

Environmental Protection Agency

§ 141.152

(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; 71 FR 482, Jan. 4, 2006]

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 levels prescribed by §141.24(h)(18) for the contaminants listed in §141.61(c), at or above the levels prescribed by §141.131(b)(2)(iv) for the contaminants or contaminant groups listed in §141.64, 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.

[63 FR 44526, Aug. 19, 1998, as amended at 71 FR 483, Jan. 4, 2006]

§ 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

§ 141.153

40 CFR Ch. I (7-1-12 Edition)

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