production Test.
Rule 36.22.1216. Gas Oil Ratio Tests.
Rule 36.22.1217. Water Production Report.
Rule 36.22.1218. Gas to be Metered.
Rule 36.22.1219. Gas Waste Prohibited.
Rule 36.22.1220. Associated Gas Flaring Limitation—Application to exceed—Board Review and Action.
Rule 36.22.1221. Burning of Waste Gas Required.
Rule 36.22.1222. Hydrogen Sulfide Gas.
Rule 36.22.1223. Fencing, Screening, and Netting of Pits.
Rules 36.22.1224 and 36.22.1425. Reserved.
Rule 36.22.1226. Disposal of Water.
Rule 36.22.1227. Earthen Pits and Ponds.
Rule 36.22.1228. Disposal by Injection.
Rule 36.22.1229. Water Injection and Gas Repressuring.
Rule 36.22.1230. Application Contents and Requirements.
Rule 36.22.1231. Notice of Application Objections.
Rule 36.22.1232. Board Authorization.
Rule 36.22.1233. Notice of Commencement or Discontinuance—Plugging of Abandoned Wells.
Rule 36.22.1234. Record Required.
Rules 36.22.1235 through 36.22.1239. Reserved.
Rule 36.22.1240. Report of Well Status Change.
Rule 36.22.1241. Service Company Reports.
Rule 36.22.1242. Reports by Producers.
Rule 36.22.1243. Reports from Transporters, Refiners, and Gasoline or Extraction Plants.
Rule 36.22.1244. Producer's Certificate of Compliance.
Rule 36.22.1245. Illegal Production.
Rule 36.22.1301. Notice and Approval of Intention to Abandon Report.
Rule 36.22.1302. Notice of Abandonment.
Rule 36.22.1303. Well Plugging Requirement.
Rule 36.22.1304. Plugging Methods and Procedure.
Rule 36.22.1305. Exception for Fresh Water Wells.
Rule 36.22.1306. Approval for Pulling Casing and Reentering Wells.
Rule 36.22.1307. Restoration of Surface.
Rule 36.22.1308. Plugging and Restoration Bond.
Rule 36.22.1309. Subsequent Report of Abandonment.
Rule 36.22.1401. Definitions.
Rule 36.22.1402. Underground Injection.
Rule 36.22.1403. Application Contents and Requirements Rules.

Rule 36.22.1404 and 36.22.1405. Reserved.
Rule 36.22.1406. Corrective Action.
Rule 36.22.1407. Signing the Application.
Rule 36.22.1408. Financial Responsibility.
Rule 36.22.1409. Hearings.
Rule 36.22.1410. Notice of Application.
Rule 36.22.1411. Board Authorization.
Rules 36.22.1412 and 36.22.1413. Reserved.
Rule 36.22.1414. Notice of Commencement or Discontinuance—Plugging of Abandoned Wells.
Rule 36.22.1415. Records Required.
Rule 36.22.1416. Mechanical Integrity.
Rule 36.22.1417. Notification of Tests—Reporting Results.
Rule 36.22.1418. Exempt Aquifers.
Rule 36.22.1419. Tubingless Completions.
Rules 36.22.1420 and 36.22.1421. Reserved.
Rule 36.22.1422. Permit Conditions.
Rule 36.22.1423. Injection Fee—Well Classification.
Rule 36.22.1601. Who May Apply for Determination.
Rule 36.22.1602. Application Requirements and Contents.
Rule 36.22.1603. Documents and Technical Data Supporting Application.
Rule 36.22.1604. Docket Number.
Rule 36.22.1605. List of Applications—Public Access.
Rule 36.22.1606. Objections to Applications.
Rule 36.22.1607. Deadlines for Action Determinations.
Rule 36.22.1608. Deficient Applications.
Rule 36.22.1609. Board Action on Applications.
Rule 36.22.1610. Special Findings and Determinations New Onshore Production Wells Under Section 103.
Rule 36.22.1611. Special Findings and Determinations Stripper Well Production.

[61 FR 58934, Nov. 19, 1996]

Subpart CC—Nebraska

§ 147.1400 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Nebraska, except those on Indian lands, is the program administered by the Nebraska Oil and Gas Conservation Commission, approved by EPA pursuant to section 1425 of the SDWA.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Nebraska. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Rules and Regulations of the Nebraska Oil and Gas Conservation Commission, Rules 1 through 6 (as published by the Commission, May 1981);

(2) Revised Statutes of Nebraska, sections 57–903 and 57–906 (Reissue 1988).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for select sections identified in paragraph (a) of this section, are also part of the approved state-administered program:

(1) Chapter 57, Oil and Gas Conservation, Revised Statutes of Nebraska sections 57–901 through 57–922 (Reissue 1985).

(c) The Memorandum of Agreement between EPA Region VII and the Nebraska Oil and Gas Conservation Commission, signed by the EPA Regional Administrator on July 12, 1982.

(d) *Statement of legal authority.* (1) "Nebraska Underground Injection Control Program, Attorney General's Statement for Class II Wells," signed by Assistant Attorney General for Attorney General of Nebraska, as submitted with "State of Nebraska Request for Administration of UIC Program," January 23, 1982;

(2) "Re: Nebraska Underground Injection Control Program, Addendum to Attorney General's Statement for Class II Wells," signed by Assistant Attorney General for Attorney General of Nebraska," undated.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9417, Mar. 6, 1991]

§ 147.1401 State administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Nebraska, except those on Indian lands, is the program administered by the Nebraska Department of Environmental Control, approved by EPA pursuant to section 1422 of the SDWA.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for

the State of Nebraska. This incorporation by reference was approved by the Director of the Federal Register effective June 26, 1984.

(1) Nebraska Environmental Protection Act, Revised Statutes of Nebraska sections 81–1502, 81–1506, 81–1519, and 81–1520 (Reissue 1987);

(2) Nebraska Department of Environmental Control, Title 122—Rules and Regulations for Underground Injection and Mineral Production Wells, Effective Date: February 16, 1982, Amended Dates: November 12, 1983, March 22, 1984; as amended by amendment approved by the Governor on January 2, 1989.

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Nebraska Environmental Protection Act, Nebraska Revised Statutes sections 81–1502, 81–1506, 81–1519, and 81–1520 (Reissue 1987 and Cumm. Supp. 1988);

(c)(1) The Memorandum of Agreement between EPA Region VII and the Nebraska Department of Environmental Control, signed by the EPA Regional Administrator on July 12, 1982.

(2) Addendum to Underground Injection Control Memorandum of Agreement signed by the EPA Regional Administrator on July 12, 1982.

(3) Amendments to the Memorandum of Agreement signed by the EPA Regional Administrator on November 22, 1983.

(d) *Statement of legal authority.* (1) "Nebraska Underground Injection Control Program, Attorney General's Statement for Class I, III, IV, and V Wells", signed by Assistant Attorney General for Attorney General of Nebraska, as submitted with "State of Nebraska Request for Administration of UIC Program, January 28, 1982;

(2) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Director, (Nebraska) Department of Environmental Control, August 7, 1981;

(3) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Director, (Nebraska) Department of Environmental Control, April 29, 1982;

(4) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Legal Counsel, (Nebraska) Department of Environmental Control, October 18, 1983.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

(42 U.S.C. 1422)

[49 FR 24134, June 12, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9417, Mar. 6, 1991]

§ 147.1402 Aquifer exemptions. [Reserved]

§ 147.1403 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Nebraska is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian Lands in Nebraska is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9417, Mar. 6, 1991]

Subpart DD—Nevada

§ 147.1450 State-administered program.

The UIC program for all classes of underground injection wells in the State of Nevada, other than those on Indian lands, is the program administered by the Nevada Division of Environmental Protection approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 18, 1988; the effective date of this program is October 5, 1988. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by

reference and made a part of the applicable UIC program under the SDWA for the State of Nevada. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Nevada Department of Conservation and Natural Resources, Division of Environmental Protection, 201 South Fall Street, Carson City, Nevada 89710.

Copies may be inspected at the Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, California 99105, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

(1) Nevada Revised Statutes [NRS], Volume 25, Chapters 445.131 through 445.354, Inclusive. 1987.

(2) Nevada Revised Statutes [NRS], Volume 29, Chapters 534A.010 through 534A.090, Inclusive. 1987.

(3) Nevada Revised Statutes [NRS], Volume 28, Chapters 522.010 through 522.190, Inclusive. 1987.

(4) Nevada Administrative Code [NAC], Underground Injection Control Regulations, Sections 1 through 96.1, Inclusive. July 22, 1987, revised September 3, 1987 (amending NAC Chapter 445).

(5) Nevada Administrative Code [NAC], Regulations and Rules of Practice and Procedure adopted Pursuant to NRS 534A, Sections 1 through 69, Inclusive. November 12, 1985 (amending NAC Chapter 534A).

(6) Nevada Administrative Code [NAC], Regulations and Rules of Practice and Procedure adopted Pursuant to NRS 522.010 through 522.625, Inclusive. July 22, 1987 (amending NAC Chapter 522).

(b) The Memorandum of Agreement between EPA Region 9 and the Nevada Department of Conservation and Natural Resources signed by the EPA Regional Administrator on April 6, 1988.

(c) *Statement of Legal Authority.* Statement and Amendment to the Statement from the Attorney General of the State of Nevada, signed on July 22, 1987 and November 6, 1987 respectively, by the Deputy Attorney General.

(d) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[53 FR 39089, Oct. 5, 1988]

§ 147.1451 EPA administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Nevada is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Nevada is June 25, 1984.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9417, Mar. 6, 1991]

§ 147.1452 Aquifer exemptions. [Reserved]

§ 147.1453 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the formula:

$$Pm=(0.733–0.433\ Sg)d$$

where:

Pm=injection pressure at the wellhead in pounds per square inch

Sg=specific gravity of injected fluid (unitless)

d=injection depth in feet.

§ 147.1454 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the

field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes field rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within one year following the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4) of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section, as needed to protect USDWs.

Subpart EE—New Hampshire

§147.1500 State-administered program.

The UIC program for all classes of wells in the State of New Hampshire, except those wells on Indian lands, is the program administered by the New Hampshire Department of Environmental Services, approved by the EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FR on September 21, 1982 (47 FR 41561); the effective date of this program is October 21, 1982. This program consists of the following elements:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of New Hampshire. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) New Hampshire Revised Statutes Annotated section 149:8 III(a) (1978);

(2) New Hampshire Code of Administrative Rules, Part Wc 410 (Protection

of Groundwaters of the State, sections Ws 410.1 through Ws 410.16) (Issue Ws 3–82).

(b)(1) The Memorandum of Agreement between EPA Region I and the New Hampshire Water Supply and Pollution Control Commission, signed by the EPA Regional Administrator on August 23, 1982;

(2) Amendment No. 1 to the Memorandum of Agreement, signed by the EPA Regional Administrator on July 16, 1982.

(c) *Statement of legal authority.* (1) Letter from Attorney General of New Hampshire to Regional Administrator, EPA Region I, "Re: Attorney General's Statement—Underground Injection Control Program," March 23, 1982;

(2) Letter from Attorney General of New Hampshire to Regional Administrator, EPA Region I, "Re: Attorney General's Statement—Underground Injection Control Program," July 1, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43088, Oct. 25, 1988; 56 FR 9417, Mar. 6, 1991]

§ 147.1501 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of New Hampshire is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in New Hampshire is November 25, 1988.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9417, Mar. 6, 1991]

Subpart FF—New Jersey

§ 147.1550 State-administered program.

The UIC program for all classes of wells in the State of New Jersey, except those on Indian lands, is the program administered by the New Jersey Department of Environmental Protection, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the Federal Register on July 15, 1983 (48 FR 32343); the effective date of this program is August 15, 1983. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of New Jersey. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Water Pollution Control Act, New Jersey Statutes Annotated sections 58:10A–1 through 58:10A–20 (West 1982 and Supp. 1990);

(2) New Jersey Administrative Code, sections 7:14A–1.1 through 1.9 (subchapter 1), 7:14A–2.1 through 2.15 (subchapter 2), 7:14A–5.1 through 5.17, (subchapter 5) (amended March 1988).

(b)(1) The Memorandum Agreement between EPA Region II and the New Jersey Department of Environmental Protection, signed by the EPA Regional Administrator on September 9, 1982;

(2) Letter from Commissioner, New Jersey Department of Environmental Protection, to Regional Administrator, EPA Region II, March 21, 1983.

(c) *Statement of legal authority.* (1) Letter from Attorney General of New Jersey (by Deputy Attorney General) to Commissioner, Department of Environmental Protection, "Re: New Jersey Pollutant Discharge Elimination System—Underground Injection Control," February 9, 1982;

(2) Letter from Attorney General of New Jersey (by Deputy Attorney General) to Commissioner, Department of Environmental Protection, "Re: New Jersey Pollutant Discharge Elimination System—Underground Injection Control," April 15, 1983 (six pages);

(3) Letter from Attorney General of New Jersey (by Assistant Attorney General) to Commissioner, Department of Environmental Protection, "Re: New

Jersey Pollutant Discharge Elimination System—Underground Injection Control," April 15, 1983 (two pages).

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43089, Oct. 25, 1988; 56 FR 9417, Mar. 6, 1991]

§ 147.1551 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of New Jersey is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in New Jersey is November 25, 1988.

[53 FR 43089, Oct. 25, 1988, as amended at 56 FR 9417, Mar. 6, 1991]

Subpart GG—New Mexico

§ 147.1600 State-administered program—Class II wells.

The UIC program for Class II wells in the State of New Mexico, except for those on Indian lands, is the program administered by the New Mexico Energy and Minerals Department, Oil Conservation Division, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 5, 1982 (47 FR 5412); the effective date of this program is March 7, 1982. This program consists of the following elements as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of New Mexico. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Oil and Gas Act, New Mexico Statutes Annotated sections 70–2–1 through –36 (1978);

(2) *State of New Mexico Energy and Mineral Department, Oil Conservation Division—Rules and Regulations* (dated 10–1–78), sections B–3, I–701 through I–708, M–1100 through M–1121.

(b)(1) The Memorandum of Agreement between EPA Region VI and the New Mexico Energy and Minerals Department, Oil Conservation Division, signed by the EPA Regional Administrator on December 10, 1981;

(2) Addendum No. 1 to the Memorandum of Agreement, signed by the EPA Regional Administrator on June 28, 1982;

(3) Addendum No. 2 to the Memorandum of Agreement, signed by the EPA Regional Administrator on November 18, 1982;

(4) Letter from Director, Oil Conservation Division, New Mexico Energy and Minerals Department, and Assistant Attorney General of New Mexico, to Regional Administrator, EPA Region VI, November 6, 1981.

(c) *Statement of legal authority.* "Statement of Legal Authority of the State of New Mexico by and through its Oil Conservation Division of the Energy and Mines Department to conduct an Underground Injection Control Program," signed by Assistant Attorney General and General Counsel to the Oil Conservation Division.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43089, Oct. 25, 1988]

§ 147.1601 State-administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV and V injection wells in the State of New Mexico, except for those on Indian lands, is the program administered by the New Mexico Water Quality Control Commission, the Environmental Improvement Division, and the Oil Conservation Division, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on July 11, 1983 (48 FR 31640); the effective date of this program is August 10, 1983. This

program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of New Mexico. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) New Mexico Water Quality Control Commission Regulations (WQCC 82–1) sections 1–100 through 5–300 (September 20, 1982).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, are also part of the approved State-administered UIC program:

(1) Water Quality Act, New Mexico Statutes Annotated sections 74–6–1 through 74–6–13 (1978 and Supp. 1982);

(2) Geothermal Resources Conservation Act, New Mexico Statutes Annotated sections 71–5–1 through 71–5–24 (1978 and Supp. 1982);

(3) Surface Mining Act, New Mexico Statutes Annotated sections 69–25A–1 through 69–25A–35 (1978 and Supp. 1980).

(c)(1) The Memorandum of Agreement between EPA Region VI and the New Mexico Water Quality Control Commission, the Environmental Improvement Division, and the Oil Conservation Division, signed by the EPA Regional Administrator on April 13, 1983;

(2) Letter from the Director, Environmental Improvement Division and the Director, Oil Conservation Division, to Regional Administrator, EPA Region IV, "Re: New Mexico Underground Injection Control Program—Clarification," February 10, 1983.

(d) *Statement of legal authority.* "Attorney General's Statement," signed by the Assistant Attorney General for the Environmental Improvement Division, the Assistant Attorney General for Oil Conservation Division, and the Deputy Attorney General, Civil Division, Counsel for the Mining and Minerals Division, undated, submitted December 8, 1982.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43089, Oct. 25, 1988]

§ 147.1603 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in New Mexico is administered by EPA. The program consists of the requirements set forth at Subpart HHH of this part. Injection well owners and operators and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the UIC program on Indian lands in New Mexico is November 25, 1988.

[53 FR 43089, Oct. 25, 1988]

Subpart HH—New York

§ 147.1650 State-administered program. [Reserved]

§ 147.1651 EPA-administered program.

(a) *Contents.* The UIC program for the State of New York, including all Indian lands, is administered by EPA. The program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for New York for all injection activities except those on lands of the Seneca Indian Tribe is June 25, 1984. The effective date for the UIC program for the lands of the Seneca Indian Tribe is November 25, 1988.

[53 FR 43089, Oct. 25, 1988; 54 FR 10616, Mar. 14, 1989, as amended at 56 FR 9417, Mar. 6, 1991]

§ 147.1652 Aquifer exemptions.

(a) This section identifies any aquifer or their portions exempted in accordance with §§144.7(b) and 146.4 of this chapter at the time of program promulgation. EPA may in the future exempt other aquifers or portions, according to applicable procedures, without codifying such exemptions in this section. An updated list of exemptions will be maintained in the Regional office.

(b) The following portions of aquifers are exempted in accordance with the provisions of §§144.7(b) and 146.4 of this chapter for Class II injection activities only:

(1) The Bradford First, Second, and Third Sand Members and the Kane Sand Member in the Bradford Field in Cattaraugus County.

(2) The Chipmunk Oil field in Cattaraugus County.

§ 147.1653 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.733-0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch
Sg=specific gravity of inject fluid (unitless)
d=injection depth in feet.

§ 147.1654 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure, or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within one year of the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4) of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(iii) For wells as described in §146.8(b)(3)(ii), installing a smaller diameter pipe inside the existing injection tubing and setting it on an appropriate packer; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 50 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section as needed to protect USDWs.

§ 147.1655 Requirements for wells authorized by permit.

(a) The owner or operator of a Class I well authorized by permit shall install or shall ensure that the well has:

(1) Surface casing present;

(i) Extending from the surface to a depth at least 50 feet below the base of the lowermost USDW; and

(ii) Cemented back to the surface by recirculating the cement; and

(2) Long string casing and tubing;

(i) Extending to the injection zone; and

(ii) Cemented back to 50 feet above the base of the next largest casing string.

(b) The owner or operator of a new Class II well authorized by permit shall:

(1) Install surface casing from the surface to at least 50 feet below the base of the lowermost USDW.

(2) Cement the casing by recirculating to the surface or by using no less than 120% of the calculated annular volume.

(3) For new enhanced recovery wells, install tubing or long string casing extending to the injection zone.

(4) For new salt water disposal wells, install long string casing and tubing extending to the injection zone.

(5) Isolate any injection zone by placing sufficient cement to fill the calculated volume to a point 50 feet above the injection zone.

(c) The Regional Administrator may specify casing and cementing requirements other than those listed in paragraphs (a) and (b) of this section on a case by case basis as conditions of the permit.

Subpart II—North Carolina

§ 147.1700 State-administered program.

The UIC program for all classes of wells in the State of North Carolina, except those wells on Indian lands, is the program administered by the North Carolina Department of Environment, Health and Natural Resources approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on April 19, 1984 (49 FR 15553); the effective date of this program is April 19, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of North Carolina. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the North Carolina Department of Environment, Health and Natural Resources, P.O. Box 27687, Raleigh, North Carolina 27611. Copies may be inspected at the Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Administrative Procedure Act, N.C. GEN. STAT. 150B–1 through 150B–64 (1987 and Cumm. Supp. 1989);

(2) North Carolina Well Construction Act, N.C. GEN. STAT. §§ 87–83 through 87–99 (1989 and Cumm. Supp. 1989);

(3) Water and Air Resources, N.C. GEN. STAT. §§ 143–211 through 143–215.10 (1987 and Cumm. Supp. 1989);

(4) Solid Waste Management, N.C. GEN. STAT. §§ 130A–290 through 130A–309.03 (1989);

(5) North Carolina Drinking Water Act, N.C. GEN. STAT. §§ 130A–311 through 130A–332 (1989);

(6) Sanitary Sewage Systems, N.C. GEN. STAT. §§130A–333 through 130A–335 (1989).

(b) *Other laws.* The following rules and regulations, although not incorporated by reference, are also part of the approved State-administered program:

(1) N.C. ADMIN. CODE, Title 15, r. 02L.0100 *et seq.* Groundwater Classification and Standards: General Considerations (September 22, 1988);

(2) N.C. ADMIN. CODE, Title 15, r. 02L.0100 *et seq.* Criteria and Standards Applicable to Injection Wells (September 22, 1988).

(c) *Memorandum of Agreement.* The Memorandum of Agreement between the State of North Carolina and EPA Region IV, signed March 1, 1984.

(d) *Statement of legal authority.* (1) Underground Injection Control Program, Attorney General's Statement (June 15, 1982);

(2) Amendment to Underground Injection Control Program, Attorney General's Statement (February 9, 1984).

(e) *Program Description.* The Program Description and other materials submitted as part of the application or as supplements thereto.

[56 FR 9417, Mar. 6, 1991]

§§ 147.1701–147.1702 [Reserved]

§ 147.1703 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of North Carolina is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in North Carolina is November 25, 1988.

[53 FR 43089, Oct. 25, 1988, as amended at 56 FR 9418, Mar. 6, 1991]

§§ 147.1704–147.1749 [Reserved]

Subpart JJ—North Dakota

§ 147.1750 State-administered program—Class II wells.

The UIC program for Class II wells in the State of North Dakota, except those on Indian lands, is the program administered by the North Dakota Industrial Commission, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 23, 1983 (48 FR 38237); the effective date of this program is September 24, 1983. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of North Dakota. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) North Dakota Century Code, Chapter 38–08 (Control of Gas and Oil Resources, 1987 and Supp. 1989);

(2) North Dakota Administrative Code, Chapter 43–02–05 (Underground Injection Control, as published in *Statutes and Rules for the Conservation of Oil and Gas*, North Dakota Industrial Commission, revised effective November 1, 1987);

(3) North Dakota Administrative Code, Chapter 43–02–03 (General Rules, as published in *Statutes and Rules for the Conservation of Oil and Gas*, North Dakota Industrial Commission, revised effective November 1, 1987).

(b) The Memorandum of Agreement between EPA Region VIII and the North Dakota Industrial Commission, Oil and Gas Division, signed by the EPA Regional Administrator on June 16, 1983, as amended September 7, 1989.

(c) *Statement of legal authority.* "Underground Injection Control Program Attorney General's Statement," as submitted with the North Dakota Underground Injection Control Program Primacy Application for Class II Injection Wells, transmitted by the Governor on July 15, 1982 (16 pages).

(d) The Program Description and other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43089, Oct. 25, 1988; 56 FR 9418, Mar. 6, 1991]

§ 147.1751 State-administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV, and V wells in the State of North Dakota, except those on Indian lands, is the program administered by the North Dakota Department of Health, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on September 21, 1984; the effective date of this program is October 5, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of North Dakota. This incorporation by reference was approved by the Director of the Federal Register effective October 5, 1984.

(1) North Dakota Century Code Sections 38–12–01, 38–12–03 (1980);

(2) North Dakota Century Code, Sections 61–28–02 and 61–28–06 (1989);

(3) North Dakota Administrative Code Sections 33–25–01–01 through 33–25–01–18 (North Dakota State Health Department Underground Control Program) (1983);

(4) North Dakota Administrative Code, Chapter 43–02–02 (Subsurface Mineral Exploration and Development) (August 1986), and Chapter 43–02–02.1 (Underground Injection Control Program) (March 1, 1984);

(5) North Dakota Administrative Code Sections 43–02–02–1–01 through 43–02–02–1–18 (North Dakota Geological Survey—Undergound Injection Control Program) (1984);

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, also are part of the approved State-administered program;

(1) North Dakota Environmental Law Enforcement Act of 1975, North Dakota Century Code Sections 32–40–01 to 32–40–11 (1976);

(2) North Dakota Century Code, Ch. 38–12 (Regulation, Development, and Production of Subsurface Minerals) (1979);

(3) North Dakota Century Code Chapter 61–28 (Control, Prevention and Abatement of Pollution of Surface Waters) (1989);

(4) North Dakota Administrative Code Article 33–22 (Practice and Procedure) (1983).

(c) The Memorandum of Agreement between EPA Region VIII and the North Dakota Department of Health, signed by the EPA Regional Administrator on May 18, 1984.

(d) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 37066, Sept. 21, 1984, as amended at 56 FR 9418, Mar. 6, 1991]

§ 147.1752 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of North Dakota is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in North Dakota is November 25, 1988.

[53 FR 43089, Oct. 25, 1988, as amended at 56 FR 9418, Mar. 6, 1991]

Subpart KK—Ohio

§ 147.1800 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Ohio, except for those on Indian lands, is the program administered by the Ohio Department of Natural Resources, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 23, 1983 (48 FR 38238); the effective date of

this program is September 22, 1983. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Ohio. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Ohio Revised Code Annotated, sections 1509.01 through 1509.22 (Page 1978 and Supp. 1982);

(2) Rules of the Division of Oil and Gas, Ohio Administrative Code sections 1501:91–01, through 1501: 9–11–13 (1983).

(b) The Memorandum of Agreement between EPA Region V and the Ohio Department of Natural Resources.

