

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|--------------|---------------------|--|----------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 283-35 (COR) | Sabina Flores Perez | AN ACT TO REPEAL AND REENACT CHAPTER 53 OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER ACT; TO REPEAL CHAPTER 53A OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM LEAD BAN ACT; AND TO REPEAL AND REENACT CHAPTER 6 OF DIVISION 2, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER REGULATIONS. | 2/6/20 12:16 p.m. | | | | | | |

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 283-35 (WR)

Introduced by:

Sabina Flores Perez SFP

AN ACT TO REPEAL AND REENACT CHAPTER 53 OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER ACT; TO REPEAL CHAPTER 53A OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM LEAD BAN ACT; AND TO REPEAL AND REENACT CHAPTER 6 OF DIVISION 2, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER REGULATIONS.

2020 FEB -6 PM 12:16

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 the “Guam Safe Drinking Water Act” in Guam Code Annotated has not been updated
4 since 1977, and its respective rules and regulations were last updated in 2005. In the
5 intervening years, while significant federal regulations have been adopted to protect
6 the public and environment, Guam’s laws have lagged behind.

7 With this legislation, *I Liheslatura* aims to modernize the Guam Safe Drinking
8 Water Act, close regulatory gaps, update and incorporate the Guam Lead Ban Act,
9 and ultimately allow Guam to regain primacy over the regulation of safe drinking
10 water on the island.

11 *I Liheslatura* finds that the proposed revisions are necessary in order to
12 support Guam’s upcoming application for primacy over the Revised Total Coliform

1 Rule and Groundwater Rule, which are the two primary regulations that protect the
2 public against the transmission of water-borne disease. Currently Guam does not
3 have primacy, which is the ability to directly enforce safe drinking water regulations,
4 over these two very important rules. As a consequence, ultimate enforcement
5 authority currently rests with the federal government; GEPA must refer violations
6 to the United States Environmental Protection Agency (USEPA) for enforcement
7 action based on federal regulations, which is a lengthier and inefficient process. As
8 such, enforcement is more difficult, endangering the ability to hold violators
9 accountable for endangering our island's drinking water.

10 *I Liheslatura* also finds that when the Guam Safe Drinking Water Regulations
11 were last updated by P.L. 26-86 in 2005, it was not officially codified, and old
12 language was not removed from GARR. So, while P.L. 26-86 is enforced today as
13 the most current approved rules and regulations, outdated and conflicting language
14 remains in GARR, which may potentially confuse the public. This legislation will
15 correct this oversight.

16 *I Liheslatura* finds that the regulatory language proposed in this legislation,
17 which was developed by GEPA, adopts current federal safe drinking water
18 regulations by reference, except where language specific to Guam is necessary. For
19 each localized amendment, the language either meets or exceeds federal regulations,
20 which is a requirement for gaining primary enforcement ability over the safe
21 drinking water program. The revised regulations will also adopt the Revised Total
22 Coliform Rule and the Groundwater Rule, which took effect after the Guam Safe
23 Drinking Water Regulations were last updated. Finally, the revised regulations
24 include a new section updating and implementing the lead ban, including improved
25 methods for enforcement.

26 *I Liheslaturan Guåhan* therefore intends to update the Safe Drinking Water
27 Act and corresponding rules and regulations to better protect the public and our

1 environment, and to enable GEPA to gain primary enforcement over our island's
2 safe drinking water regulations.

3 **Section 2.** Chapter 53 of Division 2, Title 10, Guam Code Annotated is
4 hereby *repealed* and *reenacted* read:

5 **~~“CHAPTER 53~~**

6 **~~SAFE DRINKING WATER ACT~~**

7 ~~§ 53101.— Title.~~

8 ~~§ 53102.— Statement of Policy.~~

9 ~~§ 53103.— Definitions.~~

10 ~~§ 53104.— Administration.~~

11 ~~§ 53105.— Drinking Water Standards.~~

12 ~~§ 53106.— Review of Plans and Specifications.~~

13 ~~§ 53107.— Right of Entry and Inspection.~~

14 ~~§ 53108.— Laboratory Certification.~~

15 ~~§ 53109.— Variances and Exemptions.~~

16 ~~§ 53110.— Notification of User and Regulatory Agencies.~~

17 ~~§ 53111.— Imminent Hazards.~~

18 ~~§ 53112.— Plan for Emergency Provision of Water.~~

19 ~~§ 53113.— Prohibited Acts.~~

20 ~~§ 53114.— Remedies.~~

21 ~~§ 53115.— Hearings.~~

22 ~~§ 53116.— Severability.~~

23 ~~§ 53117.— Effective Date.~~

24 **~~§ 53101.— Title.~~**

25 This Chapter shall be known as the *Guam Safe Drinking Water Act*.

26 **~~§ 53102.— Statement of Policy.~~**

1 It is hereby declared to be the public policy of this Territory and the
2 purpose of this Act to protect public water supplies from contamination and
3 to require the provision of safe drinking water for public consumption in order
4 to protect human health and safety to the greatest degree practicable.

5 To these ends, it is the purpose of this Chapter to provide a
6 comprehensive territory wide program for the protection and provision of
7 safe drinking water.

8 **§ 53103. — Definitions.**

9 As used in this Chapter:

10 (a) — *Agency* means the Guam Environmental Protection Agency as
11 established by Chapter 1 of Title LXI [Compiled here as Chapter 45 of Part 2
12 of Division 2 of GCA Title 10].

13 (b) — *Administrator* means the Administrator of the Guam
14 Environmental Protection Agency.

15 (c) — *Public Water System* means a system owned or operated by any
16 person which provides piped water for human consumption if the system has
17 at least fifteen (15) service connections or regularly serves at least twenty five
18 (25) individuals, such term includes:

19 (1) — Any collection, treatment, storage and distribution
20 facilities controlled by the system and used primarily in connection
21 with the system; and

22 (2) — Any collection or pretreatment storage facilities not under
23 control of, but which are used primarily in connection with the system.

24 (d) — *Board* means the Board of Directors of the Guam Environmental
25 Protection Agency.

1 ~~(e) — *Person* means an individual, corporation, company, association,~~
2 ~~partnership, Federal agency or subdivision or agency of the government of~~
3 ~~Guam.~~

4 ~~(f) — *Federal Agency* means any department, agency or~~
5 ~~instrumentality of the United States.~~

6 ~~(g) — *Supplier of Water* means any person who owns or operates a~~
7 ~~public water system.~~

8 ~~(h) — *Contaminant* means any physical, chemical, biological or~~
9 ~~radiological substance or matter in water which, as determined by the Agency,~~
10 ~~may have an adverse effect upon human health or may be harmful to the public~~
11 ~~welfare.~~

12 ~~(i) — *Federal Administrator* means the Administrator of the United~~
13 ~~States Environmental Protection Agency.~~

14 ~~(j) — *Federal Act* means the Safe Drinking Water Act, P.L. 93-523.~~

15 ~~(k) — *Primary Drinking Water Regulation* means a regulation which:~~

16 ~~(1) — applies to public water systems;~~

17 ~~(2) — specifies contaminants which, as determined by the~~
18 ~~Agency, may have any adverse effect on the health of persons;~~

