

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 M—Information Collection Requirements (ICR) for Public Water Systems**

SOURCE: 61 FR 24368, May 14, 1996, unless otherwise noted.

EFFECTIVE DATE NOTE: At 61 FR 24368, May 14, 1996, subpart M, consisting of §§141.140 through 141.144, was added, effective June 18, 1996 and will expire on Dec. 31, 2000.

**§ 141.140 Definitions specific to subpart M.**

The following definitions apply only to the requirements of subpart M of this part and are arranged alphabetically.

*Distribution system* means the components of a PWS that are under the control of that PWS located after the point where the finished water sample is taken and that provide distribution, storage, and/or booster disinfection of finished water.

*Distribution System Equivalent (DSE) sample* means a sample collected from the distribution system for the purpose of comparing it with the "simulated distribution system (SDS) sample". The DSE sample shall be selected using the following criteria:

- (1) No additional disinfectant added between the treatment plant and the site where the DSE sample is collected;
- (2) Approximate detention time of water is available; and
- (3) There is no blending with finished water from other treatment plants.

*Entry point to distribution system* means a location following one or more finished water sample points but prior to the beginning of the distribution system.

*Finished water* means water that does not undergo further treatment by a treatment plant other than maintenance of a disinfection residual.

*Haloacetic acids (five) (HAA5)* means the sum of the concentration in micrograms per liter of the haloacetic acids mono-, di-, and trichloroacetic acid; mono-, and di-, bromoacetic acid, rounded to two significant figures.

*Haloacetic acids (six) (HAA6)* means the concentration in micrograms per liter of the haloacetic acids mono-, di-, and trichloroacetic acid; mono-, and di- bromoacetic acid; and bromochloroacetic acid, rounded to two significant figures.

*Haloacetonitriles (HAN)* means the concentration in micrograms per liter of the haloacetonitriles dichloro-, trichloro-, bromochloro-, and dibromoacetonitrile, rounded to two significant figures.

*Haloketones (HK)* means the concentration in micrograms per liter of the haloketones 1,1-dichloropropanone and 1,1,1-trichloropropanone, rounded to two significant figures.

*Intake* means the physical location at which the PWS takes water from a water resource. Thereafter, the water is under the control of that PWS.

*Notice of applicability* means a notice sent by EPA to a PWS that indicates that EPA believes that the PWS must comply with some or all requirements of subpart M. The PWS is required to reply to this notice by providing information specified in the notice (e.g., retail and wholesale population served, types of water sources used, volume of water treated) by the date provided in subpart M.

*Process train* means some number of unit processes connected in series starting from the treatment plant influent and ending with finished water. A particular unit process may be in more than one process train.

*Purchased finished water* means finished water purchased by one PWS from another PWS (the wholesaler). Purchased finished water includes both purchased finished water that is redisinfectant and purchased finished water that is not.

*Simulated distribution system (SDS) sample* means a finished water sample incubated at the temperature and de-

tention time of a "DSE sample" collected from the distribution system. Analytical results of the SDS sample will be compared with the DSE sample to determine how well the SDS sample predicts disinfection byproduct formation in the actual distribution system sample.

*Total finished water* means the flow (volume per unit of time) of finished water obtained from all treatment plants operated by a PWS and includes purchased finished water. This flow includes water entering the distribution system and water sold to another PWS.

*Treatment plant* means the PWS components that have as their exclusive source of water a shared treatment plant influent and that deliver finished water to a common point which is located prior to the point at which finished water enters a distribution system or is diverted for sale to another PWS. For these components of the PWS to be considered part of one treatment plant, the PWS must be able to collect one representative treatment plant influent sample, either at a single sample point or by a composite of multiple influent samples, and there must exist a single sampling point where a representative sample of finished water can be collected. For the purpose of subpart M, a treatment plant is considered to include any site where a disinfectant or oxidant is added to water prior to the water entering the distribution system. Facilities in which ground water is disinfected prior to entering a distribution system, and facilities in which purchased finished water has a disinfectant added prior to entering a distribution system, are considered treatment plants.

*Treatment plant influent* means water that represents the water quality challenge to a particular plant.

*Treatment system* means all treatment plants operated by one PWS.

*Trihalomethanes (four) (THM4)* means the sum of the concentration in micrograms per liter of the trihalomethanes chloroform, bromodichloromethane, dibromochloromethane, and bromoform, rounded to two significant figures.

*Unit process* means a component of a treatment process train which serves any treatment purpose such as mixing or sedimentation for which design and operating information is requested in § 141.142(a), Table 6c, of this subpart.

*Water resource* means a body of water before it passes through an intake structure. Examples of a water resource include a river, lake, or aquifer. For a PWS which purchases finished water, the water resource is the wholesale PWS which supplies the purchased finished water. Generally water resources are not under the direct control of a PWS.

*Watershed control practice* means protection of a water resource from microbiological contamination prior to the water entering an intake. These protective measures might include, but are not limited to, a watershed control program approved under § 141.71(b)(2) of this part, or land use restrictions.

**§ 141.141 General requirements, applicability, and schedule for information collection.**

(a) *General requirements.* (1) The purpose of subpart M is to collect specified information from certain PWSs for a limited period of time. Accordingly, subpart M is of limited duration and is effective for a defined period (see §§ 141.6(i) and 141.141(e) of this part). Since subpart M does not establish continuing obligations, a PWS that has completed all of its requirements at the required duration and frequency may discontinue its information collection efforts even if subpart M is still in effect.

(2) For the purpose of this subpart, a PWS shall make applicability determinations based on completion of data gathering, calculations, and treatment plant categorization specified in appendix A to paragraph (a) of this section.

(3) For the purpose of this subpart, a PWS that uses multiple wells drawing from the same aquifer and has no central treatment plant is considered to have one treatment plant for those wells and shall conduct required monitoring under this specification. A PWS with multiple wells in one or more aquifers that are treated in the same treatment plant is considered to have one treatment plant for those wells and

shall conduct required monitoring under this specification.

(i) To the extent possible, the PWS should sample at the well with the largest flow and at the same well each month for the duration of required monitoring.

(ii) A PWS must report information from § 141.142(a) tables 6a through 6e of this subpart for each well that the PWS sampled.

(4) For the purpose of this subpart, a PWS shall treat ground water sources that have been classified by the State as under the direct influence of surface water by May 14, 1996, as surface water sources. A PWS shall treat ground water sources that either have not been classified by the State (as under the direct influence of surface water or not) or have been classified by the State as ground water, by May 14, 1996, as ground water sources.

APPENDIX A TO 40 CFR 141.141(a)

*Purpose.* The purpose of this appendix is to enable the PWS to assign proportional amounts of its retail and wholesale population served to specific treatment plants. The PWS shall then use these values to determine which specific requirements in subpart M that it must comply with and on what schedule.

*Period of applicability determination.* For the purpose of this appendix, a PWS shall make applicability determinations based on population calculated as annual averages based on PWS records of treatment system or treatment plant operation during calendar year 1995.

—If a natural disaster made a treatment system or treatment plant inoperable for one or more calendar months in 1995, the applicability determination will be based on those months in 1995 during which the treatment system or treatment plant was in operation, plus the calendar months from 1994 that are representative of those months of 1995 during which the treatment system or treatment plant was inoperable. The total time period shall be 12 months.

—If the treatment system or treatment plant was not in operation during one or more calendar months during 1995 due to a seasonal reduction in demand for finished water, the months that the treatment system or treatment plant was not in operation are to be included in the 12 months of applicability determination with zero flow indicating no operation.

—If the treatment system or treatment plant was not in operation for one or more