(c) *Statement of legal authority.* "Underground Injection Control Program—Attorney General's Statement," signed by the Assistant Attorney General, Chief, Environmental Law Section, for the Attorney General of Ohio, September 30, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43089, Oct. 25, 1988]

§ 147.1801 State-administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Ohio, other than those on Indian lands, is the program administered by the Ohio Department of Natural Resources and the Ohio Environmental Protection Agency, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on November 29, 1984; the effective date of this program is January 14, 1985. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Ohio. This incorporation by reference was approved by the Director of the Federal Register effective January 14, 1985.

(1) Ohio Revised Code Annotated, sections 1509.01, 1509.03, 1509.221 (Supp. 1983);

(2) Rules of the Division of Oil and Gas, Ohio Administrative Code, sections 1501:9–7–01 through 7–14 (1984);

(3) Ohio Revised Code Annotated, sections 6111.04, 6111.043, 6111.044 (Supp. 1983);

(4) Rules of the Ohio Environmental Protection Agency, Ohio Administrative Code, sections 3745–34–01 through 34–41; 3745–9–01 through 9–11 (Director Ohio EPA Order, June 18, 1984).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, also are part of the approved State-administered program:

(1) Ohio Revised Code, Chapter 119 (1978 Replacement Part);

(2) Ohio Code Supplement, sections 6111.041, 6111.042, 6111.045 (Supp. 1982).

(c) (1) The Memorandum of Agreement between EPA Region V and the Ohio Department of Natural Resources, signed by the EPA Regional Administrator on March 30, 1984;

(2) Memorandum of Agreement between the Ohio Department of Natural Resources and the Ohio Environmental Protection Agency, Related to the Underground Injection Control Program for the State of Ohio, signed August 1, 1984.

(d) *Statement of legal authority.* Statement from Attorney General of the State of Ohio, by Senior Assistant Attorney General, "Underground Injection Control Program—Attorney General's Statement," July 25, 1984.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 46897, Nov. 29, 1984]

§ 147.1802 Aquifer exemptions. [Reserved]

§ 147.1803 Existing Class I and III wells authorized by rule—maximum injection pressure.

The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of § 144.28(f)(3)(i); or

(b) A value for well head pressure calculated by using the following formula:

Pm = (0.8—0.433 Sg) d

where:

Pm = injection pressure at the well head in pounds per square inch

Sg = specific gravity of injected fluid (unitless)

d = injection depth in feet.

[49 FR 45308, Nov. 15, 1984]

§ 147.1805 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Ohio is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Ohio is November 25, 1988.

[53 FR 43089, Oct. 25, 1988, as amended at 56 FR 9418, Mar. 6, 1991]

Subpart LL—Oklahoma

§ 147.1850 State-administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Oklahoma, except those on Indian lands, is the program administered by the Oklahoma State Department of Health, approved by EPA pursuant to SDWA section 1422. Notice of this approval was published in the FEDERAL REGISTER on June 24, 1982 (47 FR 27273). The effective date of this program is July 24, 1982. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Oklahoma. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Oklahoma Statutes title 63 sections 1–901, 1–903 (1981);

(2) Oklahoma Controlled Industrial Waste Disposal Act, Oklahoma Statute Annotated title 63 sections 1–2002, 1–2014 (West Supp. 1983–1984);

(3) *Regulations.* [Reserved]

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for select sections identified in paragraph (a) of this section, are also part of the approved State-administered UIC program:

(1) Oklahoma Open Meeting Act, Oklahoma Statutes title 25 sections 301 through 314 (Supp. 1978);

(2) Oklahoma Statutes Annotated title 63 sections 1–101 to 1–114, 1–901 to 1–911, 1–1601 *et seq.*, 1–1701, 1–2001 to 1–2014 (West 1973 and Supp. 1982);

(3) Oklahoma Statutes Annotated title 75 sections 301 to 327 (West 1976 and Supp. 1982).

(c) (1) The Memorandum of Agreement between EPA Region VI and the Oklahoma State Department of Health, signed by the EPA Regional Administrator on April 13, 1982;

(2) Memorandum of Understanding between the Oklahoma State Department of Health and the Oklahoma Corporation Commission (OCC), signed by members of the OCC on February 12, 1982;

(3) Memorandum of Understanding between the Oklahoma State Department of Health and the Oklahoma Department of Mines (ODM), signed by the Deputy Chief Mine Inspector, ODM, on February 15, 1982.

(d) *Statement of legal authority.* Letter from Attorney General of Oklahoma to Commissioner of Health, Oklahoma State Department of Health, "Re: Statement and Memorandum of Law Concerning the Authority for the Oklahoma State Department of Health's

Underground Injection Control Program," February 12, 1982.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43090, Oct. 25, 1988]

§ 147.1851 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Oklahoma, including the lands of the Five Civilized Tribes, but not including those on other Indian lands, is the program administered by the Oklahoma Corporation Commission approved by EPA pursuant to SDWA section 1425. Notice of this approval was published in the FEDERAL REGISTER on December 2, 1981 (46 FR 58588). This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* [Reserved]

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, are also part of the approved State-administered UIC program:

(1) Oklahoma Statutes, title 17 sections 51–53; title 52 sections 86.1–86.5, 139–153, 243, 307–318.1 (1971).

(2) OCC–OGR Rules No. 1–101–3–303.

(c) (1) The Memorandum of Agreement between EPA Region VI and the Oklahoma Corporation Commission, signed by the EPA Regional Administrator on April 13, 1981;

(2) Letter from the Manager, Underground Injection Control, Oklahoma Corporation Commission, to EPA, June 18, 1981.

(d) *Statement of legal authority.* "Statement of Legal Authority of the Oklahoma Corporation Commission to Conduct an Underground Injection Control Program," (Part IV, pages 30–41 of "State of Oklahoma Primacy Application for Authority to Regulate Class II Injection Wells," submitted April 14, 1981), signed by the Conservation Attorney, Counsel to the Director and the Oklahoma Corporation Commission.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43090, Oct. 25, 1988]

§ 147.1852 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all wells on Indian lands in Oklahoma, except Class II wells on the lands of the Five Civilized Tribes, is administered by EPA. The UIC program for Class II wells on the Osage Mineral Reserve consists of the requirements set forth in subpart GGG of this part. The UIC program for all other wells on Indian lands consists of the requirements set forth in subpart III of this part. Injection well owners and operators and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for UIC program for Class II wells on the Osage Mineral Reserve is December 30, 1984. The effective date for the UIC program for all other wells on Indian lands is November 25, 1988.

[53 FR 43090, Oct. 25, 1988]

Subpart MM—Oregon

§ 147.1900 State-administered program.

The UIC program for all classes of wells in the State of Oregon, except those on Indian lands, is administered by the Oregon Department of Environmental Quality, approved by EPA pursuant to section 1422 and section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on September 25, 1984; the effective date of this program is October 9, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Oregon. This incorporation by reference was approved by the Director of the Federal Register effective October 9, 1984.

(1) Oregon Revised Statutes, Title 16, chapter 164, section 164.785; Title 36,

chapter 468, sections 468.005, 468.065 to 468.070, 468.700 to 468.815; Title 43, chapter 520 sections 520.005, 520.095, 520.155—520.330 (1983);

(2) Oregon Administrative Rules, Chapter 340, Division 44, sections 340–44–005 through 340–44–055 (October 1983); Chapter 340, Division 45, sections 340–45–005 through 340–45–075 (January 1990); Chapter 632, Division 10, sections 632–10–002 through 632–10–235 (May 1986); Chapter 632, Division 20, sections 632–20–005 through 632–20–180 (May 1984).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, also are part of the approved State-administered program:

(1) Oregon Revised Statutes, Chapter 183 (1987); 192.420, 192.500, 459.460(3), 468.005 through 468.605, and 468.780 through 468.997; Chapters 516 and 522 (1983);

(2) Oregon Administrative Rules, chapter 137, Div. 3 (July 1982); chapter 340, Div. 11 (April 1988); chapter 340, Div. 12 (March 1989); chapter 340, Div. 14 (November 1983); chapter 340, Div. 52 (November 1983); chapter 632, Div. 1 (June 1980); chapter 632, Div. 20 (January 1981).

(c)(1) The Memorandum of Agreement between EPA Region X and the Oregon Department of Environmental Quality, signed by the EPA Regional Administrator on May 3, 1984.

(d) *Statement of legal authority.* (1) "Underground Injection Control Program Legal Counsel's Statement," October 1983, signed by the Assistant Attorney General, Oregon;

(2) Opinion of the Attorney General, Oregon, 35 Op. Attorney General 1042 (1972).

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 37594, Sept. 25, 1984, as amended at 53 FR 43090, Oct. 25, 1988; 56 FR 9418, Mar. 6, 1991]

§ 147.1901 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Oregon is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Oregon is November 25, 1988.

[53 FR 43090, Oct. 25, 1988, as amended at 56 FR 9419, Mar. 6, 1991]

Subpart NN—Pennsylvania

§ 147.1950 State-administered program. [Reserved]

§ 147.1951 EPA-administered program.

(a) *Contents.* The UIC program for the State of Pennsylvania, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on Indian lands is November 25, 1988. The effective date for the UIC program for the rest of Pennsylvania is June 25, 1984.

[53 FR 43090, Oct. 25, 1988, as amended at 56 FR 9419, Mar. 6, 1991]

§ 147.1952 Aquifer exemptions.

(a) This section identifies any aquifers or their portions exempted in accordance with §§144.7(b) and 146.4 of this chapter at the time of program promulgation. EPA may in the future exempt other aquifers or portions, according to applicable procedures, without codifying such exemptions in this section. An updated list of exemptions will be maintained in the Regional office.

(b) Those portions of the following oil bearing aquifers, which would otherwise meet the definition of a USDW, are exempted in accordance with the provisions of §§144.7(b) and 146.4 of this chapter for Class II enhanced recovery injection activities only.

(1) The Sugar Run and Bradford series of oil producing sands of the Bradford Field, in McKean County; including the Bradford, West Branch, Stack,

Bennett Brook, Marilla Brook, Brooder Hollow, Cyclone, Minard Run, Minard Run School, and Sugar Run (or Watsonville) Pools.

(2) The Bradford Third oil producing sand of the Guffey Field in McKean County.

(3) The Bradford series of oil producing sands of the Lewis Run Field in McKean County.

(4) The Bradford series of oil producing sands of the Windfall Field and Kings Run Pool in McKean County.

(5) The Red Valley member of the Second Sand formation of the Venango Group of oil producing sands in the Foster-Reno Field in Venango County; including the Foster, Bully Hill, Victory, Bredinsburg, Egypt Corners, Reno, Monarch Park and Seneca Pools.

(6) The Glade and Clarendon oil producing sands of the Morrison Run Field and Elk Run Pool in Warren County.

(7) The Clarendon and Glade oil producing sands of the Clarendon Field in Warren County.

(8) The Bradford Third oil producing sand in the Shinglehouse Field, including the Kings Run, Janders Run and Ceres Pools in Potter and McKean Counties.

§ 147.1953 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.733—0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch

Sg=specific gravity of injection fluid (unitless)

d=injection depth in feet.

§ 147.1954 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The information shall be submitted to the Regional Administrator within one year of the effective date of this regulation.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4)

of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(iii) For wells as described in §146.8(b)(3)(ii), installing a smaller diameter pipe inside the existing injection tubing and setting it on an appropriate packer; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 50 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section as needed to protect USDWs.

§147.1955 Requirements for wells authorized by permit.

(a) The owner or operator of a Class I well authorized by permit shall install or shall ensure that the well has:

(1) Surface casing present;

(i) Extending from the surface to a depth at least 50 feet below the base of the lowermost USDW; and

(ii) Cemented back to the surface by recirculating the cement; and

(2) Long string casing and tubing;

(i) Extending to the injection zone; and

(ii) Cemented back to 50 feet above the base of the next largest casing string.

(b) The owner or operator of a new Class II well authorized by permit shall:

(1) Install surface casing from the surface to at least 50 feet below the base of the lowermost USDW.

(2) Cement the casing by recirculating to the surface or by using no less than 120% of the calculated annular volume.

(3) For new enhanced recovery wells, install tubing or long string casing extending to the injection zone.

(4) For new salt water disposal wells, install long string casing and tubing extending to the injection zone.

(5) Isolate any injection zone by placing sufficient cement to fill the calculated volume to a point 50 feet above the injection zone.

(c) The Regional Administrator may specify casing and cementing requirements other than those listed in paragraphs (a) and (b) of this section on a case by case basis as conditions of the permit.

Subpart OO—Rhode Island

§147.2000 State-administered program—Class I, II, III, IV, and V wells.

The UIC program for all classes of wells in Rhode Island, except those on Indian lands, is the program administered by the Rhode Island Department of Environmental Management, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 1, 1984; the effective date of this program is August 15, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Rhode Island. This incorporation by reference was approved by the Director of the Federal Register effective August 15, 1984.

(1) Rhode Island Gen. Laws sections 46–12–1, 46–12–5, and 46–12–28 (Supp. 1983);

(2) "Underground Injection Control Program Rules and Regulations." State of Rhode Island and Providence Plantations Department of Environmental

Management. Division of Water Resources (as received by the Secretary of State, May 21, 1984).

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Rhode Island General Laws, Section 10–20–1 *et seq.*, entitled "State Environmental Rights";

(2) Rhode Island General Laws, Section 23–19.1–1 *et seq.*, entitled "Hazardous Waste Management";

(3) Rhode Island General Laws, Section 42–17.1 *et seq.*, entitled "Department of Environmental Management";

(4) Rhode Island General Laws, Section 42–35–1 *et seq.*, entitled "Administrative Procedures";

(5) Rhode Island General Laws, Section 46–12–1 *et seq.*, entitled "Water Pollution";

(6) Hazardous Waste Management Facility Operating Permit Rules and Regulations—Landfills, at last amended November 2, 1981 (hereinafter referred to as the "Hazardous Waste Regulation");

(7) Water Quality Regulations for Water Pollution Control, effective November 19, 1981; and

(8) Administrative Rules of Practices and Procedure for Department of Environmental Management, effective November 12, 1980.

(c) (1) The Memorandum of Agreement between EPA Region I and the Rhode Island Department of Environmental Management, signed by the EPA Regional Administrator on March 29, 1984;

(2) Letter from Director, Rhode Island Department of Environmental Management, to Regional Administrator, EPA Region I, amending Section III, C of the Memorandum of Agreement, April 25, 1984.

(d) *Statement of legal authority.* Letter from Attorney General, State of Rhode Island and Providence Plantations, to Regional Administrator, EPA Region 1, "Re: Attorney General's Statement, Underground Injection Control Program," January 17, 1984.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 30699, Aug. 1, 1984, as amended at 53 FR 43090, Oct. 25, 1988]

§ 147.2001 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Rhode Island is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Rhode Island is November 25, 1988.

[53 FR 43090, Oct. 25, 1988, as amended at 56 FR 9419, Mar. 6, 1991]

Subpart PP—South Carolina

§ 147.2050 State-administered program.

The UIC program for all classes of wells in the State of South Carolina, except for those on Indian lands, is the program administered by the South Carolina Department of Health and Environmental Control, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on July 10, 1984; the effective date of this program is July 24, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of South Carolina. This incorporation by reference was approved by the Director of the Federal Register effective July 24, 1984.

(1) Pollution Control Act, S.C. Code Ann. Sections 48–1–10, 48–1–90, 48–1–100, 48–1–110 (Law. Co-op. 1976 and Supp. 1983).

(2) South Carolina Department of Health and Environmental Control,

Ground-Water Protection Division, Underground Injection Control Regulations, R–61–87, Effective Date: June 24, 1983 Published in South Carolina State Register, Volume 7, Issue 6; Amended Date: March 23, 1984, as amended by notice in South Carolina State Register, Volume 8, Issue 3.

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-Administered program:

(1) Pollution Control Act, S.C. Code Ann. Sections 48–1–10 to 48–1–350 (Law. Co-op. 1976 and Supp. 1983).

(2) State Safe Drinking Water Act, S.C. Code Ann. Sections 44–55–10 to 44–55–100 (Law. Co-op. 1976 and Supp. 1983).

(3) Administrative Procedures Act, S.C. Code Ann. Sections 1–23–10 *et seq.*, and 1–23–310 to 1–23–400 (Law. Co-op. 1976 and Supp. 1983).

(4) S.C. Code Ann. Sections 15–5–20, 15–5–200 (Law. Co-op. 1976 and Supp. 1983).

(c)(1) The Memorandum of Agreement between EPA Region IV and the South Carolina Department of Health and Environmental Control signed by the EPA Regional Administrator on May 29, 1984.

(d) *Statement of legal authority.* (1) "Underground Injection Control Program, Attorney General's Statement for Class I, II, III, IV and VA and VB Wells," signed by the Attorney General of South Carolina on April 27, 1984.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 28058, July 10, 1984, as amended at 53 FR 43090, Oct. 25, 1988]

§ 147.2051 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Rhode Island is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in South Carolina is November 25, 1988.

[53 FR 43090, Oct. 25, 1988, as amended at 56 FR 9419, Mar. 6, 1991]

Subpart QQ—South Dakota

§ 147.2100 State-administered program—Class II wells.

The UIC program for Class II wells in the State of South Dakota, except those on Indian lands, is the program administered by the South Dakota Department of Water and Natural Resources, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on October 24, 1984; the effective date of this program is December 7, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of South Dakota. This incorporation by reference was approved by the Director of the Federal Register effective December 7, 1984.

(1) South Dakota Codified Laws, sections 45–9–2, 45–9–4, 45–9–11, 45–9–13, 45–9–14, 45–9–15 (1983).

(2) Administrative Rules of South Dakota, sections 74:10:02 through 74:10:07, 74:10:09, and 74:10:11 published by the South Dakota Code Commission, as revised through October 4, 1987.

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, also are part of the approved State-administered program:

(1) South Dakota Codified Laws, Chapter 45–9 (sections not cited above) (1983); 1–26 (1981).

(c)(1) The Memorandum of Agreement between EPA Region VIII and the South Dakota Department of Water and Natural Resources, signed by the EPA Regional Administrator on July 18, 1984.

(d) *Statement of legal authority.* (1) "Underground Injection Control Program for Class II Wells: Attorney General's Statement," signed by Mark V. Meierhery, Attorney General, South Dakota, on January 16, 1984.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[50 FR 7061, Feb. 20, 1985, as amended at 56 FR 9419, Mar. 6, 1991]

§ 147.2101 EPA-administered program—Class I, III, IV and V wells and all wells on Indian lands.

(a) *Contents.* The UIC program for all Class I, III, IV, and V wells, including those on Indian lands, and for Class II wells on Indian lands in the state of South Dakota is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Class I, III, IV and V wells on all lands in South Dakota, including Indian lands, and for Class II wells on Indian lands only, is December 30, 1984.

[52 FR 17682, May 11, 1987, as amended at 56 FR 9419, Mar. 6, 1991]

§ 147.2102 Aquifer exemptions.

(a) This section identifies any aquifers or their portions exempted in accordance with §§144.7(b) and 146.4 of this chapter at the time of program promulgation. EPA may in the future exempt other aquifers or their portions, according to applicable procedures, without codifying such exemptions in this section. An updated list of exemptions will be maintained in the Regional office.

(b) Those portions of all aquifers located on Indian Lands, which meet the definition of USDW and into which existing Class II wells are injecting, are exempted within a ¼ mile radius of the well for the purpose of Class II injection activities only.

[49 FR 45308, Nov. 15, 1984]

§ 147.2103 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comments, and opportunity for a public hearings, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at a pressure greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii)(A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes field rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit to the Regional Administrator data acceptable to the Regional administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission.

(b) *Casing and cementing.* Where the Regional Administrator determines

that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirement of §§144.28(e) and 146.22, the owner or operator shall when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operation pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone; and/or

(4) Comply with other requirements which the Regional Administrator may specify in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section as needed to protect USDWs.

[49 FR 45308, Nov. 15, 1984]

§ 147.2104 Requirements for all wells.

(a) The owner or operator converting an existing well to an injection well shall check the condition of the casing with one of the following logging tools;

(1) A pipe analysis log; or

(2) A caliper log.

(b) The owner or operator of a new injection well cased with plastic (PVC, ABS, or others) casings shall:

(1) Not construct a well deeper than 500 feet;

(2) Use cement and additives compatible with such casing material; and

(3) Cement the annular space above the injection intermal from the bottom of the blank casing to the surface.

(c) The owner or operator of a newly drilled well shall install centralizers as directed by the Regional Administrator.

(d) The owner or operator shall as required by the Regional Administrator:

(1) Protect USDWs by:

(i) Setting surface casing 50 feet below the lowermost USDW;

(ii) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(iii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure; and

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may approve alternate casing and cementing practices provided that the owner or operator demonstrates that such practices will adequately protect USDWs.

(e) *Area of review.* Notwithstanding the alternatives presented in §146.6 of this chapter, the area of review shall be a fixed radius as described in §146.6(b) of this chapter.

(f) The applicant must give separate notice of intent to apply for a permit to each owner of record of the land within one-quarter mile of the site. The addresses of those to whom notice is given and the description of how notice was given shall be submitted with the permit application. The notice shall include:

(1) The name and address of applicant;

(2) A brief description of the planned injection activities, including well location, name and depth of the injection zone, maximum injection pressure and volume, and fluid to be injected;

(3) The EPA contact person; and

(4) A statement that opportunity to comment will be announced after EPA prepares a draft permit.

This requirement may be waived by the Regional Administrator if he determines that individual notice to all land owners of record would be impractical.

[49 FR 45308, Nov. 15, 1984]

Subpart RR—Tennessee

§ 147.2150 State-administered program. [Reserved]

§ 147.2151 EPA-administered program.

(a) *Contents.* The UIC program for the State of Tennessee, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* Effective date for the UIC program on Indian lands is November 25, 1988. The effective date for the UIC program for the rest of Tennessee is June 25, 1984.

[53 FR 43090, Oct. 25, 1988, as amended at 56 FR 9419, Mar. 6, 1991]

§ 147.2152 Aquifer exemptions. [Reserved]

§ 147.2153 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable or

(b) A value for well head pressure calculated by using the following formula:

$$Pm=(0.600-0.433\ Sg)d$$

where:

Pm=injection pressure at the well head in pounds per square inch
Sg=specific gravity of inject fluid (unitless)
d=injection depth in feet.

§ 147.2154 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressures greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating, provided he submits a request in writing to the Regional Administrator and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of §144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within one year of the effective date of this regulation.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§144.28(e) and 146.22, the owner or operator shall comply with paragraphs (b) (1) through (4)

of this section, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) The Regional Administrator may specify other requirements in addition to or in lieu of the requirements set forth in paragraphs (b) (1) through (3) of this section, as needed to protect USDWs.

§ 147.2155 Requirements for all wells—area of review.

Notwithstanding the alternatives presented in §146.6 of this chapter, the area of review shall be a minimum fixed radius as described in §146.6(b) of this chapter.

Subpart SS—Texas

§ 147.2200 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Texas, except for those wells on Indian lands, Class III brine mining wells, and certain Class V wells, is the program administered by the Texas Commission on Environmental Quality approved by EPA pursuant to section 1422 of the Safe Drinking Water Act (SDWA). Notice of the original approval for Class I, III, IV, and V wells was published in the FEDERAL REGISTER on January 6, 1982 and became effective February 7, 1982. Class V geothermal wells and wells for the *in situ* combustion of coal are regulated by the Rail Road Commission of Texas under a separate UIC program approved by EPA and published in the FEDERAL REGISTER on April 23, 1982. A subsequent program revision application for Class I, III, IV, and V wells, not including Class III brine mining wells, was approved by the EPA pursuant to section 1422 of SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 25, 2004; the effective date of these programs is March 26, 2004. The program for Class I, III, IV, and V wells, not including Class III brine mining wells, consists of the following elements as submitted to the EPA in the State's revised program applications. The UIC program for Class III brine mining wells in the State of Texas, except for those wells on Indian lands, is the program administered by the Railroad Commission of Texas. A program revision application for Class III brine mining wells was submitted by Texas and approved by EPA. Notice of that approval was published in the FEDERAL REGISTER on February 26, 2004; the effective date of this program is March 29, 2004.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made part of the applicable UIC program under SDWA for the State of Texas. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the materials that are incorporated by reference in this paragraph are available at EPA Region VI, 1445 Ross Avenue, Dallas, TX 75202 or from the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal__register/code__of__federal__regulations/ibr__locations.html.*.

(1) Texas Statutory and Regulatory Requirements Applicable to the Underground Injection Control Program for Class I, III, IV, and V Wells, except for Class III Brine Mining Wells, March 2002.

(2) Texas Statutory and Regulatory Requirements Applicable to the Underground Injection Control Program for Class III Brine Mining Wells, March 2002.

(b) *Other laws.* The following statutes and regulations, as effective on March 31, 2002, although not incorporated by reference except for any provisions identified in paragraph (a) of this section, are also part of the approved State-administered UIC program.

(1) *Class I, III, IV, and V wells.* (i) Title 30 of the Texas Administrative Code Chapters 39, 50, 55, 80, and 281.

(ii) Vernon's Texas Codes Annotated, Water Code, Chapters 5, 7, 26, and 32, Health and Safety Code Section 361, Government Code (ORA) Chapter 552 and Government Code (APA) Chapter 2001.

(2) *Class III brine mining wells.* (i) Vernon's Texas Codes Annotated, Natural Resources Code, Chapters 91, 2001, and 331;

(ii) Vernon's Texas Codes Annotated, Government Code Title 10, Chapters 2001, 552, and 311.

(iii) General Rules of Practice and Procedure before the Railroad Commission of Texas.

(c) *Memorandum of Agreement*—(1) *Class I, III, IV, and V wells.* The Memorandum of Agreement between EPA Region VI and the Texas Natural Resource Conservation Commission a predecessor to the Texas Commission on Environmental Quality (TCEQ), revised March 23, 1999, and signed by the EPA Regional Administrator on October 23, 2001.