19 ~~(3) — specifies for each contaminant either:~~

20 ~~(i) — a maximum contaminant level if, as determined by~~
21 ~~the Agency, it is economically and technologically feasible to~~
22 ~~ascertain the level of such contaminant in public water systems;~~
23 ~~or~~

24 ~~(ii) — if, as determined by the Agency, it is not~~
25 ~~economically or technologically feasible to ascertain the~~
26 ~~contaminant level, each treatment technique known to the~~
27 ~~Agency which leads to a reduction in the level of such~~

1 ~~contaminant sufficient to satisfy the requirements of § 53105;~~

2 ~~and~~

3 ~~(4) contains criteria and procedures to assure a supply of~~
4 ~~drinking water, the quality of which does not exceed maximum~~
5 ~~contaminant levels; it includes quality control and testing procedures to~~
6 ~~insure compliance with such standards and proper operation and~~
7 ~~maintenance of the system, and requirements as to:~~

8 ~~(i) the minimum quality of water which may be taken~~
9 ~~into the system; and~~

10 ~~(ii) siting for new facilities for public water systems.~~

11 ~~(l) *Secondary Drinking Water Regulation* means a regulation which~~
12 ~~applies to public water systems and which specifies the maximum contami-~~
13 ~~nant level which, in the judgment of the Agency, are requisite to protect the~~
14 ~~public welfare.~~

15 ~~(m) *National Primary Drinking Water Regulations* means primary~~
16 ~~drinking water regulations promulgated by the Federal Environmental Pro-~~
17 ~~tection Agency pursuant to the Federal Act.~~

18 ~~(n) *National Secondary Drinking Water Regulations* means a~~
19 ~~secondary drinking water regulations promulgated by the Federal Environ-~~
20 ~~mental Protection Agency pursuant to the Federal Act.~~

21 ~~(o) *Injection* means the subsurface emplacement of any material~~
22 ~~gaseous, liquid or solid or any admixture thereof, which may add a~~
23 ~~contaminant to underground waters.~~

24 ~~§ 53104. Administration.~~

25 ~~The Agency is herein authorized to:~~

26 ~~(a) Perform any and all acts necessary to carry out the purposes and~~
27 ~~requirements of this Chapter;~~

1 ~~(b) — Administer and enforce the provisions of this Chapter and all~~
2 ~~rules, regulations and orders promulgated;~~

3 ~~(c) — Enter into agreements, contracts or cooperative arrangements~~
4 ~~with any person for the purpose of carrying out this Act;~~

5 ~~(d) — Receive financial and technical assistance from the Federal~~
6 ~~government and other public or private agencies to carry out the provisions of~~
7 ~~this Chapter;~~

8 ~~(e) — Participate in related programs of any public or private agencies~~
9 ~~or organizations;~~

10 ~~(f) — Establish adequate fiscal controls and accounting procedures to~~
11 ~~assure proper disbursement of and an accounting for funds appropriated or~~
12 ~~received for the purpose of carrying out this Chapter;~~

13 ~~(g) — Delegate those responsibilities and duties as appropriate for the~~
14 ~~purpose of administering the requirements of this Chapter;~~

15 ~~(h) — Establish and collect fees for conducting plan reviews,~~
16 ~~inspections and laboratory analyses as necessary for the purpose of carrying~~
17 ~~out this Chapter;~~

18 ~~(i) — Prescribe such regulations as necessary to carry out functions~~
19 ~~under this Chapter;~~

20 ~~(j) — Make such investigations and inspections as may be necessary to~~
21 ~~insure compliance with this Chapter; and~~

22 ~~(k) — Encourage voluntary cooperation by persons and affected groups~~
23 ~~to achieve the purposes of this Chapter.~~

24 ~~§ 53105. — Drinking Water Standards.~~

25 ~~(a) — The Agency shall promulgate and enforce primary drinking~~
26 ~~water regulations and may promulgate and enforce secondary drinking water~~
27 ~~regulations. Primary drinking water regulations shall protect health using~~

1 ~~technology, treatment techniques and other means which are generally~~
2 ~~available. Maximum contaminant levels covered by primary drinking water~~
3 ~~regulations shall be set at a level at which no known or anticipated adverse~~
4 ~~effects on the health of persons occur and which allows an adequate margin~~
5 ~~of safety. Treatment techniques covered by primary drinking water~~
6 ~~regulations shall require treatment necessary to prevent known or anticipated~~
7 ~~adverse effects on the health of persons. Primary drinking water regulations~~
8 ~~shall be no less stringent than the national primary drinking water regulations~~
9 ~~in effect at that time.~~

10 ~~(b) — Maximum contaminant levels covered by secondary drinking water~~
11 ~~regulations may be set at a level which shall protect the public welfare. Treatment~~
12 ~~techniques covered by secondary drinking water regulations may require treatment~~
13 ~~necessary to prevent known or anticipated adverse effects on the welfare of persons.~~
14 ~~Secondary drinking water regulations should be no less stringent than the national~~
15 ~~secondary drinking water regulations.~~

16 ~~(c) — Subject to § 53110, primary and secondary drinking water regulations~~
17 ~~shall apply to each public water system in the Territory including those owned and~~
18 ~~operated by the government of Guam or Federal agencies.~~

19 ~~(d) — The Agency shall adopt and implement procedures for the enforcement~~
20 ~~of primary drinking water regulations, including monitoring, inspection and record~~
21 ~~keeping procedures which are not in conflict with the Federal Act.~~

22 ~~(e) — The Agency may promulgate and enforce regulations relating to cross-~~
23 ~~connection and back flow prevention control.~~

24 ~~(f) — The Agency shall promulgate regulations establishing an underground~~
25 ~~injection control program. Such program shall prohibit, effective not later than~~
26 ~~December 15, 1977, any underground injection which is not authorized by a permit~~
27 ~~issued by the Agency except that the Agency may authorize underground injection~~

1 ~~by regulation. Underground injection authorized by regulation shall not endanger~~
2 ~~drinking water sources. Any underground injection control program shall:~~

3 ~~(1) set standards and prohibitions controlling any underground~~
4 ~~injection if such injection may result in the presence of any contaminant in~~
5 ~~underground water which supplies or may be expected to supply any public~~
6 ~~water system, and if the presence of such contaminant may result in such~~
7 ~~system not complying with any national primary drinking water regulations~~
8 ~~or may otherwise adversely affect the health of persons;~~

9 ~~(2) require, in the case of a program which authorizes underground~~
10 ~~injection by permit, that the applicant for the permit satisfy the Administrator~~
11 ~~that the underground injection will meet the requirements of Subsection (f)(1)~~
12 ~~of this Section;~~

13 ~~(3) conform to all requirements of the Federal Act and any~~
14 ~~applicable regulations promulgated thereunder;~~

15 ~~(4) include inspection, monitoring, record keeping and reporting~~
16 ~~requirements.~~

17 ~~**§ 53106. — Review of Plans and Specifications.**~~

18 ~~Plans and specifications for the construction or substantial alteration of~~
19 ~~a public water system shall be submitted to the Administrator for approval in~~
20 ~~the form and manner specified in regulations adopted by the Agency.~~