(2) *Class III brine mining wells.* The Memorandum of Agreement between EPA Region VI and the Railroad Commission of Texas signed by the EPA Regional Administrator on October 23, 2001.

(d) *Statement of legal authority*—(1) *Class I, III, IV, and V wells.* "State of Texas Office of Attorney General Statement for Class I, III, IV, and V Underground Injections Wells," signed by the Attorney General of Texas, June 30, 1998.

(2) *Class III brine mining wells.* State of Texas "Attorney General's Statement" for Class III Brine Mining Injection Wells, signed by the Attorney General of Texas, February 2, 1992 and the "Supplement to Attorney General's Statement of February 19, 1992," signed by the Attorney General of Texas, June 2, 1998.

(e) *Program Description*—(1) *Class I, III, IV, and V wells.* The Program Description and any other materials submitted as part of the revision application or as supplements thereto.

(2) *Class III brine mining wells.* The Program Description and any other materials submitted as part of the revision application or as supplements thereto.

[69 FR 8568, Feb. 25, 2004, as amended at 69 FR 8828, Feb. 26, 2004]

§ 147.2201 State-administered program—Class II wells

The UIC program for Class II wells in the State of Texas, except for those wells on Indian lands, is the program administered by the Railroad Commission of Texas, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on April 23, 1982 (47 FR 17488). The effective date of this program was May 23, 1982. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Texas. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Injection Well Act, Texas Water Code Annotated sections 27.031 and 27.033 (Vernon Supp. 1984);

(2) Texas Natural Resources Code Annotated sections 85.041, 85.045, 85.046 and 85.052 (Vernon 1978 and Supp. 1982);

(3) Rules Having Statewide General Application to Oil, Gas, and Geothermal Resource Operations, sections .051.02.02.000 to .051.02.02.080 (Railroad Commission of Texas, Oil and Gas Division, Revised 12–22–81), amended as follows:

(i) Amendment to 16 TAC section 3.9 (section .051.02.02.009) issued December 21, 1981, effective April 1, 1982;

(ii) Amendment to 16 TAC section 3.46 (section .051.02.02.046) issued December 21, 1981, effective April 1, 1982.

(iii) Amendment to 16 TAC section 3.71 (section .051.02.02.074) issued December 21, 1981, effective April 1, 1982.

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference, are also part of the approved State-administered UIC program:

(1) Texas Water Code, Chapters 26, 27 and 29 (Vernon 1972 and Supp. 1982);

(2) Texas Natural Resources Code, Chapters 81, 85–89, 91 and 141 (Vernon 1978 and Supp. 1982);

(3) General Rules of Practice and Procedure, Subchapters A–J (Railroad Commission of Texas, adopted November 24, 1975, revised December 1980).

(c)(1) The Memorandum of Agreement between EPA Region VI and the Railroad Commission of Texas, signed by the EPA Regional Administrator on March 24, 1982.

(2) Letter from Director of Underground Injection Control, Railroad Commission of Texas, to Chief, Ground Water Protection Section, EPA Region VI, "Re: Letter of Clarification—UIC Program Application," March 21, 1982.

(d) *Statement of legal authority.* "Statement of Legal Authority of the Railroad Commission of Texas to conduct the Underground Injection Control Program," signed by Special Counsel, Railroad Commission of Texas, as submitted with "State of Texas Underground Injection Control Program Application for Primacy Enforcement Authority," prepared by the Railroad Commission of Texas, January 15, 1982.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43091, Oct. 25, 1988]

§ 147.2205 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Texas is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the Indian lands program for the State of Texas is November 25, 1988.

[53 FR 43091, Oct. 25, 1988, as amended at 56 FR 9419, Mar. 6, 1991]

Subpart TT—Utah

§ 147.2250 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Utah, except those on Indian lands, is administered by the Utah Department of Health, Division of Environmental Health, approved by EPA pursuant to Section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on January 9, 1983 (47 FR 2321). The effective date of this program is February 10, 1983. Changes to Utah's regulations for Class I wells were made on May 15, 1990, in response to modification of national rules as promulgated by 53 FR 28188, July 26, 1988. Utah's rules were effective July 20, 1990. The revised rules, Program Description, Attorney General's statement, and Memorandum of Agreement were approved as a minor program modification on October 3, 1990. This program consists of the following elements as submitted to EPA:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Utah. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Utah Water Pollution Control Act, Utah Code Annotated, Title 26, Chapter 11, Sections 2, 8, and 10 (1989);

(2) Underground Injection Control Regulations; Utah Administrative Code, Section R448–7 (effective as of January 2, 1990);

(3) Underground Injection Control Program (adopted January 20, 1982 and revised effective July 20, 1990) (Officially submitted to EPA by the Executive Secretary of Utah Water Pollution Control Committee on August 16, 1990).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for selected sections identified in paragraph (a) of this section, are also part of the approved State-administered program:

(1) Utah Pollution Control Act, Utah Code Annotated, Sections 26–11–1 through –20 (Supp. 1990);

(c)(1) The revised Memorandum of Agreement between EPA, Region VIII and the Utah Department of Health, Division of Environmental Health, signed by the Regional Administrator on October 3, 1990.

(2) Letter from Director, Utah Department of Health, Division of Environmental Health, Bureau of Water Pollution Control, to EPA Region VIII, Re: Underground Injection Control Program—Utah, March 15, 1982;

(3) Letter from the Executive Secretary of the Utah Water Pollution Control Committee to EPA Region VIII, "Re: Utah UIC Class I Well Program Changes," August 16, 1990;

(d) *Statement of legal authority.* (1) "Underground Injection Control Program—Attorney General's statement," signed by Attorney General, State of Utah, January, 1982;

(2) Letter from Assistant Attorney General of Utah to Chief, Drinking Water Branch, EPA Region VIII, June 18, 1982;

(3) Addendum to Underground Injection Control Program, Attorney General's Statement signed by Attorney General of Utah, August 10, 1990.

(e) The Program Description (revised June 19, 1990) and any other materials submitted as part of the application or supplements thereto.

[56 FR 9419, Mar. 6, 1991]

§ 147.2251 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Utah, except those on Indian lands, is the program administered by the Utah Department of Natural Resources, Division of Oil, Gas, and Mining, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on October 8, 1982 (47 FR 44561); the effective date of this program is November 7, 1982. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Utah. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Utah Code Annotated, 1953, section 40–6–1 through 40–6–18, as amended 1988 and Cumm. Supp. 1990;

(2) The Oil and Gas Conservation General Rules, adopted under the authority of the Oil and Gas Conservation Act, 40–6–1 *et seq.*, Utah Code Annotated, as amended 1988 (revised March 1989), rules R615–1 through R615–4, and R615–8 through R615–10.

(b) *Other laws.* [Reserved]

(c)(1) The Memorandum of Agreement between EPA, Region VIII and the Utah Department of Natural Resources, Division of Oil, Gas, and Mining and the Board of Oil, Gas and Mining, signed by the EPA Regional Administrator on July 19, 1983;

(2) Letter from Director, Division of Oil, Gas and Mining, Utah Department of Natural Resources and Energy, to Regional Administrator, EPA Region VIII, "Re: Aquifer Exemption Process," June 16, 1982;

(3) "Memorandum of Understanding" between Utah Department of Health and Utah Department of Natural Resources, dated March 5, 1981;

(4) "Second Addition to Agreement between the Department of Health and the Department of Natural Resources and Energy," dated December 15, 1981.

(d) *Statement of legal authority.* (1) Part III of "Primacy Application—Class II Underground Injection Wells," consisting of "Synopsis of Pertinent Statutes and Regulations," "Statement of Legal Authority," and "Certification by the Attorney General," by Assistant Attorney General, Department of Natural Resources and Energy, dated December 18, 1981;

(2) Letter from Assistant Attorney General, State of Utah, to EPA Region VIII, undated, received in the EPA Office of Regional Counsel June 10, 1982.

(3) Memorandum to Director, Division of Oil, Gas and Mining from Assistant Attorney General regarding Underground Injection Control Program, January 8, 1985.

(e) The Program Description and any other materials submitted as part of the application or amendments thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43091, Oct. 25, 1988; 56 FR 9420, Mar. 6, 1991]

§ 147.2253 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Utah is administered by EPA. The program for wells on the lands of the Navajo and Ute Mountain Ute consists of the requirements set forth at subpart HHH of this part. The program for all other wells on Indian lands consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for this program for all other Indian lands in Utah (as well as for the program of the Navajo and Ute Mountain Ute) is November 25, 1988.

[53 FR 40391, Oct. 25, 1988, as amended at 56 FR 9420, Mar. 6, 1991] h

Subpart UU—Vermont

§ 147.2300 State-administered program.

The UIC program for all classes of wells in the State of Vermont, except those wells on Indian lands, is the program administered by the Vermont Department of Environmental Conservation, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FR on June 22, 1984; the effective date of this program is July 6, 1984. This program consists of the following elements:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Vermont. This incorporation by reference was approved by the Director of the Federal Register July 6, 1984.

(1) Vt. Stat. Ann. tit. 10, sections 1251, 1259, 1263 (1973 and Supp. 1981), Effective date: July 1, 1982.

(2) Vermont Department of Water Resources and Environmental Engineering, Chapter 13 Water Pollution Control Regulations, Subchapter 13.UIC—Underground Injection Control, Discharges to Injection Wells, Effective Date: June 21, 1984.

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Vt. Stat. Ann. tit. 10, sections 1251 through 1283 (1973 and Supp. 1981).

(2) Vt. Stat. Ann. tit. 10, sections 901 through 911 (1973 and Supp. 1981).

(3) Vt. Stat. Ann. tit. 3, sections 801 through 847 (1973 and Supp. 1981).

(c)(1) The Memorandum of Agreement between EPA Region I and the Vermont Agency of Environmental Conservation signed by the EPA Regional Administrator on January 16, 1984.

(d) *Statement of legal authority.* (1) "Vermont Attorney General's Statement for Classes I, II, III, IV and V Injection Wells," signed by Attorney General John J. Easton, Jr., as submitted with Vermont Application for Primary Enforcement Responsibility to Administer the Underground Water Source Protection Program Pursuant to the Safe Drinking Water Act and 40 CFR 145.21 through 145.24 (December 20, 1983).

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

(42 U.S.C. 300)

[49 FR 25634, June 22, 1984, as amended at 53 FR 43091, Oct. 25, 1988; 56 FR 9420, Mar. 6, 1991]

§§ 147.2301–147.2302 [Reserved]

§ 147.2303 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Vermont is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands in Vermont is November 25, 1988.

[53 FR 43091, Oct. 25, 1988, as amended at 56 FR 9420, Mar. 6, 1991]

§§ 147.2304–147.2349 [Reserved]

Subpart VV—Virginia

§ 147.2350 State-administered program. [Reserved]

§ 147.2351 EPA-administered program.

(a) *Contents.* The UIC program for the State of Virginia, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on Indian lands is November 25, 1988. The effective date for the UIC program for the remainder of Virginia is June 25, 1984. (53 FR 43091, October 25, 1988).

[56 FR 9420, Mar. 6, 1991]

§ 147.2352 Aquifer exemptions. [Reserved]

Subpart WW—Washington

§ 147.2400 State-administered program—Class I, II, III, IV, and V wells.

The UIC program for Class I, II, III, IV, and V wells in the State of Washington other than those on Indian lands, is the program administered by the Washington Department of Ecology, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on August 9, 1984; the effective date of this program is September 24, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Washington. This incorporation by reference was approved by the Director of the Federal Register effective September 24, 1984.

(1) Revised Code of Washington section 90.48.020, 90.48.080, 90.48.160, and 90.48.162 (Bureau of National Affairs, 1983 Laws);

(2) Washington Administrative Code sections 173–218–010 to 173–218–110 (Bureau of National Affairs, 2/29/84);

(3) Washington Administrative Code sections 344–12–001 to 344–12–262 (1983 Ed.)

(4) Washington Administrative Code Chapter 173–160 (reprinted May 1988).

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Revised Code of Washington, chapter 34.04 (Bureau of National Affairs, 1981 Laws), entitled "Administrative Procedure act";

(2) Revised Code of Washington, chapter 43.21A (Bureau of National Affairs, 1980 Laws), entitled "Department of Ecology," as amended by 1983 Washington Laws, Chapter 270;

(3) Revised Code of Washington, chapter 70.105 (Bureau of National Affairs, 1983 Laws), entitled "Hazardous Waste Disposal";

(4) Revised Code of Washington, chapter 78.52 (Bureau of National Affairs, 1983 Laws), entitled "Oil and Gas Conservation";

(5) Revised Code of Washington, chapter 90.48 (Bureau of National Affairs, 1986 Laws), entitled "Water Pollution Control."

(c)(1) The Memorandum of Agreement between EPA Region X and the

Washington Department of Ecology, signed by the EPA Regional Administrator on May 14, 1984;

(2) Memorandum of Agreement between the Washington Department of Ecology and Oil and Gas Conservation Committee, Related to the Underground Injection Control Program for the State of Washington, signed March 23, 1984;

(3) Memorandum of Agreement between the Washington Department of Ecology and Washington Department of Natural Resources, Related to the Underground Injection Control Program for the State of Washington, signed March 23, 1984;

(4) Memorandum of Agreement between the Washington Department of Ecology and Department of Social and Health Services, Related to the Underground Injection Control Program for the State of Washington, signed March 23, 1984;

(d) *Statement of legal authority*. Letter from Attorney General of the State of Washington, by Senior Assistant Attorney General, to Director, Washington State Department of Ecology, "Re: Underground Injection Control Regulatory Program—Attorney General's Statement," February 28, 1984.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 31876, Aug. 9, 1984, as amended at 56 FR 9420, Mar. 6, 1991]

§ 147.2403 EPA-administered program—Indian lands.

(a) *Contents*. The UIC program for all classes of wells on Indian lands in the State of Washington is administered by EPA. This program, for all Indian lands except those of the Colville Tribe, consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date*. The effective date for the UIC program for Indian lands in Washington is November 25, 1988.

[53 FR 43091, Oct. 25, 1988, as amended at 56 FR 9420, Mar. 6, 1991]

§ 147.2404 EPA-administered program—Colville Reservation.

(a) The UIC program for the Colville Indian Reservation consists of a prohibition of all Class I, II, III and IV injection wells and of a program administered by EPA for Class V wells. This program consists of the UIC program requirements of 40 CFR part 124, 144 and 146 and any additional requirements set forth in the remainder of this subpart. Injection well owners and EPA shall comply with these requirements. The prohibition on Class I–IV wells is effective November 25, 1988. No owner or operator shall construct, operate, maintain, convert, or conduct any other injection activity thereafter using Class I–IV wells.

(b) Owners and operators of Class I, II, III or IV wells in existence on the effective date of the program shall cease injection immediately. Within 60 days of the effective date of the program, the owner or operator shall submit a plan and schedule for plugging and abandoning the well for the Director's approval. The owner or operator shall plug and abandon the well according to the approved plan and schedule.

[53 FR 43091, Oct. 25, 1988]

Subpart XX—West Virginia

§§ 147.2450–147.2452 [Reserved]

§ 147.2453 EPA-administered program—Indian lands.

(a) *Contents*. The UIC program for all classes of wells on Indian lands in the State of West Virginia is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date*. The effective date for the UIC program on Indian lands in West Virginia is November 25, 1988.

[53 FR 43092, Oct. 25, 1988, as amended at 56 FR 9420, Mar. 6, 1991]

§§ 147.2454–147.2499 [Reserved]

Subpart YY—Wisconsin

§ 147.2500 State-administered program.

The UIC program for Class I, II, III, IV, and V wells in the State of Wisconsin, other than those on Indian lands as described in § 147.2510, is the program administered by the Wisconsin Department of Natural Resources, approved by EPA pursuant to SDWA section 1422. Notice of this approval was published in the FEDERAL REGISTER on September 30, 1983 (48 FR 44783); the effective date of this program is November 30, 1983. This program consists of a prohibition of all injection wells except heat pump return flow injection wells and may be found in the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Wisconsin. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Wisconsin Department of Natural Resources, Box 7921, Madison, Wisconsin, 53707. Copies may be inspected at the Environmental Protection Agency, Region V, 77 West Jackson Boulevard, Chicago, Illinois, 60604, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Wisconsin Statutes Annotated §§ 147.015, 147.02 and 147.04 (West 1974 and Supp. 1983);

(2) Chapter NR 112, Well Construction and Pump Installation, Wisconsin Administrative Code §§ NR 112.03 and 112.20 (October 1981), as amended by Natural Resources Board Order No. WQ–25–82, approved by the Natural Resources Board on August 25, 1982;

(3) Chapter NR 113, Servicing Septic Tanks, Seepage Pits, Grease Traps or Privies, Wisconsin Administrative Code §§ NR 113.07–113.08 (1979), as amended by Natural Resources Board Order No. WQ–25–82, approved by the Wisconsin Natural Resources Board on August 25, 1982;

(4) Chapter NR 181, Hazardous Waste Management, Wisconsin Administrative Code §§ NR 181.04–181.415 (1981), as amended June 1985;

(5) Chapter NR 210, Sewage Treatment Works, Wisconsin Administrative Code § 210.05 Natural Resources Board Order No. WQ–25–82, approved by the Wisconsin Natural Resources Board on August 25, 1982;

(6) Chapter NR 214, Land Application and Disposal of Liquid Industrial Wastes and By-Products, Wisconsin Administrative Code §§ 214.03 and 214.08 (1983).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for select sections identified in paragraph (a) of this section, are also part of the approved State-administered program:

(1) Chapter 144, Water, Sewage, Refuse, Mining and Air Pollution, Wisconsin Statutes Annotated (West 1974 and Supp. 1983);

(2) Chapter 147, Pollution Discharge Elimination, Wisconsin Statutes Annotated (West 1974 and Supp. 1983);

(3) Chapter 162, Pure Drinking Water, Wisconsin Statutes Annotated (West 1974 and Supp. 1983);

(4) Laws of 1981, Chapter 20, § 2038 (Re: heat pump injection);

(5) Wisconsin Statutes 803.09(1) (West 1977) (intervention as of right in civil actions).

(c) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region V and the Wisconsin Department of Natural Resources, signed by the Regional Administrator on December 6, 1983.

(d) *Statement of legal authority.* (1) "Attorney General's Statement," signed by Attorney General, State of Wisconsin;

(2) Letter from Assistant Attorney General, State of Wisconsin, to EPA Region, "Re: Amendments to Attorney General's Statement-UIC," June 30, 1983.

(e) *Program Description.* The Program Description and other materials submitted as part of the application or as supplements thereto.

[49 FR 45309, Nov. 15, 1984, as amended at 56 FR 9420, Mar. 6, 1991; 56 FR 14150, Apr. 5, 1991; 62 FR 1834, Jan. 14, 1997]

§ 147.2510 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for Indian lands in the State of Wisconsin is administered by EPA. This program consists of 40 CFR parts 144 and 146 and additional requirements set forth in this section. Injection well owners and operators, and EPA, shall comply with these requirements.

(b) *Requirements.* Notwithstanding the requirements of paragraph (a) of this section for Indian lands in Wisconsin no owner or operator shall construct, operate, maintain, or convert any Class I, II, III, IV or V injection well.

(c) *Effective date.* The effective date of the UIC program requirements for Indian lands in Wisconsin is December 30, 1984.

[49 FR 45309, Nov. 15, 1984]

Subpart ZZ—Wyoming

§ 147.2550 State-administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV and V wells in the State of Wyoming, except those on Indian lands is the program administered by the Wyoming Department of Environmental Quality approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on July 15, 1983 (48 FR 32344); the effective date of this program is August 17, 1983. The program consists of the following elements as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Wyoming. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Wyoming Environmental Quality Act, Wyoming Statutes sections 35–11–101 through 35–11–115, and 35–11–301 through 35–11–305 (1977 Republished Edition and 1989 Cumm. Supp.);

(2) Water Quality Rules and Regulations, Wyoming Department of Environmental Quality, Chapter III: Regulations for Permit to Construct, Install or Modify Public Facilities Capable or, (sic) Causing or Contributing to Pollution (certified copy, signed December 21, 1983);

(3) Water Quality Rules and Regulations, Wyoming Department of Environmental Quality, Chapter VIII: Quality Standards for Groundwaters of Wyoming (certified copy, signed April 9, 1980);

(4) Water Quality Rules and Regulations, Wyoming Department of Environmental Quality, Chapter IX: Wyoming Groundwater Pollution Control Permit (certified copy, signed April 9, 1980);

(5) Water Quality Rules and Regulations, Wyoming Department of Environmental Quality, Chapter XIII: Prohibitions of Permits for New Hazardous Waste Injection Wells (certified copy, signed August 25, 1989);

(6) Land Quality Rules and Regulations, Wyoming Department of Environmental Quality, Chapter XXI: In Situ Mining (effective March 26, 1981).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for select sections identified in paragraph (a) of this section, are also part of the approved State-administered program:

(1) Article 9, Underground Water, Wyoming Statutes sections 41–3–901 through 41–3–938 (September 1982);

(2) Wyoming Administrative Procedure Act, Wyoming Statutes sections 9–4–101 through 9–4–115 (1988);

(3) Department of Environmental Quality Rules of Practice and Procedure (1982).

(c)(1) The Memorandum of Agreement between EPA, Region VIII and the Wyoming Department of Environmental Quality, signed by the EPA Regional Administrator on April 26, 1983.

(2) Letter from Regional Administrator, EPA Region VIII, to Governor

of Wyoming, May 21, 1982, with Attachment (regarding aquifer exemptions);

(3) Letter from Governor of Wyoming to Regional Administrator, EPA Region VIII, "Re: Underground Injection Control (UIC) Program—Aquifer Exemption Issues," June 7, 1982;

(4) Letter from Regional Administrator, EPA Region VIII to Governor of Wyoming, "Re: Underground Injection Control (UIC) Program—Aquifer Exemption Issues," June 25, 1982;

(5) Letter from Director, Wyoming Department of Environmental Quality, to Acting Director, Water Management Division, EPA Region VIII, December 1, 1982.

(d) *Statement of legal authority.* (1) "Attorney General's Statement—Wyoming Statutory and Regulatory Authority for Assumption of the Underground Injection Control Program Pursuant to the Federal Safe Drinking Water Act," signed by Attorney General and Assistant Attorney General for the State of Wyoming, September 22, 1982;

(2) Letter from Attorney General for the State of Wyoming to Acting Regional Counsel, EPA Region VIII, "Re: Wyoming Assumption of the UIC Program—$36, Chapter IX, Wyoming Water Quality Rules and Regulations," November 24, 1982.

(e) The Program Description and any other materials submitted as part of the application or amendment thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43092, Oct. 25, 1988; 56 FR 9421, Mar. 6, 1991]

§ 147.2551 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Wyoming, except those on Indian lands, is the program administered by the Wyoming Oil and Gas Conservation Commission approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FR on November 23, 1982 (47 FR 52434); the effective date of this program is December 23, 1982. This program consists of the following elements as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Wyoming. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained at the Wyoming Oil and Gas Conservation Commission, Office of the State Oil and Gas Supervisor, P.O. Box 2640, 77 West First Street, Casper, Wyoming, 82602. Copies may be inspected at the Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202–2405, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Rules and Regulations of the Wyoming Oil and Gas Conservation Commission, including Rules of Practice and Procedure, as published by the Wyoming Oil and Gas Conservation Commission, August 7, 1990;

(2) Title 30, Chapter 5, Wyoming Statutes, sections 30–5–101 through 30–5–126 (June 1983 and Wyoming Statutes Annotated, July 1990 Supp.).

(b) *Memorandum of Agreement.* (1) The initial Memorandum of Agreement between EPA, Region VIII and Wyoming Oil and Gas Conservation Commission, signed by the EPA Regional Administrator and the Oil Field Supervisor of the Commission on June 2, 1982;

(2) Amendment No. 1 to the Memorandum of Agreement, dated December 22, 1982;

(3) Amendment No. 2 to the Memorandum of Agreement, dated January 25, 1990;

(4) Letter from State Oil and Gas Supervisor, Wyoming Oil and Gas Conservation Commission, to the Acting Director, Water Management Division, EPA Region VIII, "Re: Application for Primacy in the Regulation of Class II Injection Wells," March 8, 1982;

(5) Letter from State Oil and Gas Supervisor, Wyoming Oil and Gas Conservation Commission, to EPA Region VIII, "Re: Regulation of Liquid Hydrocarbon Storage Wells Under the UIC Program," July 1, 1982;

(6) Memorandum of Agreement Between the Wyoming State Board of Control, State Engineer, Oil and Gas Conservation Commission, and the Department of Environmental Quality, dated October 14, 1981.

(c) *Statement of legal authority.* (1) "Statement of Legal Authority" and "State Review of Regulations and Statutes Relevant to the UIC Program-Class II Wells," signed by Special Assistant Attorney General for the State of Wyoming, as submitted with "Wyoming Oil and Gas Conservation Commission, Application for Primacy in the Regulation of Class II Injection Wells under Section 1425 of the Safe Drinking Water Act," November 1981;

(2) Letter from special Assistant Attorney General for the State of Wyoming to Assistant Regional Counsel, EPA Region VIII, May 13, 1982;

(3) Letter from special Assistant Attorney General for the State of Wyoming to Assistant Regional Counsel, EPA Region VIII, July 1, 1982.

(d) *Program Description.* The Program Description and other material submitted as part of the application or amendments thereto, including the memorandum to the National UIC Branch reporting on Improvement to the Wyoming Oil and Gas 1425 program, dated April 28, 1989.

[56 FR 9421, Mar. 6, 1991]

§ 147.2553 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Wyoming is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the UIC program on Indian lands in Wyoming is November 25, 1988.

[53 FR 43092, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.2554 Aquifer exemptions.