21 ~~**§ 53107. — Right of Entry and Inspection.**~~

22 ~~(a) The Administrator or his authorized representative may enter at~~
23 ~~all reasonable times in or upon the property of any public water system for the~~
24 ~~purpose of inspecting and investigating the adequacy and sanitary condition~~
25 ~~of the water supply and the quality of its water.~~

26 ~~(b) The Agency may enter into cooperative agreements with Federal~~
27 ~~agencies to implement the provisions of this Paragraph on Federal facilities.~~

1 **~~§ 53108. — Laboratory Certification.~~**

2 ~~No laboratory shall perform the tests and analyses required by the~~
3 ~~Administrator pursuant to this Chapter for any public water system without~~
4 ~~first obtaining a certificate issued by the Administrator that such laboratory is~~
5 ~~competent and equipped to conduct such tests. Certificates shall be renewed~~
6 ~~every three (3) years after the date of issuance. The Administrator may revoke~~
7 ~~any certificate upon determination that the laboratory is no longer competent~~
8 ~~or equipped to conduct such tests or analyses.~~

9 **~~§ 53109. — Variances and Exemptions.~~**

10 ~~The Board may issue variances or exemptions from the regulations~~
11 ~~issued pursuant to § 53105 under conditions and in a manner consistent with~~
12 ~~the public interests; however, such variances or exemptions are not permitted~~
13 ~~under conditions less stringent than the conditions under which variances and~~
14 ~~exemptions may be granted under the Federal Act.~~

15 **~~§ 53110. — Notification of User and Regulatory Agencies.~~**

16 ~~Whenever a public water system:~~

17 ~~(a) — Fails to comply with an applicable standard, treatment technique~~
18 ~~or testing procedure requirement of the primary drinking water regulations;~~

19 ~~(b) — Fails to perform monitoring required by regulations adopted by~~
20 ~~the Agency;~~

21 ~~(c) — Is subject to a variance granted for an inability to meet a standard~~
22 ~~requirement;~~

23 ~~(d) — Is subject to an exemption; or~~

24 ~~(e) — Fails to comply with the requirements prescribed by the variance~~
25 ~~or exemption;~~

26 ~~The public water system shall promptly notify the Administrator and~~
27 ~~users in a form and manner prescribed by regulation by the Agency.~~

1 **§ 53111. — Imminent Hazards.**

2 ~~The Agency may, upon learning that a contaminant is present in or is~~
3 ~~likely to enter a public water system and may present an imminent and~~
4 ~~substantial danger to the public, take actions necessary to protect the health of~~
5 ~~the public. The actions which the Agency may take include but are not limited~~
6 ~~to:~~

7 ~~(a) — issuing such orders as may be necessary to protect the health of~~
8 ~~persons who are or may be users of such system (including travelers); and~~

9 ~~(b) — commencing a civil action for appropriate relief, including a~~
10 ~~restraining order or permanent or temporary injunction. Such action shall be~~
11 ~~conducted in and by the Superior Court of Guam.~~

12 **§ 53112. — Plan for Emergency Provision of Water.**

13 ~~The Agency shall develop a plan for the provision of safe drinking~~
14 ~~water under emergency circumstances. When the Administrator determines~~
15 ~~that emergency circumstances exist in the Territory with respect to a need for~~
16 ~~safe drinking water, he may take such actions as necessary with the~~
17 ~~concurrence of the Governor of Guam to implement the plan for safe drinking~~
18 ~~water.~~

19 **§ 53113. — Prohibited Acts.**

20 ~~The following acts are prohibited:~~

21 ~~(a) — Failure by a supplier of water to comply with the requirements~~
22 ~~of § 53110, or dissemination by any supplier of false or misleading~~
23 ~~information with respect to notices required pursuant to § 53110 or with~~
24 ~~respect to remedial actions undertaken to achieve compliance with primary~~
25 ~~drinking water regulations;~~

1 ~~(b) Failure by a supplier of water to comply with regulations~~
2 ~~promulgated pursuant to § 53105 or with the conditions for variances or~~
3 ~~exemptions issued under § 53109; and~~

4 ~~(c) Failure by any person to comply with any order issued by the~~
5 ~~Agency pursuant to this Chapter.~~

6 **§ 53114. Remedies.**

7 ~~The Administrator may enforce this Chapter in either administrative or~~
8 ~~judicial proceedings.~~

9 ~~(a) Administrative. If the Administrator determines that any person~~
10 ~~is violating any provision of this Chapter, any rule or regulation promulgated~~
11 ~~thereunder or any variance or exemption issued pursuant thereto, the~~
12 ~~Administrator may have that person served with a Notice of Violation and an~~
13 ~~Order. The notice shall specify the alleged violation. The order may require~~
14 ~~that the alleged violator do any or all of the following: cease and desist from~~
15 ~~the violation; pay a civil penalty not to exceed Five Thousand Dollars (\$5,000)~~
16 ~~for each day of violation; or appear before the Administrator at a time and~~
17 ~~place specified in the order and answer the charges complained of. The order~~
18 ~~shall become final ten (10) days after service unless within those ten (10) days~~
19 ~~the alleged violator requests in writing a hearing before the Board. Upon such~~
20 ~~request, the Board shall specify a time and place for the alleged violator to~~
21 ~~appear. When the Administrator issues an order for immediate action to~~
22 ~~protect the public health from an imminent and substantial danger, the Agency~~
23 ~~shall provide an opportunity for a hearing within twenty four (24) hours after~~
24 ~~service of the order. After a hearing pursuant to this Subsection before the~~
25 ~~Board, the Board may affirm, modify or rescind the Administrator's order as~~
26 ~~appropriate. The Administrator may institute a civil action in any court of~~

1 appropriate jurisdiction for the enforcement of any order issued pursuant to
2 this Subsection.

3 (b) ~~Judicial.~~ The Administrator may institute a civil action in the
4 Superior Court of Guam for injunctive relief to prevent violation of any order
5 or regulation issued pursuant to this Chapter in addition to any other remedy
6 provided for under this Section.

7 (c) ~~Nothing in this Chapter shall prevent the Agency from making~~
8 ~~efforts to obtain voluntary compliance through warning, conference or any~~
9 ~~other appropriate means.~~

10 **~~§ 53115. Hearings.~~**

11 (a) ~~No rule or regulation and no amendment thereof shall take effect~~
12 ~~except after public hearing on due notice as provided in the Administrative~~
13 ~~Adjudication Law.~~

14 (b) ~~Nothing in this Section shall be construed to require a hearing~~
15 ~~prior to the issuance of an imminent hazard order pursuant to § 53111 of this~~
16 ~~Act.~~

17 **~~§ 53116. Severability.~~**

18 ~~The provisions of this Chapter are severable; if any provision or application~~
19 ~~of this Act is held invalid, such invalidity does not affect other provisions or~~
20 ~~applications of this Chapter which can be given effect without the invalid~~
21 ~~provision or application.~~

22 **~~§ 53117. Effective Date.~~**

23 ~~This Chapter shall take effect upon its approval by the Governor.~~

24 **CHAPTER 53**

25 **SAFE DRINKING WATER ACT**

26 § 53101. Title.

27 § 53102. Definitions.

- 1 § 53103. Statement of Policy
- 2 § 53104. Drinking Water Standards
- 3 § 53105. Design and Construction Standards
- 4 § 53106. Right of Entry and Inspection
- 5 § 53107. Bottled Water Companies
- 6 § 53108. Water Vending Machines
- 7 § 53109. Hauled Water
- 8 § 53110. Rainwater Catchment System
- 9 § 53111. Sanitary Surveys
- 10 § 53112. Prohibition on Use Of Lead Pipes, Solder, And Flux
- 11 § 53113. Monitoring of Contaminants
- 12 § 53114. Ground Water Disinfection
- 13 § 53115. Laboratory and Sampler Certification
- 14 § 53116. Notification of User and Regulatory Agencies
- 15 § 53117. Consumer Confidence Reports
- 16 § 53118. Prohibited Acts
- 17 § 53119. Security of Water Systems
- 18 § 53120. Remedies
- 19 § 53121. Imminent Hazards.
- 20 § 53122. Plan for Emergency Provision of Water.
- 21 § 53123. Administration.
- 22 § 53124. Safe Drinking Water Fund
- 23 § 53125. Severability.
- 24 **§ 53101. Title.**
- 25 This Chapter shall be known as the *Guam Safe Drinking Water Act.*
- 26 **§ 53102. Definitions.**
- 27 As used in this Chapter:

1 (a) Act means the Guam Safe Drinking Water Act.

2 (b) Aquifer means a formation, group of formations or part of a
3 formation that contains sufficient saturated permeable material capable of
4 yielding significant quantities of usable potable water supply to wells or
5 springs.

6 (c) Backflow means the flow of water or other liquids, mixtures, or
7 substances into a public water supply from any source or sources other than
8 its intended source. Back-siphonage resulting from negative pressure in the
9 distribution system is one type of backflow.

10 (d) Board means the Board of Directors of the Guam Environmental
11 Protection Agency.

12 (e) Bottled water company means a business that produces drinking
13 water in bulk or bottles for retail or wholesale to the public.

14 (f) Certified operator means an individual who has passed an
15 examination that tests their knowledge, skills, ability, and judgment as a water
16 operator for a particular classification level of water treatment facility or water
17 distribution system and has been certified and issued a certificate by Guam
18 EPA.

19 (g) Community water system or CWS means a public water system
20 which serves at least fifteen (15) service connections used by year-round
21 residents of the area served by the system or regularly serves at least twenty-
22 five (25) year-round residents.

23 (h) Consecutive system is a public water system that receives some
24 or all of its finished water from one or more wholesale systems. Delivery may
25 be through a direct connection or through the distribution system of one or
26 more consecutive systems.

1 (i) Contaminant means any physical, chemical, biological or
2 radiological substance or matter in water.

3 (j) Cross-connection means any actual or physical connection or
4 structural arrangement between a public water system and any other source or
5 system through which it is possible to introduce into any part of the public
6 water system any used water, industrial fluid, gas or other substance not
7 meeting the drinking water quality standards of these regulations. By-pass
8 arrangements, jumper connections, removable sections, swivel or change over
9 devices and other temporary or permanent devices through which “backflow”
10 can or may occur are considered to be cross-connections. A submerged inlet
11 from a public water system into a water storage tank that may also store water
12 from untreated source, such as rain water catchment, is another example of a
13 cross-connection.

14 (k) Disinfection means a process which inactivates pathogenic
15 organisms in water by chemical oxidants or equivalent agents.

16 (l) Distribution system or distribution facilities means any
17 combination of pipes, tanks, tanker trucks, pumps, bottled water, etc. which
18 delivers water from the source(s) and/or treatment facility(ies) to the
19 consumer.

20 (m) Drinking water quality standards or standards means those
21 primary or secondary drinking water regulations as promulgated by either
22 Guam EPA or USEPA.

23 (n) Endpoint devices means plumbing fittings and fixtures intended
24 to dispense water from the domestic water piping system for human ingestion.
25 These devices include but are not limited to kitchen and bar faucets, lavatory
26 faucets, water dispensers, drinking fountains, water coolers, glass fillers,
27 residential refrigerator ice makers, supply stops and endpoint control valves.

1 (o) Federal Act means the Safe Drinking Water Act, P.L. 93-523
2 (Dec, 16 1974, as amended and codified at 42 U.S.C. §300f to 300j).

3 (p) Federal Agency means any department, agency or
4 instrumentality of the United States.

5 (q) Guam EPA or GEPA means the Guam Environmental Protection
6 Agency as established by 10 Guam Code Annotated Chapter 45.

7 (r) Guam EPA Administrator or Administrator means the
8 Administrator of the Guam Environmental Protection Agency

9 (s) Human consumption means drinking, bathing, showering, hand
10 washing, teeth brushing, food preparation, dish-washing, and maintaining oral
11 hygiene.

12 (t) Maximum Contaminant Level or MCL means the maximum
13 permissible level of a contaminant in water which is delivered to any user of
14 a public water system.

15 (u) National Primary Drinking Water Regulations means primary
16 drinking water regulations promulgated by the USEPA pursuant to the Federal
17 Act.

18 (v) National Secondary Drinking Water Regulations means
19 secondary drinking water regulations promulgated by the USEPA pursuant to
20 the Federal Act.

21 (w) Non-community water system means a public water system that
22 is not a community water system. A non-community water system is either a
23 “transient non-community water system (TWS)” or a “non-transient non-
24 community water system (NTNCWS)”.

25 (x) Non-transient non-community water system or NTNCWS means
26 a public water system that is not a community water system and that regularly

1 serves at least twenty five (25) of the same individuals over six (6) months per
2 year.

3 (y) Person means any individual, corporation, company,
4 association, partnership, municipality, Government of Guam or Federal
5 agency (and includes officers, employees, and agents of any corporation,
6 company, association, municipality, Government of Guam or Federal
7 agency).

8 (z) Plumbing, fittings or fixtures means piping and endline devices
9 intended to dispense water from a domestic water piping system for human
10 ingestion such as domestic piping, kitchen and bar faucets, lavatory faucets,
11 water dispensers, drinking fountains, water coolers, glass fillers, residential
12 refrigerator ice makers, supply stops, and endpoint control valves.

13 (aa) Primary Drinking Water Regulation means a regulation which:

14 (1) applies to public water systems;

15 (2) specifies contaminants which, in the judgement of the
16 Administrator, may have any adverse effect on the health of persons;

17 (3) specifies for each contaminant either:

18 (A) a maximum contaminant level if, as determined by
19 Guam EPA, it is economically and technologically feasible to
20 ascertain the level of such contaminant in water in public water
21 systems; or

22 (B) if, as determined by Guam EPA, it is not
23 economically or technologically feasible to ascertain the level of
24 such contaminant, each treatment technique known to Guam
25 EPA which leads to a reduction in the level of such contaminant
26 sufficient to satisfy the requirements of §53104; and

1 (4) contains criteria and procedures to assure a supply of
2 drinking water which dependably complies with such maximum
3 contaminant levels; including accepted methods for quality control and
4 testing procedures to insure compliance with such levels and to insure
5 proper operation and maintenance of the system, and requirements as
6 to:

7 (A) the minimum quality of water which may be taken
8 into the system; and

9 (B) siting for new facilities for public water systems.