In accordance with §§144.7(b) and 146.4 of this chapter, those portions of aquifers currently being used for injection in connection with Class II (oil and gas) injection operations on the Wind River Reservation, which are described below, are hereby exempted for the purpose of Class II injection activity. This exemption applies only to the aquifers tabulated below, and includes those portions of the aquifers defined on the surface by an outer boundary of those quarter-quarter sections dissected by a line drawn parallel to, but one-quarter mile outside, the field boundary, and is restricted to extend no further than one-quarter mile outside the Reservation boundary. Maps showing the exact boundaries of the field may be consulted at the EPA's Region 8 Office, and at the EPA Headquarters in Washington, DC.

AREAS TO BE EXEMPTED FOR THE PURPOSE OF CLASS II INJECTION ON THE WIND RIVER RESERVATION

Formation	Approximate depth	Location
Steamboat Butte Field		
Phosphoria	6,500–7,100	T3N, R1W—W/2 Sec. 4, Sec. 5, E/2 Sec. 6, NE/4 Sec. 8, W/2 Sec. 9. T4N, R1W—W/2 Sec. 29, E/2 Sec. 30, E/2 Sec. 31, Sec. 32.
Tensleep	6,900–7,500	T3N, R1W—W/2 Sec. 4, Sec. 5, E/2 Sec. 6, NE/4 Sec. 8, W/2 Sec. 9. T4N, R1W—W/2 Sec. 29, E/2 Sec. 30, E/2 Sec. 31, Sec. 32.
Winkleman Dome Field		
Tensleep	2,800–3,300	T2N, R1W—SW/4 Sec. 17, Sections 18, 19, 20, 29, NE/4 Sec. 30. T2N, R2W—E/2 Sec. 13, NE/4 Sec. 24.
Phosphoria	2,800–3,600	T2N, R1W—SW/4 Sec. 17, Sections 18, 19, 20, 29, NE/4 Sec. 30. T2N, R2W—E/2 Sec. 13, NE/4 Sec. 24.

AREAS TO BE EXEMPTED FOR THE PURPOSE OF CLASS II INJECTION ON THE WIND RIVER RESERVATION—Continued

Formation	Approximate depth	Location
Nugget	1,100–1,500	T2N, R1W—SW/4 Sec. 17, Sections 18, 19, 20, 29, NE/4 Sec. 30. T2N, R2W—E/2 Sec. 13, NE/4 Sec. 24.
Lander Field		
Phosphoria	1,100–3,800	T2S, R1E—Sections 12 and 13, E/2 Sec. 24, NE/4 Sec. 25. T2S, R2E—W/2 Sec. 18, W/2 Sec. 19, Sec. 30. T33N, R99W—Sec. 4.
NW Sheldon Field		
Crow Mountain and Cloverly	3,400–3,600	T6N, R3W—SE/4 Sec. 35, SW/4 Sec. 36. T5N, R3W—N/2 Sec. 1.
Circle Ridge Field		
Tensleep	1,500–1,800	T6N, R2W—Sec. 6, N/2 Sec. 7. T7N, R3W—SE/4 Sec. 36. T7N, R2W—SW/4 Sec. 31. T6N, R3W—E/2 Sec. 1.
Phosphoria	800–1,800	T7N, R3W—S/2 Sec. 36. T6N, R3W—NE/4 Sec. 1.
Amsden	700–l,200	T6N, R3W—Sec. 6.
Rolff Lake Field		
Crow Mountain	3,500–3,700	T6N, R3W—SW/4 Sec. 26, NW/4 Sec. 27.

[53 FR 43092, Oct. 25, 1988]

§ 147.2555 Aquifer exemptions since January 1, 1999.

In accordance with §144.7(b) and §146.4 of this chapter, the aquifers described in the following table are hereby exempted from the definition of an underground source of drinking water, as defined in 40 CFR 144.3:

AQUIFER EXEMPTIONS SINCE JANUARY 1, 1999

Formation	Approximate depth (feet below ground surface)	Location
Powder River Basin, only approximately 0.4 square miles of the Lance Formation which is less than 0.005% of the Basin at indicated depths and location..	3,800—6,800	Two cylindrical volumes with centers in the wells COGEMA DW No. 1 and 18–3 Christensen respectively, and radius of 1,320 feet. Both wells are located in the Christensen Ranch, in Johnson County, WY. The COGEMA DW No. 1 well is located at approximately 450 feet West of N/S line and 100 feet North of E/W line of SE/4, NW/4, Section 7, T44N, R76W. The 18–3 Christensen well is located approximately 600 feet West of N/S line and 550 South of E/W line of NE/4, NW/4, Section 18, T44N, R76W.
Lance Formation at indicated depths and locations	3,800—6,500	Two cylindrical volumes with centers in the wells COGEMA DW No. 2 and COGEMA DW No. 3 respectively, and radius of 1320 feet. Both wells are located in the Christensen Ranch, in Johnson County WY. The COGEMA DW No. 2 is located at approximately 2,290 feet from the North line and 1130 feet from the East line SW1/4 SE1/4 NE1/4 of Section 7, Township 44 North, Range 76 West. The COGEMA DW No. 3 is located approximately 3300 feet from the North line and 1340 feet from the West line center of SW1/4 of Section 5, Township 44 North, Range 76 West.

[64 FR 14803, Mar. 26, 1999, as amended at 67 FR 47726, July 22, 2002]

Subpart AAA—Guam

§ 147.2600 State-administered program.

The UIC program for all classes of wells in the territory of Guam, except those on Indian lands, is the program administered by the Guam Environmental Protection Agency, approved by EPA pursuant to SDWA section 1422. Notice of this approval was published in the FEDERAL REGISTER on May 2, 1983 (47 FR 19717); the effective date of this program is June 1, 1983. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the territory of Guam. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Water Resources Conservation Act, Government Code of Guam sections 57021–57025, Public Law 9–31 (March 9, 1967), as amended by Public Law 9–76 (July 29, 1967), as amended by Public Law 12–191 (December 30, 1974);

(2) Water Pollution Control Act, Government Code of Guam sections 57042 and 57045, Public Law 9–76 (July 29, 1967), as amended by Public Law 9–212 (August 5, 1968), as amended by Public Law 10–31 (March 10, 1969), as amended by Public Law 12–191 (December 30, 1974);

(3) Guam Environmental Protection Agency, Underground Injection Control Regulations, Chapters 1–9, as revised by amendments adopted September 24, 1982;

(4) Guam Environmental Protection Agency, Water Quality Standards, Section I–IV (approved September 25, 1981, effective November 16, 1981).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for specific sections identified in paragraph (a) of this section, are also part of the approved State-administered program:

(1) Government Code of Guam, Title XXV, Chapters I–III (sections 24000–24207);

(2) Government Code of Guam, Title LXI, Chapters I–III (sections 57000–57051);

(3) Government Code of Guam, Title LXI, Chapters VI (sections 57120–57142);

(4) Government Code of Guam, Title LXI, Chapters VIII (sections 57170–57188);

(5) Government Code of Guam, Title LXI, Chapters XII (sections 57285–57299);

(c) The Memorandum of Agreement between EPA, Region IX and the Guam Environmental Protection Agency signed by the Regional Administrator on January 14, 1983.

(d) *Statement of legal authority.* (1) Letter from Attorney General of Guam to Regional Administrator, Region IX, "Re: Attorney General's Statement for Underground Injection Control Program (UIC), Ground Water Program Guidance #16" May 12, 1982;

(2) Letter from Attorney General of Guam to Regional Administrator, Region IX, "Re: Additional comments to be incorporated into the May 12, 1982, Attorney General's Statement for Underground Injection Control Program," September 2, 1982.

(e) The Program Description and any other materials submitted as part of the application or amendments thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43092, Oct. 25, 1988]

§ 147.2601 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for Indian lands in the territory of Guam is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the UIC program on Indian lands in the territory of Guam is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

Subpart BBB—Puerto Rico

§ 147.2650 State-administered program—Class I, II, III, IV, and V wells.

The Underground Injection Control Program for all classes of wells in the Commonwealth of Puerto Rico, other than those on Indian lands, is the program administered by Puerto Rico's Environmental Quality Board (EQB), approved by the EPA pursuant to the Safe Drinking Water Act (SDWA) section 1422. This program consists of the following elements, as submitted to EPA in the Commonwealth's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the Commonwealth of Puerto Rico. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained or inspected at the following locations: EPA, Region II, 26 Federal Plaza, room 845, New York, NY 10278; EPA, Headquarters, 401 M St., SW., room E1101A, Washington, DC 20460; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(1) Underground Injection Control Regulations of the Commonwealth of Puerto Rico, Parts I through V and appendices A and B, adopted September 14, 1983 (Amended July 20, 1988).

(2) Puerto Rico Public Policy Environmental Act (PRPPE), Title 12 Laws of Puerto Rico Annotated (LPRA) Chapters 121 and 131, 1977 edition, as amended 1988 edition, and Chapter 122, 1988 edition.

(b) Memorandum of Agreement. The Memorandum of Agreement between EPA Region II and the Commonwealth of Puerto Rico's EQB signed by the Regional Administrator on August 23, 1991.

(c) Statement of legal authority. (1) Attorney General's statement on the Commonwealth of Puerto Rico's Authority to apply for, assume and carry out the UIC Program, dated June 26, 1987. (2) Letter from the Governor of the Commonwealth of Puerto Rico requesting the program, dated July 16, 1987.

(d) Program description. The Description of the Commonwealth of Puerto Rico's Underground Injection Control Program, dated with the effective date October 30, 1986.

[57 FR 33446, July 29, 1992]

§ 147.2651 EPA-administered program— Indian lands.

(a) Contents. The UIC program for all classes of wells on Indian lands in the Commonwealth of Puerto Rico is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148 and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators and EPA shall comply with the requirements.

(b) Effective date. The effective date for the UIC program on Indian Lands in the Commonwealth of Puerto Rico is November 25, 1988.

[57 FR 33446, July 29, 1992]

Subpart CCC—Virgin Islands

§ 147.2700 State-administered program. [Reserved]

§ 147.2701 EPA-administered program.

(a) *Contents.* The UIC program for the Virgin Islands, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for non-Indian lands in the Virgin Islands is December 30, 1984. The effective date for Indian lands in the Virgin Islands is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

Subpart DDD—American Samoa

§ 147.2750 State-administered program. [Reserved]

§ 147.2751 EPA-administered program.

(a) *Contents.* The UIC program for American Samoa, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date for the UIC program on non-Indian lands is June 25, 1984. The effective date of the UIC program on Indian lands is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.2752 Aquifer exemptions. [Reserved]

Subpart EEE—Commonwealth of the Northern Mariana Islands

§ 147.2800 State-administered program—Class I, II, III, IV, and V wells.

The UIC program for Class I, II, III, IV, and V wells in the Commonwealth of the Northern Mariana Islands, other than those on Indian lands, is the program administered by the Commonwealth of the Northern Mariana Islands Division of Environmental Quality approved by EPA pursuant to Section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on January 18, 1985; the effective date of this program is August 30, 1985. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the Commonwealth of the Northern Mariana Islands. This incorporation by reference was approved by the Director of the Federal Register effective July 31, 1985.

(1) CNMI Environmental Protection Act, 2 CMC sections 3101, *et seq.* (1984);

(2) CNMI Coastal Resources Management Act, 2 CMC sections 1501, *et seq.* (1984);

(3) CNMI Drinking Water Regulations, Commonwealth Register, Volume 4, Number 4 (August 15, 1982);

(4) CNMI Underground Injection Control Regulations, Commonwealth Register, Volume 6, Number 5 (May 15, 1984, amended November 15, 1984, January 15, 1985);

(5) CNMI Coastal Resources Management Regulations, Commonwealth Register, Volume 6, Number 12, December 17, 1984.

(b)(1) The Memorandum of Agreement between EPA Region IX and the Commonwealth of the Northern Mariana Islands Division of Environmental Quality, signed by the EPA Regional Administrator on May 3, 1985;

(c) *Statement of legal authority.* Statement from Attorney General Commonwealth of the Northern Mariana Islands, "Underground Injection Control Program—Attorney General's Statement," signed on October 10, 1984.

(d) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[50 FR 28943, July 17, 1985]

§ 147.2801 EPA-administered program.

(a) *Contents.* The UIC program for Indian lands in the Commonwealth of the Northern Mariana Islands is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian lands is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.2802 Aquifer exemptions. [Reserved]

Subpart FFF—Trust Territory of the Pacific Islands

§ 147.2850 State-administered program. [Reserved]

§ 147.2851 EPA-administered program.

(a) *Contents.* The UIC program for Trust Territory of the Pacific Islands, including all Indian lands, is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for non-Indian lands of the Trust Territory of the Pacific Islands is June 25, 1984. The effective date for the Indian lands is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.2852 Aquifer exemptions. [Reserved]

Subpart GGG—Osage Mineral Reserve—Class II Wells

AUTHORITY: Safe Drinking Water Act, 42 U.S.C. 300h.

SOURCE: 49 FR 45309, Nov. 15, 1984, unless otherwise noted.

§ 147.2901 Applicability and scope.

This subpart sets forth the rules and permitting requirements for the Osage Mineral Reserve, Osage County, Oklahoma, Underground Injection Control Program. The regulations apply to owners and operators of Class II injection wells located on the Reserve, and to EPA.

§ 147.2902 Definitions.

Most of the following terms are defined in §144.3, and have simply been reproduced here for the convenience of the reader. This section also includes definitions of some terms unique to the Osage program. Terms used in this subpart are defined as follows:

Administrator—the Administrator of the United States Environmental Protection Agency, or an authorized representative.

Aquifer—a geologic formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

BIA—The "Bureau of Indian Affairs," United States Department of Interior.

Casing—a pipe or tubing of varying diameter and weight, lowered into a borehole during or after drilling in order to support the sides of the hole and, thus, prevent the walls from caving, to prevent loss of drilling mud into porous ground, or to prevent water, gas, or other fluid from entering the hole.

Cementing—the operation whereby a cement slurry is pumped into a drilled hole and/or forced behind the casing.

Class II Wells—wells which inject fluids:

(a) Which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters would be classified as a hazardous waste at the time of injection;

(b) For enhanced recovery of oil or natural gas; and

(c) For storage of hydrocarbons which are liquid at standard temperature and pressure.

Existing Class II Wells—wells that were authorized by BIA and constructed and completed before the effective date of this program.

New Class II Wells—wells constructed or converted after the effective date of this program, or which are under construction on the effective date of this program.

Confining bed—a body of impermeable or distinctly less permeable material stratigraphically adjacent to one or more aquifers.

Confining zone—a geologic formation, group of formations, or part of a formation that is capable of limiting fluid movement above an injection zone.

Contaminant—any physical, chemical, biological, or radiological substance or matter in water.

Disposal well—a well used for the disposal of waste into a subsurface stratum.

EPA—The United States Environmental Protection Agency.

Fault—a surface or zone of rock fracture along which there has been displacement.

Fluid—material or substance which moves or flows whether in a semisolid, liquid, sludge, gas or any other form or state.

Formation—a body of rock characterized by a degree of lithologic homogeneity which is prevailingly, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

Freshwater—"Underground source of drinking water."

Ground water—water below the land surface in a zone of saturation.

Injection well—a well into which fluids are being injected.

Injection zone—a geological formation, group of formations, or part of a formation receiving fluids through a well.

Lithology—the description of rocks on the basis of their physical and chemical characteristics.

Owner/operator—the owner or operator of any facility or activity subject to regulation under the Osage UIC program.

Packer—a device lowered into a well to produce a fluid-tight seal within the casing.

Permit—an authorization issued by EPA to implement UIC program requirements. Permit does not include the UIC authorization by rule or any permit which has not yet been the subject of final Agency action.

Plugging—the act or process of stopping the flow of water, oil or gas into or out of a formation through a borehole or well penetrating that formation.

Pressure—the total load or force per unit area acting on a surface.

Regional Administrator—the Regional Administrator of Region 6 of the United States Environmental Protection Agency, or an authorized representative.

Subsidence— the lowering of the natural land surface in response to: Earth movements; lowering of fluid pressure; removal of underlying supporting material by mining or solution solids, either artificially or from natural causes; compaction due to wetting (hydrocompaction); oxidation of organic matter in soils; or added load on the land surface.

Underground source of drinking water— an aquifer or its portion:

(a)(1) Which supplies any public water system; or

(2) Which contains a sufficient quantity of ground water to supply a public water system; and

(i) Currently supplies drinking water for human consumption; or

(ii) Contains fewer than 10,000 mg/1 total dissolved solids; and

(b) Which is not an exempted aquifer.

USDW—underground source of drinking water.

Well—a bored, drilled, or driven shaft, or a dug hole whose depth is greater than the largest surface dimension.

Well injection—the subsurfac emplacement of fluids through a bored, drilled, or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

Well workover—any reentry of an injection well; including, but not limited to, the pulling of tubular goods, cementing or casing repairs; and excluding any routine maintenance (e.g. reseating the packer at the same depth, or repairs to surface equipment).

§ 147.2903 Prohibition of unauthorized injection.

(a) Any underground injection, except as authorized by permit or rule issued under the UIC program, is prohibited. The construction or operation of any well required to have a permit is prohibited until the permit has been issued.

(b) No owner or operator shall construct, operate, maintain, convert, plug, or abandon any injection well, or conduct any other injection activity, in a manner that allows the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause the violation of any primary drinking water regulation under 40 CFR part 142 or may otherwise adversely affect the health of persons.

The applicant for a permit shall have the burden of showing that the requirements of this paragraph are met.

(c) Injection between the outermost casing protecting underground sources of drinking water and the well bore is prohibited.

§ 147.2904 Area of review.

(a) The area of review for an injection well or project will be a fixed radius of one-forth of a mile from the well, field or project.

(b) The zone of endangering influence is the lateral area around the injection well or project in which the injection zone pressures may cause movement of fluid into an underground source of drinking water (USDW) if there are improperly sealed, completed or abandoned wells present. A zone of endangering influence may be determined by EPA through the use of an appropriate formula that addresses the relevant geologic, hydrologic, engineering and operational features of the well, field, or project.

§ 147.2905 Plugging and abandonment.

The owner/operator shall notify the Osage UIC office within 30 days of the date injection has terminated. The well must be plugged within 1 year after termination of injection. The Regional Administrator may extend the time to plug, but only if no fluid movement into a USDW will occur, and the operator has presented a viable plan for utilizing the well within a reasonable time.

(a) Until an injection well has been properly plugged and abandoned, annual reports to the Regional Administrator on well status, and mechanical integrity tests as outlined in §§ 147.2912 and 147.2920 will be required, whether or not injection has ceased.

(b) All wells shall be plugged to prevent movement of fluid into an USDW.

(c) The owner/operator shall notify the Osage UIC office by certified mail at least 5 days prior to the commencement of plugging operations. The Osage UIC office may waive or reduce the 5-day notice requirement when a qualified EPA representative is available to witness the plugging operation. The following information must be submitted as part of the notification:

(1) Type and number of plugs to be used;

(2) Elevation of top and bottom of each plug;

(3) Method of plug placement; and

(4) Type, grade and quantity of cement to be used.

(d) The well shall be kept full of mud as casing is removed. No surface casing shall be removed without written approval from the Regional Administrator.

(e)(1) If surface casing is adequately set and cemented through all freshwater zones (set to at least 50 feet below the base of freshwater), a plug shall be set at least 50 feet below the shoe of the casing and extending at least 50 feet above the shoe of the casing, or

(2) If the surface casing and cementing is inadequate, the well bore shall be filled with cement from a point 50 feet below the base of fresh water to a point 50 feet above the shoe of the surface casing, and any additional plugs as required by the Osage UIC office and/or the Osage Agency.

(3) In all cases, the top 20 feet of the well bore below 3 feet of ground surface shall be filled with cement. Surface casing shall be cut off 3 feet below ground surface and covered with a secure steel cap on top of the surface pipe. The remaining 3 feet shall be filled with dirt.

(f)(1) Except as provided in paragraph (f)(2) of this section, each producing or receiving formation shall be sealed off with a 50-foot cement plug placed at the base of the formation and a 50–foot cement plug placed at the top of the formation.

(2) The requirement in paragraph (f)(1) of this section does not apply if the producing/receiving formation is already sealed off from the well bore with adequate casing and cementing behind casing, and casing is not to be removed, or the only openings from the producing/receiving formation into the well bore are perforations in the casing, and the annulus between the casing and the outer walls of the well is filled with cement for a distance of 50 feet below the base of the formation and 50 feet above the top of the formation. When such conditions exist, a

bridge plug capped with 10 feet of cement set at the top of the producing formation may be used.

(g) When specified by the Osage UIC office, any uncased hole below the shoe of any casing to be left in the well shall be filled with cement to a depth of at least 50 feet below the casing shoe, or the bottom of the hole, and the casing above the shoe shall be filled with cement to at least 50 feet above the shoe of the casing. If the well has a screen or liner which is not to be removed, the well bore shall be filled with cement from the base of the screen or liner to at least 50 feet above the top of the screen or liner.

(h) All intervals between cement plugs in the well bore shall be filled with mud.

(i) A report containing copies of the cementing tickets shall be submitted to BIA within 10 days of plugging completion.

(j) A surety bond must be on file with the Bureau of Indian Affairs (BIA), and shall not be released until the well has been properly plugged and the Regional Administrator has agreed to the release of the bond.

§ 147.2906 Emergency permits.

(a) An emergency permit may be issued if:

(1) There will be an imminent health hazard unless an emergency permit is issued; or

(2) There will be a substantial and irretrievable loss of oil and gas resources, timely application for a permit could not practicably have been made, and injection will not result in movement of fluid into an USDW; or

(3) There will be a substantial delay in oil or gas production, and injection will not result in movement of fluid into an USDW.

(b) *Requirements*—(1) *Permit duration.* (i) Emergency permits issued to avoid an imminent health threat may last no longer than the time necessary to prevent the hazard.

(ii) Emergency permits issued to prevent a substantial and irretrievable loss of oil or gas resources shall be for no longer than 90 days, unless a complete permit application has been submitted during that time; in which case the emergency permit may be extended until a final decision on the permit application has been made.

(iii) Emergency permits to avoid a substantial delay in oil or gas production shall be issued only after a complete permit application has been submitted and shall be effective until a final decision on the permit application is made.

(2) Notice of the emergency permit will be given by the Regional Administrator according to the notice procedure for a draft permit within 10 days after issuance.

(3) An emergency permit may be oral or written. If oral, a written emergency permit must be issued within five calendar days.

§ 147.2907 Confidentiality of information.

(a) The following information cannot be claimed confidential by the submitter:

(1) Name and address of permit applicant or permittee.

(2) Information concerning the existence, absence or level of contaminants in drinking water.

(b) Other information claimed as confidential will be processed in accordance with 40 CFR part 2.

§ 147.2908 Aquifer exemptions.

(a) After notice and opportunity for a public hearing, the Administrator may designate any aquifer or part of an aquifer as an exempted aquifer.

(b) An aquifer or its portion that meets the definition of a USDW may be exempted by EPA from USDW status if the following conditions are met:

(1) It does not currently serve as a source of drinking water, and

(2) It cannot now and will not in the future serve as a source of drinking water because:

(i) It is hydrocarbon producing, or can be demonstrated by a permit applicant as a part of a permit application for a Class II operation to contain hydrocarbons that are expected to be commercially producible (based on historical production or geologic information); or

(ii) It is situated at a depth or location which makes recovery of water for drinking water purposes economically or technologically impractical; or

(iii) It is so contaminated that it would be economically or technologically impractical to render that water fit for human consumption; or

(3) The Total Dissolved Solids content of the groundwater is more than 3,000 and less than 10,000 mg/1 and it is not reasonably expected to supply a public water system.

§ 147.2909 Authorization of existing wells by rule.

All existing Class II injection wells (wells authorized by BIA and constructed or completed on or before the effective date of the Osage UIC program) are hereby authorized. Owners or operators of wells authorized by rule must comply with the provisions of §§ 147.2903, 147.2905, 147.2907, and 147.2910 through 147.2915.

§ 147.2910 Duration of authorization by rule.

Existing Class II injuction wells are authorized for the life of the well, subject to the obligation to obtain a permit if specifically required by the Regional Administrator pursuant to § 147.2915.

§ 147.2911 Construction requirements for wells authorized by rule.

All Class II wells shall be cased and cemented to prevent movement of fluids into USDWs. The Regional Administrator shall review inventory information, data submitted in permit applications, and other records, to determine the adequacy of construction (completion) or existing injection wells. At the Regional Administrator's discretion, well casing and cementing may be considered adequate if it meets the BIA requirements that were in effect at the time of construction (completion) and will not result in movement of fluid into an USDW. If the Regional Administrator determines that the construction of a well authorized by rule is inadequate, he shall require a permit, or he shall notify the owner/operator and the owner/operator shall correct the problem according to instructions from the Regional Administrator. All corrections must be completed within one year of owner/operator notification of inadequacies.

§ 147.2912 Operating requirements for wells authorized by rule.

(a) Each well authorized by rule must have mechanical integrity. Mechanical integrity must be demonstrated within five years of program adoption. The Regional Administrator will notify the well owner/operator three months before proof of mechanical integrity must be submitted to EPA. The owner/operator must contact the Osage UIC office at least five days prior to testing. The owner/operator may perform the mechanical integrity test prior to receiving notice from the Regional Administrator, provided the Osage UIC office is notified at least five days in advance. Conditions of both paragraphs (a)(1) and (a)(2) of this section must be met.

(1) There is no significant leak in the casing, tubing or packer. This may be shown by the following:

(i) Performance of a pressure test of the casing/tubing annulus to at least 200 psi, or the pressure specified by the Regional Administrator, to be repeated thereafter, at five year intervals, for the life of the well (pressure tests conducted during well operation shall maintain an injection/annulus pressure differential of at least 100 psi through the tubing length); or

(ii) Maintaining a positive gauge pressure on the casing/tubing annulus (filled with liquid) and monitoring the pressure monthly and reporting of the pressure information annually; or

(iii) Radioactive tracer survey; or

(iv) For enhanced recovery wells, records of monitoring showing the absence of significant changes in the relationship between injection pressure and injection flow rate at the well head, following an initial pressure test as described by paragraph (a)(1)(i) or (v) of this section; or

(v) Testing or monitoring programs approved by the Regional Administrator on a case-by-case basis, and

(2) There is no significant fluid movement into a USDW through vertical channels adjacent to the well bore. This may be shown by any of the following:

(i) Cementing records (need not be reviewed every five years);

(ii) Tracer survey (in appropriate hydrogeologic settings; must be used in

conjunction with at least one of the other alternatives);

(iii) Temperature log;

(iv) Noise log; or

(v) Other tests deemed acceptable by the Regional Administrator.

(b) Injection pressure at the wellhead shall be limited so that it does not initiate new fractures or propagate existing fractures in the confining zone adjacent to any UDSW.

(1) For existing Class II salt water disposal wells, The owner/operator shall, except during well stimulation, use an injection pressure at the wellhead no greater than the pressure calculated by using the following formula:

$$Pm=(0.75-0.433Sg)d$$

where:

Pm=injection pressure at the wellhead in pounds per square inch

Sg=specific gravity of injected fluid (unitless)

d=injection depth in feet.

Owner/operator of wells shall comply with the above injection pressure limits no later than one year after the effective date of this regulation.

(2) For existing Class II enhanced recovery wells, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment, and opportunity for a public hearing according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure.

(ii) Prior to such time as the Regional Administrator establishes rules for maximum injection pressures based on data provided pursuant to paragraph (b)(2)(ii)(B) of this section the owner/operator shall:

(A) Limit injection pressure at the wellhead to a value which will not initiate new fractures or propagate existing fractures in the confining zone adjacent to any USDW; and

(B) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within one year of the effective date of this program.

(c) Injection wells or projects which have exhibited failure to confine injected fluids to the authorized injection zone or zones may be subject to restriction of injection volume and pressure, or shut-down, until the failure has been identified and corrected.

(The information collection requirements contained in paragraphs (a)(1) (ii) through (v) and (a)(2) (i) through (v) were approved by the Office of Management and Budget under control number 2040–0042)

§ 147.2913 Monitoring and reporting requirements for wells authorized by rule.

(a) The owner/operator has the duty to submit inventory information to the Regional Administrator upon request. Such request may be a general request to all operators in the County (e.g., public notice, or mailout requesting verification of information).

(b) The operator shall monitor the injection pressure (psi) and rate (bbl/day) at least monthly, with the results reported annually. The annual report shall specify the types of methods used to generate the monitoring data.

(c) The owner/operator shall notify the Osage UIC office within 30 days of any mechanical failure or down-hole problems involving well integrity, well workovers, or any noncompliance. As required, operators must apply for and obtain a workover permit from the Bureau of Indian Affairs Osage Agency before reentering an injection well. If the condition may endanger an USDW, the owner/operator shall notify the Osage UIC office orally within 24 hours, with written notice including plans for testing and/or repair to be submitted within five days. If all the information is not available within five days, a followup report must be submitted within 30 days.

(d) The owner/operator shall determine the nature of injected fluids initially, when the nature of injected

fluids is changed or when new constituents are added. The records should reflect the source of character of the new fluid and the date changes were made.

(e) The owner/operator shall retain all monitoring records for three years, unless an enforcement action is pending, and then until three years after the enforcement action has been resolved.

(Approved by the Office of Management and Budget under control number 2040–0042)

§ 147.2914 Corrective action for wells authorized by rule.

Based on the Regional Administrator's discretion, corrective action to prevent movement of fluid into an USDW may be required for improperly sealed, completed or abandoned wells (i.e., wells or well bores which may provide and avenue for fluid migration into a USDW) within the zone of endangering influence (as defined in §147.2904, Area of Review) of an injection well authorized by rule.

(a) EPA will notify the operator when corrective action is required. Corrective action may include:

(1) Well modifications:

(i) Recementing;

(ii) Workover;

(iii) Reconditioning;

(iv) Plugging or replugging;

(2) Limitations on injection pressure to prevent movement of fluid into an USDW;

(3) A more stringent monitoring program; and/or

(4) Periodic testing of other wells to determine if significant movement of fluid has occurred.

(b) If the monitoring discussed in paragraph (a) (3) or (4) of this section indicate the potential endangerment of an USDW, then action as described in paragraph (a) (1) or (2) of this section must be taken.

§ 147.2915 Requiring a permit for wells authorized by rule.

(a) The Regional Administrator may require the owner or operator of any well authorized by rule to apply for an individual or area permit. The Regional Administrator shall notify the owner/operator in writing that a permit application is required. The notice shall contain:

(1) Explanation of need for application;

(2) Application form and, if appropriate, a list of additional information to be submitted; and

(3) Deadline for application submission.

(b) Cases in which the Regional Administrator may require a permit include:

(1) The owner or operator is not in compliance with provisions of the rule;

(2) Injection well is no longer within the category of wells authorized by rule;

(3) Protection of USDWs requires that the injection operation be regulated by requirements which are not contained in the rule; or

(4) Discretion of Regional Administrator.

(c) Injection is no longer authorized by rule upon the effective date of a permit or permit denial, or upon failure of the owner/operator to submit an application in a timely manner as specified in the notice described in paragraph (a) of this section.

(d) Any owner/operator authorized by rule may request to be excluded from the coverage of the rules by applying for an individual or area UIC permit.

§ 147.2916 Coverage of permitting requirements.

The owner or operator of a new Class II injection well or any other Class II well required to have a permit in the Osage Mineral Reserve shall comply with the requirements of §§147.2903, 147.2907, 147.2918, through 147.2928.

§ 147.2917 Duration of permits.

Unless otherwise specified in the permit, the permits will be in effect until the well is plugged and abandoned or the permit terminated. The Regional Administrator will review each issued permit at least once every five years to determine whether it should be modified or terminated.

§ 147.2918 Permit application information.

(a) The owner/operator must submit the original and three copies of the permit application, with two complete sets of attachments, to the Osage UIC office. The application should be signed

by the owner/operator or a duly authorized representative. The application should also include appropriate forms (i.e., BIA's Application for Operation or Report on Wells and EPA's permit application). The applicant has the burden of proof to show that the proposed injection activities will not endanger USDWs.

(b) The application shall include the information listed below. Information required by paragraphs (b) (5), (7), or (9) of this section that is contained in EPA or BIA files may be included in the application by reference.

(1) Map using township-range sections showing the area of review and identifying all wells of public record penetrating the injection interval.

(2) Tabulation of data on the wells identified in paragraph (b)(1) of this section, including location, depth, date drilled, and record of plugging and/or completion.

(3) Operating data:

(i) Maximum and average injection rate;

(ii) Maximum and average injection pressure;

(iii) Whether operation is on cyclic or continuous operation basis; and

(iv) Source and appropriate analysis of injected fluids, including total dissolved solids, chlorides, and additives.

(4) Geologic data on the injection and confining zones, including faults, geological name, thickness permeability, depth and lithologic description.

(5) Depth to base of fresh water.

(6) Schematic drawings of the surface and subsurface details of the well, showing:

(i) Total depth or plug-back depth;

(ii) Depth to top and bottom of injection interval;

(iii) Depths to tops and bottoms of casing and cemented intervals, and amount of cement to be used;

(iv) Size of casing and tubing, and depth of packer; and

(v) Hole diameter.

(7) Proof that surety bond has been filed with the BIA Superintendent in accordance with 25 CFR 226.6. A surety bond must be maintained until the well has been properly plugged.

(8) Verification of public notice, consisting of a list showing the names, addresses, and date that notice of permit application was given or sent to:

(i) The surface land owner;

(ii) Tenants on land where injection well is located or proposed to be located; and

(iii) Each operator of a producing lease within one-half mile of the well location.

(9) All available logging and testing data on the well (for existing wells, i.e., wells to be converted or wells previously authorized by rule).

(Approved by the Office of Management and Budget under control number 2040–0042)

§ 147.2919 Construction requirements for wells authorized by permit.

(a) All Class II wells shall be sited so that they inject into a formation that is separated from any USDW by a confining zone free of known open faults or fractures within the area of review.

(b) All Class II wells shall be cased and cemented to prevent movement of fluids into or between USDWs. Requirements shall be based on the depth to base of fresh water, and the depth to the injection zone. Newly drilled Class II wells must have surface casing set and cemented to at least 50 feet below the base of fresh water, or the equivalent (e.g., long string cemented to surface). At the Regional Administrator's discretion, the casing and cementing of wells to be converted may be considered adequate if they meet the BIA requirements that were in effect at the time of construction (completion), and will not result in movement of fluid into a USDW.

(c) Owner/operators shall provide a standard female fitting with cut-off valves, connected to the tubing and the tubing/casing annulus so that the injection pressure and annulus pressure may be measured by an EPA representative by attaching a gauge having a standard male fitting.

(d) No owner or operator may begin construction of a new well until a permit authorizing such construction has been issued, unless such construction is otherwise authorized by an area permit.

§ 147.2920 Operating requirements for wells authorized by permit.

(a) For new Class II wells, injection shall be through adequate tubing and packer. Packer shall be run on the tubing and set inside the casing within 75 feet of the top of the injection interval. For existing Class II, wells, injection shall be through adequate tubing and packer, or according to alternative operating requirements approved by the Regional Administrator, as necessary to prevent the movement of fluid into a USDW.

(b) Each well must have mechanical integrity. Mechanical integrity of the injection well must be shown prior to operation. The owner/operator must notify the Osage UIC office at least five days prior to mechanical integrity testing. Conditions of both paragraphs (b) (1) and (2) of this section must be met.

(1) There is no significant leak in the casing, tubing or packer. This may be shown by the following:

(i) Performance of a pressure test of the casing/tubing annulus to at least 200 psi, or the pressure specified by the Regional Administrator, to be repeated thereafter, at five year intervals, for the life of the well (Pressure tests conducted during well operation shall maintain an injection/annulus pressure differential of at least 100 psi throughout the tubing length); or

(ii) Maintaining a positive gauge pressure on the casing/tubing annulus (filled with liquid) and monitoring the pressure monthly and reporting of the pressure information annually; or

(iii) Radioactive tracer survey; or

(iv) For enhanced recovery wells, record of monitoring showing the absence of significant changes in the relationship between injection pressure and injection flow rate at the wellhead, following an initial pressure test as described by paragraph (b)(1) (i) or (v) of this section; or

(v) Testing or monitoring programs approved by the Administrator on a case-by-case basis, and

(2) There is no significant fluid movement into a USDW through vertical channels adjacent to the well bore. This may be shown by any of the following:

(i) Cementing records (need not be reviewed every five years);

(ii) Tracer survey (in appropriate hydrogelogic settings; must be used in conjunction with at least one of the other alternatives);

(iii) Temperature log;

(iv) Noise log; or

(v) Other tests deemed acceptable by the Administrator.

(c) Injection pressure at the wellhead shall be limited so that it does not initiate new fractures or propagate existing fractures in the confining zone adjacent to any UDSW.

(d) Injection wells or projects which have exhibited failure to confine injected fluids to the authorized injection zone or zones may be subject to restriction of injected volume and pressure or shut-in, until the failure has been identified and corrected.

(e) Operation shall not commence until proof has been submitted to the Regional Administrator, or an EPA representative has witnessed that any corrective action specified in the permit has been completed.

§ 147.2921 Schedule of compliance.

The permit may, when appropriate, specify a schedule of compliance leading to compliance with the Safe Drinking Water Act and the Osage UIC regulations.

(a) Any schedule of compliance shall require compliance as soon as possible, and in no case later than three years after the effective date of the permit.

(b) If a permit establishes a schedule of compliance which exceeds one year from the date of permit issuance, the schedule shall set forth interim requirements and the dates for their achievement.

(1) The time between interim dates shall not exceed one year.

(2) If the time necessary for completion of any interim requirement is more than 1 year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date.

(c) The permit shall be written to require that if a schedule of compliance

is applicable, progress reports be submitted no later than 30 days following each interim date and the final date of compliance.

§ 147.2922 Monitoring and reporting requirements for wells authorized by permit.

(a) The owner/operator shall notify the Osage UIC office within 30 days of the date on which injection commenced.

(b) The operator shall monitor the injection pressure (psi) and rate (bbl/day) at least monthly, with the results reported annually. The annual reports shall specify the types or methods used to generate the monitoring data.

(c) The owner/operator shall notify the Osage UIC office within 30 days of any mechanical failure or down-hole problems involving well integrity, well workovers, or any noncompliance. (Operators should note the obligation to apply for and obtain a workover permit from the Bureau of Indian Affairs Osage Agency before reentering an injection well.) If the condition may endanger an USDW, the owner/operator shall notify the Osage UIC officer orally within 24 hours, with written notice including plans for testing and/or repair to be submitted within five days. If all the information is not available within five days, a followup report must be submitted within 30 days.

(d) The owner/operator shall retain all monitoring records for three years, unless an enforcement action is pending, and then until three years after the enforcement action has been resolved.

(e) The owner/operator shall notify the Osage UIC office in writing of a transfer of ownership at least 10 days prior to such transfer.

(Approved by the Office of Management and Budget under control number 2040–0042)

§ 147.2923 Corrective action for wells authorized by permit.

All improperly sealed, completed or abandoned wells (i.e., wells or well bores which may provide an avenue for movement of fluid into an UDSW) within the zone of endangering influence (as defined in §147.2904, Area of Review) that penetrate the injection zone of a Class II well, must have corrective action taken to prevent movement of fluid into a USDW.

(a) EPA will review completion and plugging records of wells within the zone of endangering influence that penetrate the injection zone and will notify the operator when corrective action is required. Corrective action may include:

(1) Well modifications, including:

(i) Recementing;

(ii) Workover;

(iii) Reconditioning; and/or

(iv) Plugging or replugging;

(2) Permit conditions to limit injection pressure so as to prevent movement of fluid into a USDW;

(3) A more stringent monitoring program; and/or

(4) Periodic testing of other wells within the area of review to determine if significant movement of fluid has occurred. If the monitoring discussed in paragraph (a)(3) or (a)(4) of this section indicates the potential endangerment of a USDW, then action as described in paragraph (a)(1) or (a)(2) of this section must be taken.

(b) If the Regional Administrator has demonstrable knowledge that wells within the zone of endangering influence will not serve as conduits for fluid movement into a USDW, the permit may be approved without requiring corrective action. However, additional monitoring shall be required to confirm that no significant migration will occur.

§ 147.2924 Area permits.

(a) Area permits may be issued for more than one injection well if the following conditions are met:

(1) All existing wells are described and located in the permit application;

(2) All wells are within the same well field, project, reservoir or similar unit;

(3) All wells are of similar construction; and

(4) All wells are operated by the same owner/operator.

(b) Area permits shall specify:

(1) The area within which injection is authorized; and

(2) The requirements for construction, monitoring, reporting, operation and abandonment for all wells authorized by the permit.

(c) Area permits can authorize the construction and operation of new wells within the permit area, if:

(1) The permittee notifies the Regional Administrator in the annual report of when and where any new wells have or will be drilled;

(2) The new wells meet the criteria outlined in paragraphs (a) and (b) of this section; and

(3) The effects of the new wells were addressed in the permit application and approved by the Regional Administrator.

§ 147.2925 Standard permit conditions.

(a) The permittee must comply with all permit conditions, except as authorized by an emergency permit (described in § 147.2906). Noncompliance is grounds for permit modification, permit termination or enforcement action.

(b) The permittee has a duty to halt or reduce activity in order to maintain compliance with permit conditions.

(c) The permittee shall take all reasonable steps to mitigate any adverse environmental impact resulting from noncompliance.

(d) The permittee shall properly operate and maintain all facilities installed or used to meet permit conditions. Proper operation and maintenance also includes adequate operator staffing and training, adequate funding, and adequate engineering capability available.

(e) This permit may be modified or terminated for cause (see §§ 147.2927 and 147.2928). The filing of a request by the permittee for a permit modification or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(f) This permit does not convey any property rights, or any exclusive privilege.

(g) The permittee shall furnish, within a reasonable time, information that the Regional Administrator requests, for determination of permit compliance, or if cause exists, for permit modification or termination.

(h) The permittee shall allow EPA representatives, upon presentation of appropriate credentials or other documentation, to:

(1) Enter permittee's premises where a regulated activity is conducted or located, or where records required by this permit are kept;

(2) Have access to and copy records required by this permit;

(3) Inspect any facilities, equipment, practices or operations regulated or required by this permit; and

(4) Sample or monitor any substances or parameters at any location for purpose of assuring compliance with this permit or the SDWA.

(i) *Monitoring and records.*

(1) Samples and monitoring data shall be representative of injection activity.

(2) Permittee shall retain monitoring records for three years.

(3) Monitoring records shall include:

(i) Date, exact place and time of sampling or measurement;

(ii) Individual(s) who preformed the measurements;

(iii) Date(s) analyses were performed;

(iv) Individual(s) who performed the analyses;

(v) Analytical techniques or methods used, including quality assurance techniques employed to insure the generation of reliable data; and

(vi) Results of analyses.

(j) *Signatory requirements.* All applications, reports or information submitted to the Regional Administrator or the Osage UIC office must be signed by the injection facility owner/operator or his duly authorized representative. The person signing these documents must make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

(k) *Reporting requirements.* (1) The permittee shall notify the Regional Administrator as soon as possible of any planned changes to the facility.

(2) The permittee shall give advance notice to the Regional Administrator of any planned changes which may result in noncompliance.

(3) This permit is not transferable to any person except after notice to the Regional Administrator in accordance with §147.2926.

(l) A new injection well shall not commence injection until construction is complete and the Regional Administrator has been notified of completion of construction and has given his approval to commence injection.

(The information collection requirements contained in paragraphs (g) and (i) were approved by the Office of Management and Budget under control number 2040–0042)

§147.2926 Permit transfers.

(a) Permits may be transferred to another permittee:

(1) If the current permittee notifies the Regional Administrator at least 10 days before the proposed transfer date; and

(2) If the notice includes a written agreement between the existing and new permittees containing:

(i) A specific date for transfer of permit responsibility, coverage and liability; and

(ii) Assurance that the new permittee has a surety bond on file with BIA; and

(3) If the Regional Administrator does not respond with a notice to the existing permittee that the permit will be modified.

(b) If the conditions in paragraph (a) of this section are met, the transfer is effective on the date specified in paragraph (a)(2)(i) of this section.

§147.2927 Permit modification.

(a) Permits may be modified for the following causes only (with the exceptions listed in paragraph (b) of this section regarding minor modifications):

(1) There are substantial changes to the facility or activity which occurred after permit issuance that justify revised or additional permit conditions.

(2) The Regional Administrator has received information (e.g., from monitoring reports, inspections) which warrants a modified permit.

(3) The regulations or standards on which the permit was based have changed.

(4) The Regional Administrator has received notice of a proposed permit transfer.

(5) An interested person requests in writing that a permit be modified, and the Regional Administrator determines that cause for modification exists.

(6) Cause exists for termination under §147.2928, but the Regional Administrator determines that permit modification is appropriate.

(b) *Minor modifications.* (1) Minor modifications do not require that the procedures listed in paragraph (c) of this section be followed.

(2) Minor modifications consist of:

(i) Correcting typographical errors;

(ii) Requiring more frequent monitoring or reporting;

(iii) Changing ownership or operational control (see §147.2926, Permit Transfers); or

(iv) Changing quantities or types of injected fluids, provided:

(A) The facility can operate within conditions of permit;

(B) The facility classification would not change.

(c) *Modification procedures.* (1) A draft permit shall be prepared with proposed modifications.

(2) The draft permit shall follow the general permitting procedures (i.e., public comment period, etc.) before a final decision is made.

(3) Only the changed conditions shall be addressed in the draft permit or public review.

§147.2928 Permit termination.

(a) Permits may be terminated for the following causes only:

(1) Noncompliance with any permit condition.

(2) Misrepresentation or failure to fully disclose any relevant facts.

(3) Determination that the permitted activity endangers human health or the environment.

(4) Interested person requests in writing that a permit be terminated and the Regional Administrator determines that request is valid.

(b) *Termination procedures.* (1) The Regional Administrator shall issue notice of intent to terminate (which is a type of draft permit).

(2) Notice of intent to terminate shall follow the general permitting procedures (i.e., public comment period, etc.) before a final decision is made.

§ 147.2929 Administrative permitting procedures.

(a) *Completeness review.* (1) The Regional Administrator shall review each permit application for completeness with the application requirements in § 147.2918. The review will be completed in 10 days, and the Regional Administrator shall notify the applicant whether or not the application is complete.

(2) If the application is incomplete, the Regional Administrator shall:

(i) List the additional information needed;

(ii) Specify a date by which the information must be submitted; and

(iii) Notify the applicant when the application is complete.

(3) After an application is determined complete, the Regional Administrator may request additional information to clarify previously submitted information. The application will still be considered complete.

(4) If an applicant fails or refuses to correct deficiencies in the application, the permit may be denied and appropriate enforcement actions taken.

(b) *Draft permits.* (1) After an application is deemed complete, the Regional Administrator shall either prepare a draft permit or notice of intent to deny the permit (which is a type of draft permit). If the Regional Administrator later decides the tentative decision to deny was wrong, he shall withdraw the notice of intent to deny and prepare a draft permit.

(2) A draft permit shall contain at least the following information:

(i) The standard permit conditions in § 147.2925;

(ii) Any monitoring and reporting requirements;

(iii) The construction and operation requirements; and

(iv) Plugging and abandonment requirements.

(c) *Statement of basis.* (1) The Regional Administrator shall prepare a statement of basis for every draft permit.

(2) The statement of basis shall briefly describe the draft permit conditions and the reasons for them. In the case of a notice of intent to deny or terminate, the statement of basis shall give reasons to support the tentative decision.

(3) The statement of basis shall be sent to the applicant, and to any other person who requests a copy.

(d) *Public notice.* (1)(i) The Regional Administrator shall give public notice when:

(A) A permit application has been tentatively denied;

(B) A draft permit has been prepared;

(C) A hearing has been scheduled; or

(D) An appeal has been granted.

(ii) The applicant shall give public notice that he is submitting a permit application.

(iii) Public notice is not required when a request for permit modification or termination is denied. However, written notice will be given to the permittee and the requester.

(iv) Public notices may include more than one permit or action.

(2)(i) Public notice of a draft permit (including notice of intent to deny) shall allow at least 15 days for public comment.

(ii) Public notice of a hearing shall be given at least 30 days before the hearing.

(3)(i) Public notice given by the Regional Administrator for the reasons listed in paragraph (d)(1)(i) of this section shall be mailed to the applicant, and published in a daily or weekly paper of general circulation in the affected area.

(ii) Notice of application submission required by paragraph (d)(1)(ii) of this section shall be given to the surface landowner, tenants on the land where an injection well is located or is proposed to be located, and to each operator of a producing lease within one-half mile of the well location prior to submitting the application to the Regional Administrator.

(4) The notice of application submission in paragraphs (d)(1)(ii) and (d)(3)(ii) of this section shall contain:

(i) The applicant's name and address;

(ii) The legal location of the injection well;

(iii) Nature of activity;

(iv) A statement that EPA will be preparing a draft permit and that there will be an opportunity for public comment; and

(v) The name and phone number of EPA contact person.

(5) All other notices shall contain:

(i) The name, address, and phone number of the Osage UIC office and contact person for additional information and copies of the draft permit;

(ii) Name and address of permit applicant or permittee;

(iii) Brief description of nature of activity;

(iv) Brief description of comment period and comment procedures;

(v) Location of the information available for public review; and

(vi) In the case of a notice for a hearing the notice shall also include:

(A) Date, time, and location of hearing;

(B) Reference to date of previous notices of the same permit; and

(C) Brief description of the purpose of the hearing, including rules and procedures.

(e) *Public comments.* (1) During the public comment period, any person may submit written comments on the draft permit, and may request a public hearing. A request for hearing shall be in writing and state the issues proposed to be raised in the hearing.

(2) The Regional Administrator shall consider all comments when making the final decision, and shall respond to comments after the decision is made. The response shall:

(i) Specify if any changes were made from the draft permit to the final permit decision, and why;

(ii) Briefly describe and respond to all significant comments on the draft permit made during the comment period, or hearing, if held; and

(iii) Be made available to the public.

(f) *Public hearings.* (1) The Regional Administrator shall hold a public hearing whenever he finds a significant amount of public interest in a draft permit, based on the requests submitted, or at his discretion.

(2) Any person may submit oral or written statements and data concerning the draft permit. The public comment period shall be automatically extended to the close of any public hearing held, or may be extended by the hearing officer at the hearing.

(3) A tape recording or written transcript of the hearing shall be made available to the public.

(g) *Reopening of the comment period.* (1) If any of the information submitted during the public comment period raises substantial new questions about a permit, the Regional Administrator may:

(i) Prepare a new draft permit;

(ii) Prepare a revised statement of basis; or

(iii) Reopen the comment period.

(2) Comments submitted during a reopened comment period shall be limited to the substantial new questions that caused its reopening.

(3) Public notice about any of the above actions shall be given and shall define the scope of the new questions raised.

(h) *Issuance and effective date of a permit.* (1) After the close of the comment period on a draft permit, the Regional Administrator shall make a final permit decision. The Regional Administrator shall notify the applicant and each person who commented or requested to receive notice. The notice shall include reference to the procedures for appealing a permit decision.

(2) A final permit decision shall become effective 30 days after giving notice of the decision unless:

(i) A later date is specified in the notice;

(ii) Review is requested under §147.2929(j); or

(iii) No comments requested a change in the draft permit, in which case the permit is effective immediately upon issuance.