10 (bb) Public Water System or PWS means a system for the provision to
11 the public of water for human consumption through pipes or other constructed
12 conveyances, if such system has at least fifteen (15) service connections or
13 regularly serves at least twenty-five (25) individuals at least 60 days out of the
14 year. A public water system is either a “community water system” or a
15 “noncommunity water system.”

16 (1) The term “Public Water System” includes:

17 (A) Any collection, treatment, storage and distribution
18 facilities under the control of the operator of such system and
19 used primarily in connection with such system; and

20 (B) Any collection or pretreatment storage facilities not
21 under such control which are used primarily in connection with
22 such system.

23 (2) Any irrigation district in existence prior to May 18, 1994,
24 that provides primarily agricultural service through a piped water
25 system with only incidental residential or similar use shall not be
26 considered to be a public water system if the system or the residential
27 or similar users of the system complies with the following:

1 (A) GEPA determines that alternative water to achieve
2 the equivalent level of public health protection provided by the
3 applicable national primary drinking water regulation is provided
4 for residential or similar uses for drinking and cooking; or

5 (B) GEPA determines that the water provided for
6 residential or similar uses for drinking, cooking, and bathing is
7 centrally treated or treated at the point of entry by the provider,
8 a pass-through entity, or the user to achieve the equivalent level
9 of protection provided by the applicable national primary
10 drinking water regulations.

11 (cc) *Rainwater catchment* means a structure for the collection of
12 rainwater. A rainwater catchment may be a public water system or a part of a
13 public water system if the water system meets the definition of public water
14 system.

15 (dd) *Sanitary Survey* means an onsite review of the water source,
16 facilities, equipment, operation and maintenance of a public water system for
17 the purpose of evaluating the adequacy of such source, facilities, equipment,
18 operation and maintenance for producing and distributing safe drinking water.

19 (ee) *Secondary Drinking Water Regulation* means a regulation which
20 applies to public water systems and which specifies the maximum
21 contaminant levels which, in the judgment of the Guam EPA, are requisite to
22 protect the public welfare. Such regulations may apply to any contaminant in
23 drinking water

24 (1) which may adversely affect the odor or appearance of such
25 water and consequently may cause a substantial number of the persons
26 served by the public water system providing such water to discontinue
27 its use, or

1 (2) which may otherwise adversely affect the public welfare.

2 Such regulations may vary according to geographic and other
3 circumstances.

4 (ff) Substantial alteration of an existing public water system means
5 any addition or replacement of 2-inch or larger pipe(s) at least 200 feet or
6 longer to be connected to an existing water piping system or, any
7 improvement or increase in the capacity of an existing public water system.

8 (gg) Supplier of water means any person who owns or operates a
9 public water system.

10 (hh) Surface water means all water which is open to the atmosphere
11 and subject to surface runoff.

12 (ii) Tamper means to introduce a contaminant into a public water
13 system with the intention of harming persons or to otherwise interfere with
14 the operation of a public water system with the intention of harming persons.

15 (jj) Transient non-community water system or TWS means a non-
16 community water system that does not regularly serve at least 25 of the same
17 persons over six months per year.

18 (kk) Treatment Technique or TT means a required process intended to
19 reduce the level of a contaminant in drinking water.

20 (ll) Underground injection means the subsurface emplacement of
21 any material gaseous, liquid or solid or any admixture thereof, which may add
22 a contaminant to underground waters.

23 (mm) USEPA means United States Environmental Protection Agency.

24 (nn) Wellhead protection area means the surface and subsurface area
25 surrounding a water well or wellfield, supplying a public water system,
26 through which contaminants are reasonably likely to move toward and reach

1 such water well or wellfield, or the area within a 1,000-foot radius of any
2 potable water supply well.

3 (oo) Wholesale system is a public water system that treats source
4 water as necessary to produce finished water and then delivers some or all of
5 that finished water to another public water system. Delivery may be through
6 a direct connection or through the distribution system of one or more
7 consecutive systems.

8 **§ 53103. Statement of Policy.**

9 It is hereby declared to be the public policy of Guam and the purpose
10 of this Act to protect public water supplies from contamination and to require
11 the provision of safe drinking water for public consumption in order to protect
12 human health and safety to the greatest degree practicable.

13 **§ 53104. Drinking Water Standards.**

14 (a) Guam EPA shall promulgate and enforce primary and secondary
15 drinking water regulations to protect health using technology, treatment
16 techniques, and other means which are generally available.

17 (b) Primary and secondary drinking water regulations shall be no
18 less stringent than the National Primary Drinking Water Regulations and
19 National Secondary Drinking Water Regulations in effect at that time.

20 (c) Primary and secondary drinking water regulations shall apply to
21 each public water system in Guam, including those owned and operated by
22 the government of Guam or federal agencies, unless it is a system:

23 (1) which consists only of distribution and storage facilities
24 (and does not have any collection and treatment facilities);

25 (2) which obtains all of its water from, but is not owned or
26 operated by, a public water system to which such regulations apply;

27 (3) which does not sell water to any person; and

1 (4) which is not a carrier which conveys passengers in
2 interstate commerce.

3 (d) Guam EPA shall adopt and implement procedures for the
4 enforcement of primary and secondary drinking water regulations, including
5 monitoring, inspection and recordkeeping procedures which are no less
6 stringent than the Federal Act.

7 (e) Guam EPA shall promulgate and enforce regulations relating to
8 cross-connection and backflow prevention control.

9 (f) Guam EPA shall promulgate regulations establishing an
10 underground injection control program. Such program shall prohibit any
11 underground injection which is not authorized by a permit issued by Guam
12 EPA except that Guam EPA may authorize underground injection by
13 regulation. Underground injection authorized by regulation shall not
14 endanger drinking water sources. Any underground injection control program
15 shall:

16 (1) set standards and prohibitions controlling any
17 underground injection if such injection may result in the presence of
18 any contaminant in underground water which supplies or may be
19 expected to supply any public water system, and if the presence of such
20 contaminant may result in such system not complying with any national
21 primary drinking water regulations or may otherwise adversely affect
22 the health of persons;

23 (2) require, in the case of a program which authorizes
24 underground injection by permit, that the applicant for the permit
25 satisfy the Guam EPA Administrator that the underground injection
26 will meet the requirements of Subsection (f)(1) of this Section;

1 (3) conform to all requirements of the Federal Act and any
2 applicable regulations promulgated thereunder; and

3 (4) include inspection, monitoring, recordkeeping and
4 reporting requirements.

5 (g) Following the date on which the USEPA determines that a
6 primary drinking water regulation is to take effect, the Guam EPA may allow
7 up to 2 additional years to comply with a maximum contaminant level or
8 treatment technique if the Guam EPA (in the case of an individual system)
9 determines that additional time is necessary for capital improvements.

10 **§ 53105. Design and Construction Standards.**

11 Guam EPA shall promulgate regulations governing the design,
12 construction, and substantial alteration of a public water system. Plans and
13 specifications for the construction or substantial alteration of a public water
14 system shall be submitted to the Guam EPA Administrator for approval in the
15 form and manner specified in regulations adopted by the Guam EPA.

16 **§ 53106. Right of Entry and Inspection.**

17 (a) The Guam EPA Administrator or authorized representative may
18 enter and inspect a public water system, and may take water samples, whether
19 or not the Guam EPA Administrator has evidence that the system is in
20 violation of applicable rules and regulations.