(i) *Stays of contested permit conditions.* If a request for review of a final UIC permit §147.2929(j) is granted, the effect of the contested permit conditions shall be stayed and shall not be subject to judicial review pending final agency action. If the permit involves a new injection well or project, the applicant shall be without a permit for the proposed well pending final agency action. Uncontested provisions which are not severable from those contested provisions shall be stayed with the contested provisions.

(j) *Appeal of permits.* (1) Any person who filed comments on the draft permit or participated in the public hearing may petition the Administrator to review any condition of the permit decision. Any person who failed to file comments or participate in the hearing may petition for administrative review

only to the extent of the changes from the preliminary permit to the final permit decision.

(2) A person may request review of a final permit decision within 30 days after a final permit decision has been issued. The 30-day period within which a person may request review begins with the service of notice of the Regional Administrator's final permit decision unless a later date is specified in that notice.

(3) The petition requesting review shall include:

(i) A demonstration that the petition is eligible under the requirements of paragraph (j)(1) of this section; and, when appropriate,

(ii) A showing that the condition in question is based on:

(A) A finding of fact or conclusion of law that is clearly erroneous; or

(B) An exercise of discretion or important policy consideration which the Administrator, in his discretion, should review.

(4) The Administrator may also decide, on his initiative, to review any condition of any UIC permit issued under these requirements. The Administrator must act under this paragraph within 30 days of the date notice was given of the Regional Administrator's action.

(5) Within a reasonable time following the filing of the petition for review, the Administrator shall issue an order either granting or denying the request. To the extent that review is denied, the conditions of the final permit decision become final agency action.

(6) Public notice shall be given by the Regional Administrator of any grant of a review petition by the Administrator. Notice shall be sent to the applicant, the person requesting the review, appropriate persons on the Osage County mailing list and to newspapers of general circulation in the county. Included in the notice shall be a briefing schedule for the appeal and a statement that any interested person may file an amicus brief. Notice of denial of the review petition will be sent only to the person(s) requesting the review.

(7) A petition to the Administrator, under paragraphs (j) (1) and (2) of this section is a prerequisite to the seeking of judicial review of the final agency action. For purposes of judicial review, final agency action occurs when a final UIC permit is issued or denied by the Regional Administrator and agency review procedures are exhausted. A final permit decision shall be issued by the Regional Administrator:

(i) When the Administrator issues notice to the parties involved that review has been denied;

(ii) When the Administrator issues a decision on the merits of the appeal and the decision does not include a remand of the proceedings; or

(iii) Upon the completion of the remand proceedings if the proceedings are remanded, unless the Administrator's remand order specifically provides that the appeal of the remand decision will be required to exhaust the administrative remedies.

Subpart HHH—Lands of the Navajo, Ute Mountain Ute, and All Other New Mexico Tribes

SOURCE: 53 FR 43104, Oct. 25, 1988, unless otherwise noted.

§ 147.3000 EPA-administered program.

(a) *Contents.* The UIC program for the Indian lands of the Navajo, the Ute Mountain Ute (Class II wells only on Ute Mountain Ute lands in Colorado and all wells on Ute Mountain Ute lands in Utah and New Mexico), and all wells on other Indian lands in New Mexico is administered by EPA. (The term "Indian lands" is defined at 40 CFR 144.3.) The Navajo Indian lands are in the States of Arizona, New Mexico, and Utah; and the Ute Mountain Ute lands are in Colorado, New Mexico and Utah. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and additional requirements set forth in the remainder of this subpart. The additions and modifications of this subpart apply only to the Indian lands described above. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the UIC program on these lands is November 25, 1988.

[53 FR 43104, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.3001 Definition.

Area of review. For the purposes of this subpart, area of review means the area surrounding an injection well or project area described according to the criteria set forth in §147.3009 of this subpart.

§ 147.3002 Public notice of permit actions.

An applicant shall give public notice of his intention to apply for a permit as follows:

(a) Prior to submitting an application to the Director, the applicant shall give notice to each landowner, tenant, and operator of a producing lease within one-half mile of the well and to the affected Tribal Government. The notice shall include:

(1) Name and address of applicant;

(2) A brief description of the planned injection activities including well location, name and depth of the injection zone, maximum injection pressure and volume, and source and description of the fluid to be injected;

(3) Name, address, and phone number of the EPA contact person; and

(4) A statement that opportunity to comment will be announced to the public after EPA prepares a draft permit.

(b) In addition to the requirements of §144.31(e) of this chapter, a permit applicant shall submit a description of the way the notice was given and the names and addresses of those to whom it was given.

(c) Upon written request and supporting documentation, the Director may waive the requirement in paragraph (a) of this section to give individual notice of intent to apply for permits in an area where it would be impractical. However, notice to the affected Tribal government shall not be waived.

(d) The Director shall also provide to the affected Tribal government all notices given to State governments under §124.10(c) of this chapter.

§ 147.3003 Aquifer exemptions.

(a) *Aquifer exemptions in connection with Class II wells.* In accordance with §144.7(b) and §146.4 of this chapter, the portions of authorized injection zones into which existing Class II wells are currently injecting which are described in appendix A are hereby exempted. The exempted aquifers are defined by a one-quarter mile radius from the existing injection well. The exemption includes the intended injection zone only and is solely for the purpose of Class II injection.

(b) *Class III wells.* In addition to the requirements of §144.7(c)(1) of this chapter, an applicant for a uranium mining permit which necessitates an aquifer exemption shall submit a plugging and abandonment plan containing an aquifer cleanup plan, acceptable to the Director, describing the methods or techniques that will be used to meet the standards of §147.3011. The cleanup plan shall include an analysis of pre-injection water quality for the constituents required by the Director. The Director shall consider the cleanup plan in addition to the other information required for permit applications under §§144.31(e) and 146.34 of this chapter.

§ 147.3004 Duration of rule authorization for existing Class I and III wells.

Notwithstanding §144.21(a)(3)(i)(B) of this chapter, authorization by rule for existing Class I and III wells will expire 90 days after the effective date of this UIC program unless a complete permit application has been submitted to the Director.

§ 147.3005 Radioactive waste injection wells.

Notwithstanding §§144.24 and 146.51(b) of this chapter, owners and operators of wells used to dispose of radioactive waste (as defined in 10 CFR part 20, appendix B, table II, but not including high level and transuranic waste and spent nuclear fuel covered by 40 CFR part 191) shall comply with the permitting requirements pertaining to Class I wells in parts 124, 144 and 146 of this chapter, as modified and supplemented by this subpart.

§ 147.3006 Injection pressure for existing Class II wells authorized by rule.

(a) *Rule-authorized Class II saltwater disposal wells.* In addition to the requirements of §144.28(f)(3)(ii) of this chapter, the owner or operator shall, except during well stimulation, use an injection pressure measured at the wellhead that is not greater than the pressure calculated by using the following formula:

$$Pm=0.2d$$

where:

Pm=injection pressure at the wellhead in pounds per square inch

d=depth in feet to the top of the injection zone.

Owners and operators shall comply with this requirement no later than one year after the effective date of this program.

(b) *Rule-authorized Class II enhanced recovery and hydrocarbon storage wells.* (1) In addition to the requirements of §144.28(f)(3)(ii) of this chapter, owners and operators shall use an injection pressure no greater than the pressure established by the Director for the field or formation in which the well is located. The Director shall establish such maximum pressure after notice (including notice to the affected Tribe), opportunity for comment, and opportunity for public hearing according to the provisions of part 124, subpart A, of this chapter, and shall inform owners and operators and the affected Tribe in writing of the applicable maximum pressure; or

(2) An owner or operator may inject at a pressure greater than that specified in paragraph (b)(1) of this section for the field or formation in which he is operating after demonstrating in writing to the satisfaction of the Director that such injection pressure will not violate the requirements of §144.28(f)(3)(ii) of this chapter. The Director may grant such a request after notice (including notice to the affected Tribe), opportunity for comment and opportunity for a public hearing according to the provisions of part 124, subpart A of this chapter.

(3) Prior to the time that the Director establishes rules for maximum injection pressure under paragraph (b)(1) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of §144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Director which defines the fracture pressure of the formation in which injection is taking place. A single submission may be made on behalf of two or more operators conducting operations in the same field and formation, if the Director approves. The data shall be submitted to the Director within one year of the effective date of this program.

§ 147.3007 Application for a permit.

(a) Notwithstanding the requirements of §144.31(c)(1) of this chapter, the owner or operator of an existing Class I or III well shall submit a complete permit application no later than 90 days after the effective date of the program.

(b) The topographic map (or other map if a topographic map is unavailable) required by §144.31(e)(7) of this chapter, shall extend two miles from Class II wells, and 2½ miles from Class I and III wells. These maps will show all the information listed in paragraph 144.31(e)(7) within ½ mile for Class II wells and 2½ miles for Class I and III wells.

§ 147.3008 Criteria for aquifer exemptions.

The aquifer exemption criterion in §146.4(c) of this chapter shall not be available for this program.

§ 147.3009 Area of review.

The area of review shall be defined as follows:

(a) *Class II wells.* The area of review for Class II permits and area permits shall be defined by a fixed radius as described in §146.6(b) (1) and (2) of this chapter except that the radius shall be one-half mile.

(b) *Class I and III wells.* The area of review for Class I and III wells are well fields which may be either:

(1) An area defined by a radius two and one-half miles from the well or well field; or

(2) An area one-quarter mile from the well or well field where the well field production at the times exceeds injection to produce a net withdrawal; or

(3) A suitable distance, not less than one-quarter mile, proposed by the owner or operator and approved by the Director based upon a mathematical calculation such as that found in §146.6(a)(2) of this chapter.

§147.3010 Mechanical integrity tests.

The monitoring of annulus pressure listed in §146.8(b)(1) of this chapter will only be acceptable if preceded by a pressure test, using liquid or gas that clearly demonstrates that mechanical integrity exists at the time of the pressure test.

§147.3011 Plugging and abandonment of Class III wells.

To meet the requirements of §146.10(d) of this chapter, owners and operators of Class III uranium projects underlying or in aquifers containing up to 5,000 mg/l TDS which have been exempted under §146.4 of this chapter shall:

(a) Include in the required plugging and abandonment plan a plan for aquifer clean-up and monitoring which demonstrates adequate protection of surrounding USDWs.

(1) The Director shall include in each such permit for a Class III uranium project the concentrations of contaminants to which aquifers must be cleaned up in order to protect surrounding USDWs.

(2) The concentrations will be set as close as is feasible to the original conditions.

(b) When requesting permission to plug a well, owners and operators shall submit for the Director's approval a schedule for the proposed aquifer cleanup, in addition to the information required by §146.34(c).

(c) Cleanup and monitoring shall be continued until the owner or operator certifies that no constituent listed in the permit exceeds the concentrations required by the permit, and the Director notifies the permittee in writing that cleanup activity may be terminated.

§147.3012 Construction requirements for Class I wells.

In addition to the cementing requirement of §146.12(b) of this chapter, owners and operators of Class I wells shall, through circulation, cement all casing to the surface.

§147.3013 Information to be considered for Class I wells.

(a) In addition to the information listed in §146.14(a) of this chapter, the Director shall consider the following prior to issuing any Class I permit:

(1) Expected pressure changes, native fluid displacement, and direction of movement of the injected fluid; and

(2) Methods to be used for sampling, and for measurement and calculation of flow.

(b) In addition to the information listed in §146.14(b) of this chapter, the Director shall consider any information required under §146.14(a) of this chapter (as supplemented by this subpart) that has been gathered during construction.

§147.3014 Construction requirements for Class III wells.

(a) In addition to the requirements of §146.32(c)(3) of this chapter, radiological characteristics of the formation fluids shall be provided to the Director.

(b) In addition to the requirements of §146.32(e) of this chapter, the Director may require monitoring wells to be completed into USDWs below the injection zone if those USDWs may be affected by mining operations.

§147.3015 Information to be considered for Class III wells.

(a) In addition to the requirements of §146.34(a) of this chapter, the following information shall be considered by the Director:

(1) Proposed construction procedures, including a cementing and casing program, logging procedures, deviation checks, and a drilling, testing and coring program.

(2) Depth to the proposed injection zone, and a chemical, physical and radiological analysis of the ground water in the proposed injection zone sufficient to define pre-injection water quality as required for aquifer cleanup by §147.3011 of this subpart.

(3) An aquifer cleanup plan if required by §147.3003(b) of this subpart.

(4) Any additional information that may be necessary to demonstrate that cleanup will reduce the level of contaminants in the surrounding USDWs as close as feasible to the original conditions.

(b) In addition to the requirements of §146.34(b) of this chapter, the Director shall consider any information required under §146.34(a) of this chapter (as supplemented by this subpart) that has been gathered during construction.

§147.3016 Criteria and standards applicable to Class V wells.

In addition to the criteria and standards applicable to Class V wells set forth in subpart F of part 146 of this chapter, owners and operators of wells that do not fall within the Class IV category but that are used to dispose of radioactive wastes (as defined in 10 CFR part 20, appendix B, table II, column 2, but not including high level and transuranic wastes and spent nuclear fuel covered by 40 CFR part 191) shall comply with all of the requirements applicable to Class I injection wells in 40 CFR parts 124, 144 and 146 as supplemented by this subpart.

APPENDIX A TO SUBPART HHH OF PART 147—EXEMPTED AQUIFERS IN NEW MEXICO

The areas described by a one-quarter mile radius around the following Class II wells in the listed formations are exempted for the purpose of Class II injection.

Sec.						Well No.
Arco Oil & Gas Co.—Operator/Horseshoe Gallup—Field/Gallup—Formation						
SE/NE	5	T30N	R16W	1650′FNL	330′FEL	134
NW/NW	30	T31N	R16W	660′FNL	703′FWL	8
SE/SW	28	T31N	R16W	790′FSL	2150′FWL	167
NW/SE	33	T31N	R16W	1710′FSL	2310′FEL	199
SE/NW	35	T31N	R16W	2105′FNL	2105′FWL	196
NW/NW	4	T30N	R16W	455′FNL	4435′FEL	219
NW/SW	33	T31N	R16W	1980′FSL	386′FWL	65
NW/SE	27	T31N	R16W	1980′FSL	2080′FEL	164
SE/SE	30	T31N	R16W	660′FSL	660′FEL	5
NW/NW	34	T31N	R16W	730′FNL	515′FWL	180
NW/NE	34	T31N	R16W	813′FNL	2036′FEL	182
NW/NE	2	T30N	R16W	720′FNL	2040′FEL	229
NW/NW	29	T31N	R16W	660′FNL	660′FWL	24
NW/SW	13	T31N	R17W	1975′FSL	670′FWL	77
NW/SE	29	T31N	R16W	1980′FSL	1980′FEL	22
SE/SW	27	T31N	R16W	660′FSL	1980′FWL	171
NW/SW	35	T31N	R16W	1980′FSL	660′FWL	205
SE/NW	30	T31N	R16W	1980′FNL	2061′FWL	7
NW/NE	31	T31N	R16W	660′FNL	1980′FEL	17
NW/NE	4	T30N	R16W	330′FNL	2160′FEL	221
NW/NE	29	T31N	R16W	660′FNL	1980′FEL	26
SE/NE	34	T31N	R16W	1990′FNL	645′FEL	194
SE/SE	31	T31N	R16W	640′FSL	660′FEL	27
NE/SW	14	T31N	R17W	2250′FSL	2630′FWL	94
NE/NW	14	T31N	R17W	625′FNL	1995′FWI,	69
SE/NW	10	T30N	R16W	1900′FNL	2080′FWL	271
SE/SE	29	T31N	R16W	560′FSL		21
SE/NE	30	T31N	R16W	1980′FNL	660′FEL	10
SE/NW	29	T31N	R16W	2080′FNL	1980′FWL	23
NW/SE	25	T31N	R17W	1980′FSL	1980′FEL	122
SE/SW	32	T31N	R16W	660′FSL	1980′FWL	14
NW/SW	30	T31N	R16W	2021′FSL	742′FWL	19
SE/SW	13	T31N	R17W	660′FSL	1980′FWL	82
NW/NW	27	T31N	R16W	520′FNL	660′FWL	150
SE/SE	28	T31N	R16W	660′FSL	660′FEL	169
NW/SW	29	T31N	R16W	1980′FSL	660′FWL	11
SE/NW	34	T31N	R16W	2310′FNL	1650′FWL	192
SE/NW	29	T31N	R16W	660′FSL	1980′FWL	12
NW/SW	27	T31N	R16W	1650′FSL	330′FWL	162
NE/SE	23	T31N	R17W	1880′FSL	340′FEL	96
NW/SW	24	T31N	R17W	2050′FSL	990′FWL	97

	Sec.					Well No.
SE/NW	4	T30N	R16W	2060′FNL	1710′FWL	232
NW/NW	31	T31N	R16W	620′FNL	701′FWL	30
NW/SE	35	T31N	R16W	1980′FSL	1980′FEL	207
SE/NE	32	T31N	R16W	1980′FNL	417′FEL	20
NE/NW	28	T31N	R16W	1980′FNL	1980′FEL	152
NE/NW	34	T31N	R16W	2140′FSL	735′FWL	201
SE/NW	3	T30N	R16W	2310′FNL	1640′FWL	236
SE/SW	34	T31N	R16W	660′FSL	1980′FWL	213
NW/NE	30	T31N	R16W	660′FNL	1980′FFL	9
SE/SW	26	T31N	R16W	660′FSL	1980′FWL	175
NW/SE	30	T31N	R16W	1980′FSL	1980′FEL	6
SE/NW	9	T30N	R16W	1650′FNL	2131′FWL	264
NW/SW	4	T30N	R16W	2310′FSL	4390′FEL	242
NW/SW	2	T30N	R16W	1980′FSL	660′FWL	250
NW/NW	33	T31N	R16W	660′FNL	386′FWL	66
NE/NE	15	T31N	R17W	660′FNL	660′FEL	67
NW/NE	33	T31N	R16W	660′FNL	1980′FEL	178
NW/SE	24	T31N	R17W	1875′FSL	1900′FEL	99
NW/NE	28	T31N	R16W	660′FNL	1980′FEL	148
NW/NW	19	T31N	R16W	680′FNL	682′FWL	89
NW/SE	4	T30N	R16W	1820′FSL	2130′FEL	244
SE/SW	20	T31N	R16W	660′FSL	1980′FWL	115
NW/NE	25	T31N	R17W	660′FNL	1980′FEL	118
SE/SW	4	T30N	R16W	660′FSL	3300′FEL	253
NW/SW	19	T31N	R16W	1980′FSL	706′FWL	101
NW/SE	32	T31N	R16W	1950′FSL	1980′FEL	22
NW/NW	35	T31N	R16W	605′FNL	690′FWL	184
SE/NE	29	T31N	R16W	1980′FNL	417′FEL	25
SE/NW	19	T31N	R16W	1980′FNL	2023′FWL	95
NW/NW	32	T31N	R16W	660′FNL	660′FWL	4
SE/SW	24	T31N	R17W	660′FSL	3300′FEL	107
SE/NE	28	T31N	R16W	2105′FNL	940′FEL	154
NW/NE	35	T31N	R16W	610′FNL	2000′FEL	186
SE/SW	5	T31N	R16W	990′FSL	2310′FWL	139
NW/SE	28	T31N	R16W	1980′FSL	1980′FEL	160
SE/SE	33	T31N	R16W	330′FSL	990′FEL	211
NW/NE	5	T30N	R16W	330′FNL	1650′FEL	128
SE/NW	27	T31N	R16W	1900′FNL	2050′FWL	156
SE/SW	35	T31N	R16W	660′FSL	1980′FWL	217
NW/NW	10	T30N	R16W	526′FNL	330′FWL	265
NE/SW	21	T31N	R16W	1880′FSL	1980′FWL	143
NW/NE	24	T31N	R17W	409′FNL	1914′FEL	87
NW/SW	32	T31N	R16W	1980′FSL	660′FWL	15
SE/SE	34	T31N	R16W	960′FSL	910′FEL	215
SW/SE	21	T31N	R16W	820′FSL	1820′FEL	145
SE/SE	27	T31N	R16W	610′FSL	640′FEL	173
NW/SW	3	T30N	R16W	1920′FSL	350′FWL	246
SE/SW	19	T31N	R16W	601′FSL	2002′FWL	111
SW/SE	14	T31N	R17W	330′FSL	1900′FEL	79
NW/NW	27	T31N	R16W	520′FNL	660′FWL	150
SE/NW	31	T31N	R16W	1724′FNL	2067′FWL	29
NW/NE	32	T31N	R16W	660′FNL	1980′FEL	13
SE/NE	24	T31N	R17W	1998′FNL	702′FEL	93
NW/NW	5	T30N	R16W	660′FNL	660′FWL	126
NW/SW	28	T31N	R16W	1740′FSL	590′FWL	158
SE/NE	31	T31N	R16W	1980′FNL	660′FEL	16
NW/NW	24	T31N	R17W	660′FNL	760′FWL	85
Energy Reserve Backup Inc.—Operator/Horseshoe Gallup—Field/Gallup—Formation						
SE/SE	5	T31N	R17W	660′FSL	660′FEL	4
NE/SW	10	T30N	R16W	1970′FSL	2210′FWL	31
SE/NW	11	T30N	R16W	2090′FNL	2190′FWl	29
SE/SE	10	T30N	R16W	700′FSL	500′FEL	37
Solar Petroelum Inc.—Operator/Horseshoe—Field/Gallup—Formation						
SW/SE	11	T31N	R17W	736′FSL	2045′FEL	205
SE/NE	9	T31N	R17W	1980′FNL	660′FEL	122
NW/SE	4	T31N	R17W	1980′FSL	1980′FFL	127
NE/NE	10	T31N	R17W	660′FNL	660′FEL	136
SE/SW	4	T31N	R17W	660′FSL	1980′FWL	125
SW/NW	11	T31N	R17W	2300′FNL	660′FWL	206

	Sec.					Well No.
NW/SW	4	T31N	R17W	1980′FSL	660′FWL	103
SE/NW	4	T31N	R17W	1989′FNL	1980′FWL	128
NW/NW	4	T31N	R17W	660′FNL	660′FWL	101
SW/NE	10	T31N	R17W	1980′FNL	1980′FEL	117
SW/NW	10	T31N	R17W	1980′FNL	660′FWL	108
SW/SW	10	T31N	R17W	660′FSL	660′FWL	114
SW/SE	3	T31N	R17W	330′FSL	2310′FEL	143
SE/NE	5	T31N	R17W	1980′FNL	660′FEL	302
NE/NE	5	T31N	R17W	1950′FNL	1050′FEL	307
SE/SE	9	T31N	R17W	990′FSL	850′FEL	140
NE/NW	10	T31N	R17W	660′FNL	1980′FWL	118
SW/SW	11	T31N	R17W	660′FSL	660′FWL	204
NW/SE	9	T31N	R17W	1980′FSL	1980′FEL	115
SW/SE	10	T31N	R17W	990′FSL	1980′FEL	144
NW/NE	9	T31N	R17W	660′FNL	1980′FEL	123
NE/SW	10	T31N	R17W	1980′FSL	1980′FWL	109
NE/SW	11	T31N	R17W	1980′FSL	1980′FWL	203
SE/NW	9	T31N	R17W	1980′FNL	1980′FWL	134
NW/SW	3	T31N	R17W	1980′FSL	660′FWL	132
SW/SW	3	T31N	R17W	560′FSL	660′FWL	110
NW/NW	9	T31N	R16W	660′FNL	660′FWL	133
SE/SE	4	T31N	R17W	660′FSL	660′FEL	124
WTR Oil Co.—Operator/Horseshoe Gallup—Field/Gallup—Formation						
NE/SW	33	T32N	R17W	1980′FSL	1989′FWL	2
Arco Oil & Gas Co.—Operator/Many Rocks Gallup—Field/Gallup—Formation						
NW/NW	7	T31N	R16W	898′FNL	500′FWL	2
SW/NE	17	T31N	R16W	1673′FNL	1789′FEL	21
NW/SE	17	T31N	R16W	1890′FSL	2150′FEL	23
SW/NE	7	T31N	R16W	2310′FNL	2310′FEL	6
NE/SW	8	T31N	R16W	1650′FSL	1650′FWL	12
NE/NW	17	T31N	R16W	660′FNL	2030′FWL	18
NE/NE	18	T31N	R16W	360′FNL	855′FEL	16
SE/SW	7	T31N	R16W	716′FSL	2185′FWL	13
SE/SE	17	T31N	R16W	660′FSL	660′FEL	26
NE/SW	17	T31N	R16W	2040′FSL	2070′FWL	22
SW/SW	6	T31N	R16W	330′FSL	330′FWL	1
SW/NW	17	T31N	R16W	2073′FNL	641′FWL	19
NW/SW	17	T31N	R16W	1967′FSL	981′FWL	8
James P. Woosley—Operator/Many Rocks Gallup—Field/Gallup—Formation						
NW/NE	20	T32N	R17W	330′FNL	2310′FEL	13
SW/SW	27	T32N	R17W	660′FSL	990′FWL	1
SW/NW	17	T32N	R17W	2310′FWL	330′FWL	4
SW/NW	27	T32N	R17W	260′FWL	1360′FNL	11
NE/SW	27	T32N	R17W	1980′FSL	1980′FWL	6
NE/SE	18	T32N	R17W	2474′FSL	133′FEL	18
SW/SE	27	T32N	R17W	625′FNL	2000′FEL	3
NE/SE	28	T32N	R17W	1980′FSL	330′FEL	12
Solar Petroleum Inc.—Operator/Many Rocks Gallup—Field/Gallup—Formation						
SE/NW	1	T31N	R17W	1980′FNL	1980′FWL	216
NW/NE	2	T31N	R17W	805′FNL	940′FEL	215
SE/NE	2	T31N	R17W	1980′FNL	660′FEL	218
NW/SW	1	T31N	R17W	2310′FSL	990′FNL	223
SE/NE	12	T31N	R17W	1820′FNL	500′FEL	217
WTR Oil Co.—Operator/Many Rocks Gallup—Field/Gallup—Formation						
NW/NW	35	T32N	R17W	810′FNL	510′FWL	11
SE/SE	35	T32N	R17W	660′FSL	660′FEL	6
SE/NE	34	T32N	R17W	775′FEL	1980′FNL	8
SE/NW	35	T32N	R16W	1980′FNL	1980′FWL	9
NW/SE	35	T32N	R17W	1980′FSL	1980′FEL	7
Chaco Oil Co.—Operator/Red Mtn Meseverde—Field/Menefee—Formation						
NE/NE	29	T20N	R9W	395′FNL	1265′FEL	6
SE/SW	20	T20N	R9W	442′FSL	2430′FWL	17

	Sec.					Well No.
Geo Engineering Inc.—Operator/Red Mtn Meseverde—Field/Menefee—Formation						
NW/NE	29	T20N	R9W	160′FNL	2135′FEL	35
NE/NE	29	T20N	R9W	225′FNL	1265′FEL	7
SE/NW	29	T20N	R9W	1344′FNL	2555′FWL	20
NW/NE	29	T20N	R9W	615′FNL	1920′FEL	5
NE/NW	29	T20N	R9W	834′FNL	2113′FWL	21
SW/SE	20	T20N	R9W	265′FSL	2150′FEL	36
NE/NE	29	T20N	R9W	5′FNL	1130′FEL	8
SE/SE	20	T20N	R9W	450′FSL	1145′FEL	24
SE/SE	20	T20N	R9W	990′FSL	1280′FEL	10
NW/NE	29	T20N	R9W	1115′FNL	2325′FEL	22
SE/SE	20	T20N	R9W	1085′FSL	860′FEL	12
Tesoro Petroleum Co.—Operator/S. Hospah Lower Sand—Field/Hospah—Formation						
NW/SE	6	T17N	R8W	2310′FSL	2310′FEL	28
SW/SE	6	T17N	R8W	990′FSL	2310′FFL	34
SW/SW	6	T17N	R8W	5′FSL	20′FWL	18
SE/SW	6	T17N	R8W	5′FSL	2635′FWL	20

Subpart III—Lands of Certain Oklahoma Indian Tribes

SOURCE: 53 FR 43109, Oct. 25, 1988, unless otherwise noted.