21 (b) The Guam EPA Administrator or authorized representative may
22 enter and inspect locations where lead pipes, plumbing fittings, or fixtures are
23 distributed or sold, offered for distribution or sale, or held for distribution or
24 sale.

25 **§ 53107. Bottled Water Companies.**

26 The Guam EPA may promulgate separate monitoring and other
27 requirements specifically for bottled water companies.

1 **§ 53108. Water Vending Machines.**

2 The Guam EPA may promulgate separate monitoring and other
3 requirements specifically for water vending machines.

4 **§ 53109. Hauled Water.**

5 Guam EPA may promulgate regulations pertaining to requirements for
6 the bulk transport and delivery of water for human consumption.

7 **§ 53110. Rainwater Catchment Systems.**

8 The Guam EPA may promulgate separate monitoring and other
9 requirements specifically for rainwater catchment systems. For the purpose of
10 this chapter, a rainwater catchment system is classified as a surface water
11 system unless it meets requirements as may be specified by Guam EPA by
12 regulation to allow classification as a groundwater system.

13 **§ 53111. Sanitary Surveys.**

14 (a) Guam EPA shall develop potable water sanitary survey criteria
15 to evaluate the adequacy of the water system, its sources and operations, and
16 the distribution of safe drinking water.

17 (b) Guam EPA may establish criteria for the certification of qualified
18 third party surveyors to conduct sanitary surveys.

19 (c) Guam EPA may develop a Composite Correction Program
20 (CCP) to optimize the particle removal from water treatment facilities to
21 maximize public health protection from microbial contamination. A CCP
22 shall include the following components:

23 (1) Comprehensive Performance Evaluation which is the
24 thorough review and analysis of a water treatment plant performance
25 based on capabilities and associated administrative, operation and
26 maintenance practices, and

1 (2) Comprehensive Technical Assistance which is the
2 performance improvement phase that is implemented if the
3 Comprehensive Performance Evaluation results indicate improved
4 performance potential.

5 § 53112. Prohibition on Use, Sale and Import of Lead Pipes, Solder,
6 and Flux.

7 (a) In General

8 (1) Prohibitions.

9 (A) In general. No person may use any pipe, plumbing
10 fitting or fixture, any solder, or any flux that is not lead-free in
11 the installation or repair of;

12 (i) any public water system; or

13 (ii) any plumbing in a residential or
14 nonresidential facility providing water for human
15 consumption.

16 (B) Leaded joints. Subparagraph (A) shall not apply to
17 leaded joints necessary for the repair of cast iron pipes.

18 (2) Public Notice Requirements.

19 (A) In general. Each owner or operator of a public water
20 system shall identify and provide notice in a manner and form
21 prescribed by the Guam EPA Administrator to persons that may
22 be affected by lead contamination of their drinking water where
23 such contamination results from either or both of the following

24 (i) the lead content in the construction materials
25 of the public water distribution system.

26 (ii) corrosivity of the water supply sufficient to
27 cause leaching of lead.

1 (B) Contents of Notice. Notice under this paragraph
2 shall provide a clear and readily understandable explanation of;

3 (i) the potential sources of lead in the drinking
4 water,

5 (ii) potential adverse health effects,

6 (iii) reasonably available methods of mitigating
7 known or potential lead content in drinking water,

8 (iv) any steps the system is taking to mitigate lead
9 content in drinking water, and

10 (v) the necessity for seeking alternative water
11 supplies, if any.

12 (3) Unlawful Acts. It shall be unlawful for:

13 (A) any person to introduce into commerce any pipe, or
14 any pipe or plumbing fitting or fixture, that is not lead-free,
15 except for a pipe that is used in manufacturing or industrial
16 processing;

17 (B) any person engaged in the business of selling
18 plumbing supplies, except manufacturers, to sell solder or flux
19 that is not lead-free; or

20 (C) any person to introduce into commerce any solder
21 or flux that is not lead-free unless the solder or flux bears a
22 prominent label stating that it is illegal to use the solder or flux
23 in the installation or repair of any plumbing providing water for
24 human consumption.

25 (4) Exemptions. The prohibitions in paragraphs (1) and (3)
26 shall not apply to:

1 (A) pipes, pipe fittings, plumbing fittings, or fixtures,
2 including backflow preventers, that are used exclusively for
3 nonpotable services such as manufacturing, industrial
4 processing, irrigation, outdoor watering, or any other uses where
5 the water is not anticipated to be used for human consumption;
6 or

7 (B) toilets, bidets, urinals, fill valves, flushometer
8 valves, tub fillers, shower valves, service saddles, or water
9 distribution main gate valves that are 2 inches in diameter or
10 larger.

11 (b) Authority to inspect, require testing, and mitigation.

12 (1) Guam EPA may promulgate regulations to implement the
13 requirements of this section.

14 (2) Guam EPA may promulgate regulations to certify
15 person(s) to conduct sampling for the purpose of complying with this
16 section.

17 (3) Guam EPA may require any person to remove new or
18 existing pipe, plumbing fitting or fixture, any solder, or any flux in
19 order to comply with this section.

20 (4) Guam EPA may confiscate, destroy, or order any person
21 to destroy or return ship any products, supplies, or materials not in
22 conformance with this section. Any person so ordered shall be required
23 to provide written certification and documentary proof that said order
24 has been carried out.

25 **§ 53113. Establishment of Interim Action Levels**

26 (a) Guam EPA, upon identifying a contaminant in a public water
27 system that may present an unacceptable health risk to the public, may

1 establish interim action levels for contaminants for which maximum
2 contamination levels have not been established by the USEPA. Guam EPA
3 may utilize federal drinking water guidelines as well as guidelines issued by
4 other states as interim action levels when appropriate.

5 (b) Guam EPA shall establish an interim action level at a level below
6 which risks have been determined by the Guam EPA to be acceptable. Risk
7 assessment guidelines produced by the USEPA as well as other states may be
8 utilized to determine health risks from a chemical contaminant. When
9 establishing an interim action level Guam EPA shall also consider water
10 treatment or alternate remedial actions.

11 (c) The adoption or modification of an interim action level must be
12 approved by the Guam EPA Board in a public meeting, only after the
13 completion of all of the following requirements:

14 (1) Guam EPA shall make available to the public for review
15 and comment a draft risk assessment document describing the technical
16 and scientific methods and parameters utilized to determine the interim
17 action level. The draft risk assessment may reference risk assessments,
18 drinking water health advisories, or similar scientific documentation
19 issued by the USEPA or other states, when appropriate.

20 (2) Guam EPA shall hold a public hearing for the
21 consideration, adoption or modification to an interim action level.
22 Notice of a public hearing shall indicate the time, date and place for
23 such hearing and shall be published at least once a week for two
24 consecutive weeks in a newspaper of general circulation, with the final
25 notice being published at least seven days prior to the date of the
26 proposed hearing. The notice must state the availability and location of
27 the draft risk assessment document.

1 (3) Guam EPA shall consider all comments received relating
2 to the risk assessment and revise an interim action level if necessary.
3 All comments received by the Guam EPA shall be made available to
4 the public for review.

5 (d) The Guam EPA, upon designating an interim action level for a
6 contaminant, shall take such actions necessary to protect the health of the
7 public including, but not limited to, requiring Public Water Systems to:

8 (1) Issue guidance as may be necessary to protect the health
9 of persons (including travelers) who are or may be users of a
10 contaminated water supply system.

11 (2) Notify the public through the media of the establishment
12 of an interim action level.

13 **§ 53114. Ground Water Disinfection.**

14 The Guam EPA Administrator may require disinfection as a treatment
15 technique for ground water systems.

16 **§ 53115. Laboratory and Sampler Certification.**

17 (a) No laboratory shall perform the test and analyses required by the
18 Guam EPA Administrator pursuant to this Chapter for any public water
19 system without first obtaining a certificate issued by the Guam EPA
20 Administrator that such laboratory is competent and equipped to conduct such
21 tests.

22 (1) Certificates shall be renewed every three (3) years after the
23 date of issuance.

24 (2) The Guam EPA Administrator may revoke any certificate
25 upon determination that the laboratory is no longer competent or
26 equipped to conduct such tests or analyses.

1 (b) The Guam EPA may promulgate regulations to certify
2 laboratories through reciprocity on the basis of certification by other states.

3 (c) Certification of Samplers. The GEPA may promulgate
4 regulations establishing minimum qualifications, training, certification
5 requirements, fees, and rules of conduct for persons authorized by GEPA to
6 collect water samples for the purpose of determining compliance with this
7 chapter.

8 (1) Sampler certificates shall be renewed annually after the
9 date of issuance.

10 (2) The Guam EPA Administrator, in addition to any other
11 remedy authorized under this chapter, may revoke any sampler
12 certification upon a finding that a sampler has falsified any sample or
13 other information submitted to GEPA, has violated any rules of conduct
14 established under this subparagraph, or has demonstrated a lack of
15 competence as determined by the Guam EPA Administrator.

16 (3) A sampler who has had their sampler certification revoked
17 under subparagraph (c)(2) may only reapply and be certified again by
18 Guam EPA as follows:

19 (A) If the certification was revoked for reason of
20 incompetence, a person must wait at least one year after the
21 effective date of revocation to reapply.

22 (B) If the certification was revoked for reason of
23 violation of a rule of conduct established under this
24 subparagraph, a person must wait at least five years after the
25 effective date of revocation to reapply.

1 (C) If the certification was revoked for reason of
2 submittal of a falsified sample or other falsified information, a
3 person shall not be eligible to reapply for a sampler certification.

4 (D) A person who has had their sampler certification
5 revoked more than once for any reason shall not be eligible to
6 reapply for a sampler certification.

7 **§ 53116. Notification Requirements.**

8 Each owner or operator of a public water system must give notice to the
9 Guam EPA Administrator and any persons served by the water system in a
10 form and manner prescribed by regulation by Guam EPA for:

11 (a) all violations of any applicable standard, treatment
12 technique, or testing procedure requirement of the primary drinking
13 water regulations;

14 (b) all violations of any monitoring required by regulations
15 adopted by the Guam EPA;

16 (c) emergency disinfection information, for natural disasters
17 and other circumstances as determined by Guam EPA; or

18 (d) other situations, as described in regulations promulgated
19 under this Chapter.

20 **§ 53117. Consumer Confidence Reports.**

21 Every community water system shall provide consumer confidence
22 reports in a form and manner as prescribed in regulations by Guam EPA.

23 **§ 53118. Prohibited Acts.**

24 The following acts are prohibited:

25 (a) Failure by a supplier of water to comply with the
26 requirements of §53116, or dissemination by any supplier of water of
27 false or misleading information with respect to notices required

1 pursuant to §53116 or with respect to remedial actions undertaken to
2 achieve compliance with primary and secondary drinking water
3 regulations;

4 (b) Failure by a supplier of water to comply with rules and
5 regulations adopted pursuant to this chapter.

6 (c) Failure by any person to comply with any order issued
7 pursuant to this chapter.

8 (d) Failure by a supplier of water to allow any duly authorized
9 representative of Guam EPA to conduct inspections pursuant to this
10 chapter.

11 (e) Submission by any person of any false statement or
12 representation in any application, record, report, plan, or other
13 document filed, or required to be filed by this chapter or rules and
14 regulations adopted pursuant this chapter.

15 (f) Failure by a supplier of water to comply with the
16 requirements of a permit issued under this chapter.

17 (g) Failure by any person to comply with the requirements or
18 conditions of a sampler or laboratory certification issued under this
19 chapter.

20 (h) Tampering, attempting to tamper, or making a threat to
21 tamper with a public water system.

22 **§ 53119. Security of Water Systems.**

23 (a) Guam EPA may promulgate regulations for the operation of
24 public water systems including but not limited to the prevention of tampering
25 and ensuring the safety of water provided to users of public water systems.

26 (b) Guam EPA may promulgate regulations requiring public water
27 systems to develop, revise, and implement emergency response plans.

1 **§53120. Remedies.**

2 The Administrator may enforce this section in either administrative or
3 judicial proceedings.

4 (a) Administrative. If the Guam EPA Administrator
5 determines that any person is violating any provision of this Chapter,
6 any rule or regulation promulgated thereunder, the Guam EPA
7 Administrator may have that person served with a Notice of Violation
8 and an Order. The notice shall specify the alleged violation. The order
9 may require that the alleged violator do any or all of the following:
10 cease and desist from the violation; pay an administrative penalty not
11 to exceed Thirty Two Thousand Five Hundred Dollars (\$32,500) per
12 day for each violation; or appear before the Administrator at a time and
13 place specified in the order and answer the charges complained of. The
14 order shall become final 15 days after service unless within those 15
15 days the alleged violator requests in writing a hearing before the Board.
16 Upon such request, the Board shall specify a time and place for the
17 alleged violator to appear.

18 (1) When the Administrator issues an order for
19 immediate action to protect the public health from an imminent
20 and substantial danger, the Agency shall provide an opportunity
21 for a hearing within twenty-four (24) hours after service of the
22 order.

23 (2) After a hearing pursuant to this Subsection before
24 the Board, the Board may affirm, modify or rescind the
25 Administrator's order as appropriate.

26 (3) Any person adversely affected by a decision of the
27 Guam EPA Board may seek judicial review by filing a petition

1 with the Superior Court of Guam in accordance with the
2 Administrative Adjudication Law, and by simultaneously
3 serving the Guam EPA Administrator with a copy of the petition.
4 The petitioner shall reimburse Guam EPA for the expenses
5 associated with the preparation of the record for judicial review.

6 (4) The Administrator may institute a civil action in
7 any court of appropriate jurisdiction for the enforcement of any
8 order issued pursuant to this Subsection.

9 (b) Civil.

10 (1) The Administrator may institute a civil action in the
11 Superior Court of Guam for injunctive relief to prevent violation
12 of any order or regulation issued pursuant to this Chapter in
13 addition to any other remedy provided for under this Section.

14 (2) Any person who violates any provision of this
15 Chapter, or any rule or regulation promulgated under this
16 Chapter, or who refuses or neglects to comply with any lawful
17 order issued by the Administrator in carrying out the provisions
18 of this Chapter shall, in addition to clean-up costs and other
19 damages, forfeit and pay a civil penalty of not more than \$32,500
20 per day for each violation or noncompliance.