§ 147.3100 EPA-administered program.

(a) *Contents.* The UIC program for the Indian lands in Oklahoma, except for that covering the Class II wells of the Five Civilized Tribes, is administered by EPA. The UIC program for all wells on Indian lands in Oklahoma, except Class II wells on the Osage Mineral Reserve (found at 40 CFR part 147, Subpart GGG) and the Class II program for the Five Civilized Tribes, consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date for the UIC program for all wells on Indian lands except Class II wells on the Osage Mineral Reserve and Class II wells on the lands of the Five Civilized Tribes is November 25, 1988.

[53 FR 43109, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.3101 Public notice of permit actions.

(a) In addition to the notice requirements of §124.10 of this chapter, the Director shall provide to the affected Tribal government all notices given to an affected State government under §124.10(c) of this chapter.

(b) *Class I and III wells.* In addition to the notice requirements of §124.10 of this chapter:

(1) Owners and operators of Class I and III wells shall notify the affected Tribal government prior to submitting an application for a permit, shall publish such notice in at least two newspapers of general circulation in the area of the proposed well, and shall broadcast notice over at least one local radio station.

(2) The Director shall publish a notice of availability of a draft permit in at least two newspapers of general circulation in the area of the proposed well, and broadcast notice over at least one local radio station. The public notice shall allow at least 45 days for public comment.

(c) *Class II wells.* In addition to the notice requirements of §124.10 of this chapter:

(1) Owners and operators of Class II wells shall give notice of application for a permit to the affected Tribal government prior to submitting the application to the Director.

(2) In addition to the public notice required for each action listed in §124.10(a) of this chapter, the Director shall also publish notice in a daily or weekly newspaper of general circulation in the affected area for actions concerning Class II wells.

§ 147.3102 Plugging and abandonment plans.

In lieu of the requirements of § 144.28(c)(1) and (2) (i)–(iii) of this chapter, owners and operators of Class II wells shall comply with the plugging and abandonment provisions of § 147.3108 of this subpart.

§ 147.3103 Fluid seals.

Notwithstanding §§ 144.28(f)(2) and 146.12(c) of this chapter, owners and operators shall not use a fluid seal as an alternative to a packer.

§ 147.3104 Notice of abandonment.

(a) In addition to the notice required by § 144.28(j)(2) of this chapter, the owner or operator shall at the same time submit plugging information in conformance with § 147.3108 of this subpart including:

(1) Type and number of plugs;

(2) Elevation of top and bottom of each plug;

(3) Method of plug placement; and

(4) Type, grade and quantity of cement to be used.

(b) In addition to the permit conditions specified in §§ 144.51 and 144.52 of this chapter, each owner and operator shall submit and each permit shall contain the following information (in conformance with § 146.3108 of this subpart):

(1) Type and number of plugs;

(2) Elevation of top and bottom of each plug;

(3) Method of plug placement; and

(4) Type, grade and quantity of cement to be used.

§ 147.3105 Plugging and abandonment report.

(a) In lieu of the time periods for submitting a plugging report in § 144.28(k) of this chapter, owners and operators of Class I and III wells shall submit the report within 15 days of plugging the well and owners or operators of Class II wells within 30 days of plugging, or at the time of the next required operational report (whichever is less.) If the required operational report is due less than 15 days following completion of plugging, then the plugging report shall be submitted within 30 days for Class II wells and 15 days for Class I and III wells.

(b) In addition to the requirement of § 144.28(k)(1) of this chapter, owners and operators of Class II wells shall include a statement that the well was plugged in accordance with § 146.10 of this chapter and § 147.3109 of this subpart, and, if the actual plugging differed, specify the actual procedures used.

(c) The schedule upon which reports of plugging must be submitted are changed from those in § 144.51(o) to those specified in paragraph (a) of this section.

§ 147.3106 Area of review.

(a) When determining the area of review under § 146.6(b) of this chapter, the fixed radius shall be no less than one mile for Class I wells and one-half mile for Class II and III wells. In the case of an application for an area permit, determination of the area of review under § 146.6(b) shall be a fixed width of not less than one mile for the circumscribing area of Class I projects and one-half mile for the circumscribing area of Class II and III projects.

(b) However, in lieu of § 146.6(c) of this chapter, if the area of review is determined by a mathematical model pursuant to paragraph § 146.6(a) of this chapter, the permissible radius is the result of such calculation even if it is less than one mile for Class I wells and one-half for Class II and III wells.

§ 147.3107 Mechanical integrity.

(a) Monitoring of annulus pressure conducted pursuant to § 146.8(b)(1) shall be preceded by an initial pressure test. A positive gauge pressure on the casing/tubing annulus (filled with liquid) shall be maintained continuously. The pressure shall be monitored monthly.

(b) Pressure tests conducted pursuant to § 146.8(b)(2) of this chapter shall be performed with a pressure on the casing/tubing annulus of at least 200 p.s.i. unless otherwise specified by the Director. In addition, pressure tests conducted during well operation shall maintain an injection/annulus pressure differential of at least 100 p.s.i. throughout the tubing length.

(c) Monitoring of enhanced recovery wells conducted pursuant to § 146.8(b)(3), must be preceded by an initial pressure test that was conducted

no more than 90 days prior to the commencement of monitoring.

§ 147.3108 Plugging Class I, II, and III wells.

In addition to the requirements of § 146.10 of this chapter, owners and operators shall comply with the following when plugging a well:

(a) For Class I and III wells:

(1) The well shall be filled with mud from the bottom of the well to a point one hundred (100) feet below the top of the highest disposal or injection zone and then with a cement plug from there to at least one hundred (100) feet above the top of the disposal or injection zone.

(2) A cement plug shall also be set from a point at least fifty (50) feet below the shoe of the surface casing to a point at least five (5) feet above the top of the lowest USDW.

(3) A final cement plug shall extend from a point at least thirty feet below the ground surface to a point five (5) feet below the ground surface.

(4) All intervals between plugs shall be filled with mud.

(5) The top plug shall clearly show by permanent markings inscribed in the cement or on a steel plate embedded in the cement the well permit number and date of plugging.

(b) For Class II wells:

(1) The well shall be kept full of mud as casing is removed. No surface casing shall be removed without written approval from the Director.

(2) If surface casing is adequately set and cemented through all USDWs (set to at least 50 feet below the base of the USDW), a plug shall be set at least 50 feet below the shoe of the casing and extending at least 50 feet above the shoe of the casing; or

(3) If the surface casing and cementing is inadequate, the well bore shall be filled with cement from a point at least 50 feet below the base of the USDW to a point at least 50 feet above the shoe of the surface casing, and any additional plugs as required by the Director.

(4) In all cases, the top 20 feet of the well bore below 3 feet of ground surface shall be filled with cement. Surface casing shall be cut off 3 feet below ground surface and covered with a secure steel cap on top of the surface pipe. The remaining 3 feet shall be filled with dirt.

(5) Except as provided in sub-paragraph (b)(6) of this section, each producing or receiving formation shall be sealed off with at least a 50-foot cement plug placed at the base of the formation and at least a 50-foot cement plug placed at the top of the formation.

(6) The requirement in sub-paragraph (b)(5) of this section does not apply if the producing/receiving formation is already sealed off from the well bore with adequate casing and cementing behind casing, and casing is not to be removed, or the only openings from the producing/receiving formation into the well bore are perforations in the casing, and the annulus between the casing and the outer walls of the well is filled with cement for a distance of 50 feet above the top of the formation. When such conditions exist, a bridge plug capped with at least 10 feet of cement set at the top of the producing formation may be used.

(7) When specified by the Director, any uncased hole below the shoe of any casing to be left in the well shall be filled with cement to a depth of at least 50 feet below the casing shoe, or the bottom of the hole, and the casing above the shoe shall be filled with cement to at least 50 feet above the shoe of the casing. If the well has a screen or liner which is not to be removed, the well bore shall be filled with cement from the base of the screen or liner to at least 50 feet above the top of the screen or liner.

(8) All intervals between cement plugs in the well bore must be filled with mud.

(c) For the purposes of this section mud shall be defined as: mud of not less than thirty-six (36) viscosity (API Full Funnel Method) and a weight of not less than nine (9) pounds per gallon.

§ 147.3109 Timing of mechanical integrity test.

The demonstrations of mechanical integrity required by § 146.14(b)(2) of this chapter prior to approval for the operation of a Class I well shall, for an existing well, be conducted no more than 90 days prior to application for the permit and the results included in

the permit application. The owner or operator shall notify the Director at least seven days in advance of the time and date of the test so that EPA observers may be present.

PART 148—HAZARDOUS WASTE INJECTION RESTRICTIONS

Subpart A—General

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148.3 Dilution prohibited as a substitute for treatment.
148.4 Procedures for case-by-case extensions to an effective date.
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AUTHORITY: Secs. 3004, Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.*

SOURCE: 53 FR 28154, July 26, 1988, unless otherwise noted.

Subpart A—General

§ 148.1 Purpose, scope and applicability.

(a) This part identifies wastes that are restricted from disposal into Class I wells and defines those circumstances under which a waste, otherwise prohibited from injection, may be injected.

(b) The requirements of this part apply to owners or operators of Class I hazardous waste injection wells used to inject hazardous waste.

(c) Wastes otherwise prohibited from injection may continue to be injected:

(1) If an extension from the effective date of a prohibition has been granted pursuant to §148.4 with respect to such wastes; or

(2) If an exemption from a prohibition has been granted in response to a petition filed under §148.20 to allow injection of restricted wastes with respect to those wastes and wells covered by the exemption; or

(3) If the waste is generated by a conditionally exempt small quantity generator, as defined in §261.5; or

(d) Wastes that are hazardous only because they exhibit a hazardous characteristic, and which are otherwise prohibited under this part, or part 268 of this chapter, are not prohibited if the wastes:

(1) Are disposed into a nonhazardous or hazardous injection well as defined under 40 CFR §146.6(a); and

(2) Do not exhibit any prohibited characteristic of hazardous waste identified in 40 CFR part 261, subpart C at the point of injection.

[53 FR 28154, July 26, 1988, as amended at 55 FR 22683, June 1, 1990; 57 FR 8088, Mar. 6, 1992; 57 FR 31763, July 20, 1992; 60 FR 33932, June 29, 1995; 61 FR 15596, Apr. 8, 1996; 61 FR 33682, June 28, 1996]

§ 148.2 Definitions.

Injection interval means that part of the injection zone in which the well is screened, or in which the waste is otherwise directly emplaced.

Transmissive fault or fracture is a fault or fracture that has sufficient permeability and vertical extent to allow fluids to move between formations.

§ 148.3 Dilution prohibited as a substitute for treatment.

The prohibition of §268.3 shall apply to owners or operators of Class I hazardous waste injection wells.

§ 148.4 Procedures for case-by-case extensions to an effective date.

The owner or operator of a Class I hazardous waste injection well may submit an application to the Administrator for an extension of the effective date of any applicable prohibition established under subpart B of this part according to the procedures of § 268.5.

§ 148.5 Waste analysis.

Generators of hazardous wastes that are disposed of into Class I injection wells must comply with the applicable requirements of § 268.7 (a) and (b). Owners or operators of Class I hazardous waste injection wells must comply with the applicable requirements of § 268.7(c).

Subpart B—Prohibitions on Injection

§ 148.10 Waste specific prohibitions—solvent wastes.

(a) Effective August 8, 1988, the spent solvent wastes specified in § 261.31 as EPA Hazardous Waste Nos. F001, F002, F003, F004, and F005 are prohibited from underground injection unless the solvent waste is a solvent-water mixture or solvent-containing sludge containing less than 1 percent total F001–F005 solvent constituents listed in Table A of this section.

(b) Effective August 8, 1990, all spent F001–F005 solvent wastes containing less than 1 percent total F001–F005 solvent constituents listed in Table A of this section are prohibited from injection.

(c) Effective August 8, 1990, all spent F002 and F005 wastes containing solvent constituents listed in Table B of this section are prohibited from underground injection at off-site injection facilities.

(d) Effective November 8, 1990, the wastes specified in paragraph (c) of this section are prohibited from underground injection at on-site injection facilities.

(e) The requirements of paragraphs (a) and (b) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under § 148.4 of this part.

TABLE A

Acetone
n-Butyl alcohol
Carbon disulfide
Carbon tetrachloride
Chlorobenzene
Cresols and cresylic acid
Cyclohexanone
1,2-dichlorobenzene
Ethyl acetate
Ethyl benzene
Ethyl ether
Isobutanol
Methanol
Methylene chloride
Methylene chloride (from the pharmaceutical industry)
Methyl ethyl ketone
Methyl isobutyl ketone
Nitrobenzene
Pyridine
Tetrachloroethylene
Toulene
1,1,1-Trichloroethane
1,2,2-Trichloro-1,2,2-trifluoroethane
Trichloroethylene
Trichlorofluoromethane
Xylene

TABLE B

Benzene
2-Ethoxyethanol
2-Nitropropane
1,1,2-Trichloroethane

[53 FR 28154, July 26, 1988, as amended at 54 FR 25422, June 14, 1989; 56 FR 3876, Jan. 31, 1991; 57 FR 8088, Mar. 6, 1992]

§ 148.11 Waste specific prohibitions—dioxin-containing wastes.

(a) Effective August 8, 1988, the dioxin-containing wastes specified in § 261.31 as EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, F027, and F028, and prohibited from underground injection.

(b) The requirements of paragraph (a) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a

petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under §148.4 of this part.

[53 FR 28154, July 26, 1988, as amended at 54 FR 25422, June 14, 1989]

§ 148.12 Waste specific prohibitions—California list wastes.

(a) Effective August 8, 1988, the hazardous wastes listed in 40 CFR 268.32 containing polychlorinated biphenyls at concentrations greater than or equal to 50 ppm or halogenated organic compounds at concentrations greater than or equal to 10,000 mg/kg are prohibited from underground injection.

(b) Effective August 8, 1990, the following hazardous wastes are prohibited from underground injection:

(1) Liquid hazardous wastes, including free liquids associated with any solid or sludge, containing free cyanides at concentrations greater than or equal to 1,000 mg/l;

(2) Liquid hazardous wastes, including free liquids associated with any solid or sludge, containing the following metals (or elements) or compounds of these metals (or elements) at concentrations greater than or equal to those specified below:

(i) Arsenic and/or compounds (as As) 500 mg/l;

(ii) Cadmium and/or compounds (as Cd) 100 mg/l;

(iii) Chromium (VI) and/or compounds (as Cr VI) 500 mg/l;

(iv) Lead and/or compounds (as Pb) 500 mg/l;

(v) Mercury and/or compounds (as Hg) 20 mg/l;

(vi) Nickel and/or compounds (as Ni) 134 mg/l;

(vii) Selenium and/or compounds (as Se) 100 mg/l; and

(viii) Thallium and/or compounds (as Tl) 130 mg/l;

(3) Liquid hazardous waste having a pH less than or equal to two (2.0); and

(4) Hazardous wastes containing halogenated organic compounds in total concentration less than 10,000 mg/kg but greater than or equal to 1,000 mg/kg.

(c) The requirements of paragraphs (a) and (b) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension is granted under §148.4 of this part.

[53 FR 30918, Aug. 16, 1988, as amended at 53 FR 41602, Oct. 24, 1988]

§ 148.14 Waste specific prohibitions—first third wastes.

(a) Effective June 7, 1989, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste numbers F006 (nonwastewaters) and the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste numbers K001, K015 (wastewaters), K016 (at concentrations greater than or equal to 1%), K018, K019, K020, K021 (nonwastewaters generated by the process described in the waste listing description and disposed after August 17, 1988, and not generated in the course of treating wastewater forms of these wastes), K022 (nonwastewaters), K024, K030, K036 (nonwastewaters generated by the process described in the waste listing description and disposed after August 17, 1988, and not generated in the course of treating wastewater forms of these wastes), K037, K044, K045, nonexplosive K046 (nonwastewaters), K047, K048, K060 (nonwastewaters generated by the process described in the waste listing description and disposed after August 17, 1988, and not generated in the course of treating wastewater forms of these wastes), K061 (nonwastewaters), noncalcium sulfate K069 (nonwastewaters generated by the process described in the waste listing description and disposed after August 17, 1988, and not generated in the course of treating wastewater forms of these wastes), K086 solvent washes, K087, K099, K101 (all wastewaters and less than 1% total arsenic nonwastewaters), K102 (all wastewaters and less than 1% total arsenic nonwastewaters), and K103 are prohibited from underground injection.

(b) Effective June 8, 1989, the waste specified in 40 CFR 261.32 as EPA Hazardous Waste number K036 (wastewaters); and the wastes specified in 40 CFR 261.33 as P030, P039, P041, P063, P071, P089, P094, P097, U221, and U223 are prohibited from underground injection.

(c) Effective July 8, 1989, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste numbers F008 and F009 are prohibited from underground injection.

(d) Effective August 8, 1990, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Number F006 (wastewaters) and F019; the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K004, K008, K015 (nonwastewaters), K017, K021 (wastewaters), K022 (wastewaters), K031, K035, K046 (reactive nonwastewaters and all wastewaters), K060 (wastewaters), K061 (wastewaters), K069 (calcium sulfate nonwastewaters and all wastewaters), K073, K083, K084, K085, K086 (all but solvent washes), K101 (high arsenic nonwastewaters), K102 (high arsenic nonwastewaters), and K106; and the wastes specified in 40 CFR part 261.33 as EPA Hazardous Waste Numbers P001, P004, P005, P010, P011, P012, P015, P016, P018, P020, P036, P037, P048, P050, P058, P059, P068, P069, P070, P081, P082, P084, P087, P092, P102, P105, P108, P110, P115, P120, P122, P123, U007, U009, U010, U012, U016, U018, U019, U022, U029, U031, U036, U037, U041, U043, U044, U046, U050, U051, U053, U061, U063, U064, U066, U067, U074, U077, U078, U086, U089, U103, U105, U108, U115, U122, U124, U129, U130, U133, U134, U137, U151, U154, U155, U157, U158, U159, U171, U177, U180, U185, U188, U192, U200, U209, U210, U211, U219, U220, U226, U227, U228, U237, U238, U248, and U249 are prohibited from underground injection at off-site injection facilities.

(e) Effective August 8, 1990, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste numbers K049, K050, K051, K052, K062, K071, and K104 are prohibited from underground injection.

(f) Effective November 8, 1990, the wastes specified in paragraph (d) of this section are prohibited from underground injection at on-site injection facilities.

(g) Effective June 7, 1991, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste numbers K016 (at concentrations less than 1%) are prohibited from underground injection.

(h) Effective June 8, 1991, the waste specified in 40 CFR 261.31 as EPA Hazardous Waste number F007; and the wastes specified in 40 CFR 261.32 as K011 (nonwastewaters) and K013 (nonwastewaters) are prohibited from underground injection.

(i) Effective May 8, 1992, the wastes specified in 40 CFR 261.32 and 261.33 as EPA Hazardous Waste Numbers K011 (wastewaters), K013 (wastewaters), and K014 are prohibited from underground injection.

(j) The requirements of paragraphs (a) through (i) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under §148.4 of this part.

[54 FR 25423, June 14, 1989, as amended at 54 FR 26647, June 23, 1989; 54 FR 35328, Aug. 25, 1989; 55 FR 22683, June 1, 1990]

§148.15 Waste specific prohibitions—second third wastes.

(a) Effective June 7, 1989, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste numbers K025 (nonwastewaters generated by the process described in the waste listing description and disposed after August 17, 1988, and not generated in the course of treating wastewater forms of these wastes) are prohibited from underground injection.

(b) Effective June 8, 1989, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste numbers F010, F024; the wastes specified in 40 CFR 261.32 as K009 (nonwastewaters), K010, K027, K028, K029 (nonwastewaters), K038, K039, K040, K043, K095 (nonwastewaters), K096 (nonwastewaters), K113, K114, K115, K116; and wastes specified in 40 CFR 261.33 as P029, P040, P043, P044, P062, P074, P085, P098, P104, P106,

P111, U028, U058, U107, and U235 are prohibited from underground injection.

(c) Effective July 8, 1989, and continuing until December 8, 1989, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste numbers F011 and F012 are prohibited from underground injection pursuant to the treatment standards specified in §§ 268.41 and 268.43 applicable to F007, F008, and F009 wastewaters and nonwastewaters. Effective December 8, 1989, F011 (nonwastewaters) and F012 (nonwastewaters) are prohibited pursuant to the treatment standards specified in §§ 268.41 and 268.43 applicable to F011 and F012 wastewaters and nonwastewaters.

(d) Effective August 8, 1990, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Number K025 (wastewaters), K029 (wastewaters), K041, K042, K095 (wastewaters), K096 (wastewaters), K097, K098, and K105; and the wastes specified in 40 CFR part 261.33 as P002, P003, P007, P008, P014, P026, P027, P049, P054, P057, P060, P066, P067, P072, P107, P112, P113, P114, U002, U003, U005, U008, U011, U014, U015, U020, U021, U023, U025, U026, U032, U035, U047, U049, U057, U059, U060, U062, U070, U073, U080, U083, U092, U093, U094, U095, U097, U098, U099, U101, U106, U109, U110, U111, U114, U116, U119, U127, U128, U131, U135, U138, U140, U142, U143, U144, U146, U147, U149, U150, U161, U162, U163, U164, U165, U168, U169, U170, U172, U173, U174, U176, U178, U179, U189, U193, U196, U203, U205, U206, U208, U213, U214, U215, U216, U217, U218, U239, and U244 are prohibited from underground injection at off-site injection facilities.

(e) Effective June 8, 1991, the waste specified in 40 CFR 261.32 as EPA Hazardous Waste number K009 (wastewaters) is prohibited from underground injection.

(f) Effective November 8, 1990, the wastes specified in paragraph (d) of this section are prohibited from underground injection at on-site injection facilities.

(g) The requirements of paragraphs (a) through (f) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under § 148.4 of this part.

[54 FR 25423, June 14, 1989, as amended at 54 FR 26647, June 23, 1989; 55 FR 22683, June 1, 1990]

§ 148.16 Waste specific prohibitions—third third wastes.

(a) Effective June 7, 1989, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste numbers K100 (nonwastewaters generated by the process described in the waste listing description and disposed after August 17, 1988, and not generated in the course of treating wastewater forms of these wastes) are prohibited from underground injection.

(b) Effective June 8, 1989, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste numbers K005 (nonwastewaters), K007 (nonwastewaters), K023, K093, K094; and the wastes specified in 40 CFR 261.33 as P013, P021, P099, P109, P121, U069, U087, U088, U102, and U190 are prohibited from underground injection.

(c) Effective August 8, 1990, the wastes identified in 40 CFR 261.31 as EPA Hazardous Waste Number F039 (nonwastewaters); the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K002, K003, K005 (wastewaters), K006, K007 (wastewaters), K026, K032, K033, K034, and K100 (wastewaters); the wastes specified in 40 CFR 261.33 as P006, P009, P017, P022, P023, P024, P028, P031, P033, P034, P038, P042, P045, P046, P047, P051, P056, P064, P065, P073, P075, P076, P077, P078, P088, P093, P095, P096, P101, P103, P116, P118, P119, U001, U004, U006, U017, U024, U027, U030, U033, U034, U038, U039, U042, U045, U048, U052, U055, U056, U068, U071, U072, U075, U076, U079, U081, U082, U084, U085, U090, U091, U096, U112, U113, U117, U118, U120, U121, U123, U125, U126, U132, U136, U141, U145, U148, U152, U153, U156, U160, U166, U167, U181, U182, U183, U184, U186, U187, U191, U194, U197, U201, U202, U204, U207, U222, U225, U234, U236, U240, U243, U246, and U247; and the wastes identified in 40 CFR 261.21, 261.23 or 261.24 as hazardous based on a characteristic alone,

designated as D001, D004, D005, D006, D008, D009 (wastewaters), D010, D011, D012, D013, D014, D015, D016, D017, and newly listed waste F025 are prohibited from underground injection at off-site injection facilities.

(d) Effective August 8, 1990, mixed radioactive/hazardous waste in 40 CFR 268.10, 268.11, and 268.12, that are mixed radioactive and hazardous wastes, are prohibited from underground injection.

(e) Effective November 8, 1990, the wastes specified in paragraph (c) of this section are prohibited from underground injection at on-site injection facilities. These effective dates do not apply to the wastes listed in 40 CFR 148.12(b) which are prohibited from underground injection on August 8, 1990.

(f) Effective May 8, 1992, the waste identified in 40 CFR 261.31 as EPA Hazardous Waste Number F039 (wastewaters); the wastes identified in 40 CFR 261.22, 261.23 or 261.24 as hazardous based on a characteristic alone, designated as D002 (wastewaters and nonwastewaters), D003 (wastewaters and nonwastewaters), D007 (wastewaters and nonwastewaters), and D009 (nonwastewaters) are prohibited from underground injection. These effective dates do not apply to the wastes listed in 40 CFR 148.12(b) which are prohibited from underground injection on August 8, 1990.

(g) The requirements of paragraphs (a) through (f) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under §148.4 of this part.

[54 FR 25423, June 14, 1989, as amended at 54 FR 26647, June 23, 1989; 55 FR 22683, June 1, 1990; 55 FR 33694, Aug. 17, 1990; 56 FR 3876, Jan. 31, 1991]

§148.17 Waste specific prohibitions; newly listed wastes.

(a) Effective November 9, 1992, the wastes specified in 40 CFR part 261 as EPA hazardous waste numbers F037, F038, K107, K108, K109, K110, K111, K112, K117, K118, K123, K124, K125, K126, K131, K136, U328, U353, and U359 are prohibited from underground injection.

(b) Effective December 19, 1994 the wastes specified in 40 CFR 261.32 as EPA Hazardous waste numbers K141, K142, K143, K144, K145, K147, K148, K149, K150, and K151, are prohibited from underground injection.

(c) [Reserved]

(d) Effective June 30, 1995, the wastes specified in 40 CFR part 261 as EPA Hazardous waste numbers K117, K118, K131, and K132 are prohibited from underground injection.

(e) The requirements of paragraphs (a) and (b) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under §148.4 of this part.

[57 FR 37263, Aug. 18, 1992, as amended at 59 FR 48041, Sept. 19, 1994; 61 FR 15662, Apr. 8, 1996]

§148.18 Waste specific prohibitions—newly listed and identified wastes.

(a) Effective August 24, 1998, all newly identified D004–D011 wastes and characteristic mineral processing wastes, except those identified in paragraph (b) of this section, are prohibited from underground injection.

(b) Effective May 26, 2000, characteristic hazardous wastes from titanium dioxide mineral processing, and radioactive wastes mixed with newly identified D004–D011 or mixed with newly identified characteristic mineral processing wastes, are prohibited from underground injection.

(c) Effective August 11, 1997, the wastes specified in 40 CFR part 261 as EPA Hazardous waste numbers F032, F034, F035 are prohibited from underground injection.

(d) Effective May 12, 1999, the wastes specified in 40 CFR part 261 as EPA Hazardous waste numbers F032, F034, F035 that are mixed with radioactive

wastes are prohibited from underground injection.

(e) On July 8, 1996, the wastes specified in 40 CFR 261.32 as EPA Hazardous waste numbers K156–K161, P127, P128, P185, P188–P192, P194, P196–P199, P201–P205, U271, U277–U280, U364–U367, U372, U373, U375–U379, U381–387, U389–U396, U400–U404, U407, and U409–U411 are prohibited from underground injection.

(f) On January 8, 1997, the wastes specified in 40 CFR 261.32 as EPA Hazardous waste number K088 is prohibited from underground injection.

(g) On April 8, 1998, the wastes specified in 40 CFR part 261 as EPA Hazardous waste numbers D018–043, and Mixed TC/Radioactive wastes, are prohibited from underground injection.

(h) [Reserved]

(i) Effective February 8, 1999, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K169, K170, K171, and K172 are prohibited from underground injection.

(j) Effective May 8, 2001, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K174 and K175 are prohibited from underground injection.

(k) Effective May 20, 2002, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K176, K177, and K178 are prohibited from underground injection.

(l) The requirements of paragraphs (a) through (k) of this section do not apply:

(1) If the wastes meet or are treated to meet the applicable standards specified in subpart D of 40 CFR part 268; or

(2) If an exemption from a prohibition has been granted in response to a petition under subpart C of this part; or

(3) During the period of extension of the applicable effective date, if an extension has been granted under §148.4.

[61 FR 15662, Apr. 8, 1996, as amended at 62 FR 26018, May 12, 1997; 63 FR 24624, May 4, 1998; 63 FR 28636, May 26, 1998; 63 FR 35149, June 29, 1998; 63 FR 42184, Aug. 6, 1998; 65 FR 14474, Mar. 17, 2000; 65 FR 36366, June 8, 2000; 65 FR 67126, Nov. 8, 2000; 66 FR 58297, Nov. 20, 2001]

Subpart C—Petition Standards and Procedures

§148.20 Petitions to allow injection of a waste prohibited under subpart B.

(a) Any person seeking an exemption from a prohibition under subpart B of this part for the injection of a restricted hazardous waste into an injection well or wells shall submit a petition to the Director demonstrating that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. This demonstration requires a showing that:

(1) The hydrogeological and geochemical conditions at the sites and the physiochemical nature of the waste stream(s) are such that reliable predictions can be made that:

(i) Fluid movement conditions are such that the injected fluids will not migrate within 10,000 years:

(A) Vertically upward out of the injection zone; or

(B) Laterally within the injection zone to a point of discharge or interface with an Underground Source of Drinking Water (USDW) as defined in 40 CFR part 146; or

(ii) Before the injected fluids migrate out of the injection zone or to a point of discharge or interface with USDW, the fluid will no longer be hazardous because of attenuation, transformation, or immobilization of hazardous constituents within the injection zone by hydrolysis, chemical interactions or other means; and

(2) For each well the petition has:

(i) Demonstrated that the injection well's area of review complies with the substantive requirements of §146.63;

(ii) Located, identified, and ascertained the condition of all wells within the injection well's area of review (as specified in §146.63) that penetrate the injection zone or the confining zone by use of a protocol acceptable to the Director that meets the substantive requirements of §146.64;

(iii) Submitted a corrective action plan that meets the substantive requirements of §146.64, the implementation of which shall become a condition of petition approval; and

(iv) Submitted the results of pressure and radioactive tracer tests performed within one year prior to submission of the petition demonstrating the mechanical integrity of the well's long string casing, injection tube, annular seal, and bottom hole cement. In cases where the petition has not been approved or denied within one year after the initial demonstration of mechanical integrity, the Director may require the owner or operator to perform the tests again and submit the results of the new tests.

NOTE: The requirements of §148.20(a)(2) need not be incorporated in a permit at the time of petition approval.

(b) A demonstration under §148.20(a)(1)(i) shall identify the strata within the injection zone which will confine fluid movement above the injection interval and include a showing that this strata is free of known transmissive faults of fractures and that there is a confining zone above the injection zone.

(c) A demonstration under §148.20(a)(1)(ii) shall identify the strata within the injection zone where waste transformation will be accomplished and include a showing that this strata is free of known transmissive faults or fractures and that there is a confining zone above the injection zone.

(d) A demonstration may include a showing that:

(1) Treatment methods, the implementation of which shall become a condition of petition approval, will be utilized that reduce the toxicity or mobility of the wastes; or

(2) A monitoring plan, the implementation of which shall become a condition of petition approval, will be utilized to enhance confidence in one or more aspects of the demonstration.

(e) Any person who has been granted an exemption pursuant to this section may submit a petition for reissuance of the exemption to include an additional restricted waste or wastes or to modify any conditions placed on the exemption by the Director. The Director shall reissue the petition if the petitioner complies with the requirements of paragraphs (a), (b) and (c) of this section.

(f) Any person who has been granted an exemption pursuant to this section may submit a petition to modify an exemption to include an additional (hazardous) waste or wastes. The Director may grant the modification if he determines, to a reasonable degree of certainty, that the additional waste or wastes will behave hydraulically and chemically in a manner similar to previously included wastes and that it will not interfere with the containment capability of the injection zone.

§148.21 Information to be submitted in support of petitions.

(a) Information submitted in support of §148.20 must meet the following criteria:

(1) All waste analysis and any new testing performed by the petitioner shall be accurate and reproducible and performed in accordance with quality assurance standards;

(2) Estimation techniques shall be appropriate, and EPA-certified test protocols shall be used where available and appropriate;

(3) Predictive models shall have been verified and validated, shall be appropriate for the specific site, waste streams, and injection conditions of the operation, and shall be calibrated for existing sites where sufficient data are available;

(4) An approved quality assurance and quality control plan shall address all aspects of the demonstration;

(5) Reasonably conservative values shall be used whenever values taken from the literature or estimated on the basis of known information are used instead of site-specific measurements; and

(6) An analysis shall be performed to identify and assess aspects of the demonstration that contribute significantly to uncertainty. The petitioner shall conduct a sensitivity analysis to determine the effect that significant uncertainty may contribute to the demonstration. The demonstration shall then be based on conservative assumptions identified in the analysis.

(b) Any petitioner under §148.20(a)(1)(i) shall provide sufficient site-specific information to support the demonstration, such as:

(1) Thickness, porosity, permeability and extent of the various strata in the injection zone;

(2) Thickness, porosity, permeability, extent, and continuity of the confining zone;

(3) Hydraulic gradient in the injection zone;

(4) Hydrostatic pressure in the injection zone; and

(5) Geochemical conditions of the site.

(c) In addition to the information in §148.21(b), any petitioner under §148.20(a)(1)(ii) shall provide sufficient waste-specific information to ensure reasonably reliant predictions about the waste transformation. The petitioner shall provide the information necessary to support the demonstration, such as:

(1) Description of the chemical processes or other means that will lead to waste transformation; and

(2) Results of laboratory experiments verifying the waste transformation.

§148.22 Requirements for petition submission, review and approval or denial.

(a) Any petition submitted to the Director pursuant to §148.20(a) shall include the following components:

(1) An identification of the specific waste or wastes and the specific injection well or wells for which the demonstration will be made;

(2) A waste analysis to describe fully the chemical and physical characteristics of the subject wastes;

(3) Such additional information as is required by the Director to support the petition under §§148.20 and 148.21; and

(4) This statement signed by the petitioner or an authorized representative:

> I certify under penalty of law that I have personally examined and am familiar with the information submitted in this petition and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(b) The Director shall provide public notice and an opportunity for public comment in accordance with the procedures in §124.10 of the intent to approve or deny a petition. The final decision on a petition will be published in the FEDERAL REGISTER.

(c) If an exemption is granted it will apply only to the underground injection of the specific restricted waste or wastes identified in the petition into a Class I hazardous waste injection well or wells specifically identified in the petition (unless the exemption is modified or reissued pursuant to §148.20(e) or (f).

(d) Upon request by any petitioner who obtains an exemption for a well under this subpart, the Director shall initiate and reasonably expedite the necessary procedures to issue or reissue a permit or permits for the hazardous waste well or wells covered by the exemption for a term not to exceed ten years.

§148.23 Review of exemptions granted pursuant to a petition.

(a) When considering whether to reissue a permit for the operation of a Class I hazardous waste injection well, the Director shall review any petition filed pursuant to §148.20 and require a new demonstration if information shows that the basis for granting the exemption may no longer be valid.

(b) Whenever the Director determines that the basis for approval of a petition may no longer be valid, the Director shall require a new demonstration in accordance with §148.20.

§148.24 Termination of approved petition.

(a) The Director may terminate an exemption granted under §148.20 for the following causes:

(1) Noncompliance by the petitioner with any condition of the exemption;

(2) The petitioner's failure in the petition or during the review and approval to disclose fully all relevant facts, or the petitioner's misrepresentation of any relevant facts at any time; or

(3) A determination that new information shows that the basis for approval of the petition is no longer valid.

(b) The Director shall terminate an exemption granted under §148.20 for the following causes:

(1) The petitioner's willful withholding during the review and approval

of the petition of facts directly and materially relevant to the Director's decision on the petition;

(2) A determination that there has been migration from the injection zone or the well that is not in accordance with the terms of the exemption, except that the Director may at his discretion decide not to terminate where:

(i) The migration resulted from a mechanical failure of the well that can be corrected promptly through a repair to the injection well itself or from an undetected well or conduit that can be plugged promptly; and

(ii) The requirements of §146.67(i) are satisfied.

(c) The Director shall follow the procedures in §124.5 in terminating any exemption under this section.

PART 149—SOLE SOURCE AQUIFERS

Subpart A—Criteria for Identifying Critical Aquifer Protection Areas

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AUTHORITY: Sec. 1424(e), Safe Drinking Water Act (42 U.S.C. 300h–3(e); sec. 1427 of the Safe Drinking Water Act, (42 U.S.C. 300h–6).

Subpart A—Criteria for Identifying Critical Aquifer Protection Areas

SOURCE: 52 FR 23986, June 26, 1987, unless otherwise noted.

§149.1 Purpose.

The purpose of this subpart is to provide criteria for identifying critical aquifer protection areas, pursuant to section 1427 of the Safe Drinking Water Act (SDWA).

§149.2 Definitions.

(a) *Aquifer* means a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

(b) *Recharge* means a process, natural or artificial, by which water is added to the saturated zone of an aquifer.

(c) *Recharge Area* means an area in which water reaches the zone of saturation (ground water) by surface infiltration; in addition, a *major recharge area* is an area where a major part of the recharge to an aquifer occurs.

(d) *Sole or Principal Source Aquifer* (SSA) means an aquifer which is designated as a SSA under section 1424(e) of the SDWA.

[54 FR 6843, Feb. 14, 1989]

§149.3 Critical Aquifer Protection Areas.

A Critical Aquifer Protection Area is either:

(a) All or part of an area which was designated as a sole or principal source aquifer prior to June 19, 1986, and for which an areawide ground-water quality protection plan was approved, under section 208 of the Clean Water Act, prior to that date; or

(b) All or part of a major recharge area of a sole or principal source aquifer, designated before June 19, 1988, for which:

(1) The sole or principal source aquifer is particularly vulnerable to contamination due to the hydrogeologic characteristics of the unsaturated or saturated zone within the suggested critical aquifer protection area; and

(2) Contamination of the sole or principal source aquifer is reasonably likely to occur, unless a program to reduce or prevent such contamination is implemented; and

(3) In the absence of any program to reduce or prevent contamination, reasonably foreseeable contamination would result in significant cost, taking into account:

(i) The cost of replacing the drinking water supply from the sole or principal source aquifer, and

(ii) Other economic costs and environmental and social costs resulting from such contamination.

[54 FR 6843, Feb. 14, 1989]

Subpart B—Review of Projects Affecting the Edwards Underground Reservoir, A Designated Sole Source Aquifer in the San Antonio, Texas Area

SOURCE: 42 FR 51574, Sept. 29, 1977, unless otherwise noted. Redesignated at 52 FR 23986, June 26, 1987.

§ 149.100 Applicability.

This subpart sets forth, pursuant to sections 1424(e) and 1450 of the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93–523, regulations relating the Edwards Underground Reservoir which is the sole or principal drinking water source for the San Antonio area and which, if contaminated, would create a significant hazard to public health.

[42 FR 51574, Sept. 29, 1977. Redesignated and amended at 52 FR 23986, June 26, 1987]

§ 149.101 Definitions.

As used in this subpart and except as otherwise specifically provided, the term(s):

(a) *Act* means the Public Health Service Act, as amended by the Safe Drinking Water Act, Public Law 93–523.

(b) *Contaminant* means any physical, chemical, biological, or radiological substance or matter in water.

(c) *Recharge zone* means the area through which water enters the Edwards Underground Reservoir as defined in the December 16, 1975, Notice of Determination.

(d) *Administrator* (Regional Administrator) means the Administrator (Regional Administrator) of the United States Environmental Protection Agency.

(e) *Person* means an individual, corporation, company, association, partnership, State, or municipality.

(f) *Project* means a program or action for which an application for Federal financial assistance has been made.

(g) *Federal financial assistance* means any financial benefits provided directly as aid to a project by a department, agency, or instrumentality of the Federal government in any form including contracts, grants, and loan guarantees. Actions or programs carried out by the Federal government itself such as dredging performed by the Army Corps of Engineers do not involve Federal financial assistance. Actions performed for the Federal government by contractors, such as construction of roads on Federal lands by a contractor under the supervision of the Bureau of Land Management, should be distinguished from contracts entered into specifically for the purpose of providing financial assistance, and will not be considered programs or actions receiving Federal financial assistance. Federal financial assistance is limited to benefits earmarked for a specific program or action and directly awarded to the program or action. Indirect assistance, e.g., in the form of a loan to a developer by a lending institution which in turn receives Federal assistance not specifically related to the project in question is not Federal financial assistance under section 1424(e).

(h) *Commitment of Federal financial assistance* means a written agreement entered into by a department, agency, or instrumentality of the Federal Government to provide financial assistance as defined in paragraph (g) of this section. Renewal of a commitment which the issuing agency determines has lapsed shall not constitute a new commitment unless the Regional Administrator determines that the project's impact on the aquifer has not been previously reviewed under section 1424(e). The determination of a Federal agency that a certain written agreement constitutes a commitment shall be conclusive with respect to the existence of such a commitment.

(i) *Streamflow source zone* means the upstream headwaters area which drains into the recharge zone as defined in the December 16, 1975, Notice of Determination.

(j) *Significant hazard to public health* means any level of contaminant which causes or may cause the aquifer to exceed any maximum contaminant level set forth in any promulgated National Primary Drinking Water Standard at any point where the water may be used for drinking purposes or which may

otherwise adversely affect the health of persons, or which may require a public water system to install additional treatment to prevent such adverse effect.

(k) *Aquifer* means the Edwards Underground Reservoir.

[42 FR 51574, Sept. 29, 1977. Redesignated and amended at 52 FR 23986, June 26, 1987]

§ 149.102 Project review authority.

(a) Once an area is designated, no subsequent commitments of Federal financial assistance may be made to projects which the Administrator determines may contaminate the aquifer so as to create a significant hazard to public health.

(b) The Regional Administrator is hereby delegated the authority and assigned responsibility for carrying out the project review process assigned to the Administrator under section 1424(e) of the Act, except the final determination that a project may contaminate the aquifer through its recharge zone so as to create a significant hazard to public health.

(c) The Regional Administrator may review any project which he considers may potentially contaminate the aquifer through its recharge zone so as to create a significant hazard to public health.

§ 149.103 Public information.

After the area is designated under section 1424(e), Federal agencies, for projects, located in the recharge zone and streamflow source zones, are required to:

(a) Maintain a list of projects for which environmental impact statements will be prepared in accordance with the National Environmental Policy Act (NEPA);

(b) Revise the list at regular intervals and submit to EPA; and

(c) Make the list available to the public upon request.

§ 149.104 Submission of petitions.

Any person may submit a petition requesting the Regional Administrator to review a project to determine if such project may contaminate the aquifer through its recharge zone so as to create a significant hazard to public health. Any such petition shall identify:

(a) The name, address, and telephone number of the individual, organization, or other entity submitting the petition;

(b) A brief statement of the requesting person's interest in the Regional Administrator's determination;

(c) The name of the project and Federal agency involved;

In addition, the petitioner is requested to submit to EPA available information on:

(d) Applicable action already taken by State and local agencies including establishment of regulations to prevent contamination of the aquifer and why, in the petitioner's judgment, the action was inadequate.

(e) Any actions taken under the National Environmental Policy Act and why, in the petitioner's judgment, that action was inadequate in regard to evaluation of potential effect on the aquifer.

(f) The potential contaminants involved;

(g) The means by which the contaminant might enter the aquifer; and

(h) The potential impact of the proposed project.

§ 149.105 Decision to review.

(a) The Regional Administrator shall review under section 1424(e) all projects located in the recharge or streamflow source zone of the aquifer for which a draft or final EIS is submitted which may have an impact on ground water quality and which involve Federal financial assistance as defined in these regulations.

(b) Upon receipt of a public petition, the Regional Administrator shall decide whether the project which is the subject of the petition should be reviewed under section 1424(e).

(c) The Regional Administrator may decide to review a project upon his own motion.

(d) In determining whether to review a project upon receipt of a public petition or upon his own motion, the Regional Administrator shall consider whether the project is likely to directly or indirectly cause contamination of the aquifer through its recharge

zone, taking into account any factors he deems relevant, including:

(1) The location of the project, and

(2) The nature of the project.

(e) In determining whether to review a project upon receipt of a public petition or upon his own motion, the Regional Administrator may consult with, or request information from, the Federal agency to which the project application has been made, the applicant seeking Federal assistance, appropriate State and local agencies, and other appropriate persons or entities.

(f) In determining whether to review a project which is the subject of a public petition, the Regional Administrator may request such additional information from the petitioner as he deems necessary.

§ 149.106 Notice of review.

(a) *Notice to Federal agency*. If the Regional Administrator decides upon receipt of a public petition or upon his own motion to review a project under section 1424(e), he shall give written notification of the decision to the Federal agency from which financial assistance is sought. The notification shall include a description and identification of the project.

(b) *Notice to public*. When the Regional Administrator undertakes to review a project pursuant to §149.13 above, he shall provide public notice of project review by such means as he deems appropriate. The notice shall set forth the availability for public review of all data and information available, and shall solicit comments, data and information with respect to the determination of impact under section 1424(e). The period for public comment shall be 30 days after public notice unless the Regional Administrator extends the period at his discretion or a public hearing is held under §149.16.

§ 149.107 Request for information.

In reviewing a project under section 1424(e), the Regional Administrator may request any additional information from the funding Federal agency which is pertinent to reaching a decision. If full evaluation of the groundwater impact of a project has not been submitted in accordance with the agency's NEPA procedures, the Regional Administrator may specifically request that the Federal agency submit a groundwater impact evaluation of whether the proposed project may contaminate the aquifer through its recharge zone so as to create a significant hazard to public health.

§ 149.108 Public hearing.

If there is significant public interest, the Regional Administrator may hold a public hearing with respect to any project or projects to be reviewed if he finds that such a hearing is necessary and would be helpful in clarifying the issues. Public hearings held under this section should be coordinated, if possible, with other Federal public hearings held pursuant to applicable laws and regulations. Any such hearing shall be conducted by the Regional Administrator or designee in an informal, orderly and expeditious manner. Where appropriate, limits may be placed upon the time allowed for oral statements, and statements may be required to be submitted in writing. The record will be held open for further public comment for seven (7) days following the close of the public hearing.

§ 149.109 Decision under section 1424(e).

(a) As soon as practicable after the submission of public comments under section 1424(e) and information requested by the Environmental Protection Agency from the originating Federal agency, on the basis of such information as is available to him, the Regional Administrator shall review the project taking all relevant factors into account including:

(1) The extent of possible public health hazard presented by the project;

(2) Planning, design, construction, operation, maintenance and monitoring measures included in the project which would prevent or mitigate the possible health hazard;

(3) The extent and effectiveness of State or local control over possible contaminant releases to the aquifer;

(4) The cumulative and secondary impacts of the proposed project; and

(5) The expected environmental benefits of the proposed project.

(b) After reviewing the available information, the Regional Administrator shall:

(1) Determine that the risk of contamination of the aquifer through the recharge zone so as to create a significant hazard to public health is not sufficiently great so as to prevent commitment of Federal funding to the project; or

(2) Forward the information to the Administrator with his recommendation that the project may contaminate the aquifer through the recharge zone so as to create a significant hazard to public health.

(c) After receiving the available information forwarded by the Regional Administrator, the Administrator shall:

(1) Determine that the risk of contamination of the aquifer through the recharge zone so as to create a significant hazard to public health is not sufficiently great so as to prevent commitment of Federal funding to the project; or

(2) Determine that the project may contaminate the aquifer through the recharge zone so as to create a significant hazard to public health.

(d) Notice of any decisions by the Regional Administrator under paragraph (b)(1) of this section or by the Administrator under paragraphs (c)(1) and (2) of this section to prevent a commitment of Federal funding shall be published in the FEDERAL REGISTER. Such notices shall include a description of the propsed project, and a statement of decision with an accompanying statement of facts and reasons.

§ 149.110 Resubmittal of redesigned projects.

If a project is redesigned in response to EPA's objections, the applicant for Federal financial assistance or the grantor agency may file a petition with the Regional Administrator for withdrawal of the determination that the project may contaminate the aquifer through the recharge zone so as to create a significant hazard to public health. Any such petition shall demonstrate how the project has been redesigned so as to justify the withdrawal of EPA's objections. If appropriate, the Regional Administrator may request public comments or hold an informal public hearing to consider the petition. After review of pertinent information, the Regional Administrator shall either deny the petition or recommend to the Administrator that the initial determination that a project may contaminate the aquifer be vacated. Upon receipt of a recommendation from the Regional Administrator that a determination be vacated, the Administrator shall either deny the petition or order that the initial determination be vacated. The final decision regarding a petition shall be published in the FEDERAL REGISTER with an accompanying statement of reasons.

§ 149.111 Funding to redesigned projects.

After publication of a decision that a proposed project may contaminate a sole or principal source aquifer in a designated area through its recharge zone so as to create a significant hazard to public health, a commitment for Federal financial assistance may be entered into, if authorized under another provision of law, to plan or redesign such project to assure that it will not so contaminate the aquifer.