21 (c) Criminal. Any person who knowingly violates any
22 provision of this Chapter, or any rule or regulation promulgated under
23 this Chapter, or who refuses or neglects to comply with any lawful order
24 issued by the Administrator in carrying out the provisions of this
25 Chapter shall, upon conviction, be imprisoned for a term of not more
26 than one (1) year, and/or be fined not more than \$32,500 per day for
27 each violation or noncompliance, and shall make restitution.

1 (d) Nothing in this Chapter shall prevent the Agency from
2 making efforts to obtain voluntary compliance through warning,
3 conference or any other appropriate means.

4 **§ 53121. Plan for Emergency Provision of Water.**

5 Guam EPA shall develop a plan for the provision of safe drinking water
6 under emergency circumstances. When the Guam EPA Administrator
7 determines that emergency circumstances exist in Guam with respect to a need
8 for safe drinking water, necessary action may be taken with the concurrence
9 of the Governor of Guam to implement the plan for safe drinking water.

10 **§ 53122. Imminent Hazards.**

11 Guam EPA may, upon learning that a contaminant is present in or is
12 likely to enter a public water system and may present a potential imminent
13 and substantial danger to the public, take actions necessary to protect the
14 health of the public. The actions which Guam EPA may take include but are
15 not limited to:

16 (a) Issuing such orders as may be necessary to protect the
17 health of persons who are or may be users of such systems (including
18 travelers); and

19 (b) Requesting that the Guam Attorney General commence a
20 civil or criminal action for appropriate relief, including a restraining
21 order or permanent or temporary injunction.

22 **§ 53123. Administration.**

23 Guam EPA is herein authorized to:

24 (a) Perform any and all acts necessary to carry out the
25 purposes and requirements of this Chapter;

26 (b) Administer and enforce the provisions of this Chapter and
27 all rules, regulations and orders promulgated thereunder;

1 (c) Enter into agreements, contracts, or cooperative
2 arrangements with any person for the purpose of carrying out this
3 Chapter;

4 (d) Receive financial and technical assistance from the
5 Federal government and other public or private agencies to carry out
6 the provisions of this Chapter;

7 (e) Participate in related programs of any public or private
8 agencies or organizations;

9 (f) Establish adequate fiscal controls and accounting
10 procedures to assure proper disbursement of and an accounting for
11 funds appropriated or received for the purpose of carrying out this
12 Chapter;

13 (g) Delegate those responsibilities and duties as appropriate
14 for the purpose of administering the requirements of this Chapter;

15 (h) Establish and collect fees for permits, plan reviews,
16 sanitary surveys, inspections, sampling, sampler certification,
17 laboratory certification and analyses as necessary for the purpose of
18 carrying out this Chapter;

19 (i) Prescribe such regulations as necessary to carry out
20 functions under this Chapter;

21 (j) Make such investigations and inspections as may be
22 necessary to ensure compliance with this Chapter;

23 (k) Encourage voluntary cooperation by persons and affected
24 groups to achieve the purposes of this Chapter.

25 **§ 53124. Safe Drinking Water Fund.**

26 There is established a non-lapsing, revolving fund to be known as the,
27 “Safe Drinking Water Fund,” which shall be maintained separate and apart

1 from any other funds of the government of Guam and is not subject to I
2 Maga'låhi's transfer authority, and shall be administered by the
3 Administrator. Independent records and accounts shall be maintained in
4 connection with the Fund. All fees, fines, penalties, and other funds collected
5 or received pursuant to this Chapter shall be deposited in the Safe Drinking
6 Water Fund, and used only for the costs of administration and implementation
7 of this Chapter; for providing staff and resources to assist PWSs owners and
8 operators with compliance assistance, plan review, sanitary surveys and
9 inspections for compliance with this chapter; implement and enforce the
10 provision of this chapter, including legal support; prepare guidance and rules;
11 administer the Fund; database and administration; sample collection and
12 analysis; public education and outreach; training and capacity development
13 for program staff and management; and any other duties needed to administer
14 this Chapter. All monies in the Safe Drinking Water Fund are hereby
15 appropriated to Guam EPA to be expended in accordance with this Chapter.

16 **§ 53125. Severability.**

17 The provisions of this Chapter are severable; if any provision or
18 application of this Act is held invalid, such invalidity does not affect other
19 provisions or applications of this Chapter which can be given effect without
20 the invalid provision or application.”

21 **Section 3.** Chapter 53A of Division 2, Title 10, Guam Code Annotated is
22 hereby *repealed*:

23 ~~“CHAPTER 53A~~

24 ~~GUAM LEAD BAN ACT~~

25 ~~§ 53300. — Title~~

26 ~~§ 53301. — Definitions~~

27 ~~§ 53302. — Prohibition on Use of Lead Pipes, Solder and Flux.~~

1 ~~§ 53303. — Prohibition on the Importation, Use or Sale of Pipes, Plumbing~~
2 ~~Fittings and Fixtures~~

3 ~~§ 53304. — Right of Entry and Inspection~~

4 ~~§ 53305. — Building Permit~~

5 ~~§ 53306. — Occupancy Permit.~~

6 ~~§ 53307. — Enforcement and Penalties~~

7 ~~§ 53308. — Safe Drinking Water Fund.~~

8 ~~§ 53300. — Title.~~

9 ~~This Chapter shall be known as the Guam Lead Ban Act.~~

10 ~~§ 53301. — Definitions.~~

11 ~~For purposes of this Act, the following words and phrases shall have~~
12 ~~the meaning given herein, unless their use in the text of the Act clearly~~
13 ~~demonstrates a different meaning.~~

14 ~~(1) Administrator shall mean the Administrator of the Guam~~
15 ~~Environmental Protection Agency ('GEPA'), or that person's designee.~~

16 ~~(2) Agency shall mean the Guam Environmental Protection Agency~~
17 ~~('GEPA').~~

18 ~~(3) ANSI/NSF Standard 61, § 9 shall mean the testing protocol that~~
19 ~~measures and limits the amount of lead and other contaminants that a device~~
20 ~~may contribute to drinking water. This protocol was developed by NSF~~
21 ~~International and adopted by the American National Standards Institute.~~

22 ~~(4) Board shall mean the Board of Directors of the Guam~~
23 ~~Environmental Protection Agency.~~

24 ~~(5) Endpoint devices shall mean plumbing fittings and fixtures~~
25 ~~intended to dispense water from the domestic water piping system for human~~
26 ~~ingestion. These devices include kitchen and bar faucets, lavatory faucets,~~

1 water dispensers, drinking fountains, water coolers, glass fillers, residential
2 refrigerator ice makers, supply stops and endpoint control valves.

3 (6) — ~~Lead free shall mean: (a) when used with respect to solders and~~
4 ~~flux, refers to solders and flux containing not more than 0.2 percent (.2%)~~
5 ~~lead; (b) when used with respect to pipes and pipe fittings, refers to pipes and~~
6 ~~pipe fittings containing not more than 8.0 percent (8%) lead; and (c) when~~
7 ~~used with respect to plumbing fittings and fixtures intended as endpoint~~
8 ~~devices, refers to plumbing fittings and fixtures that have been certified by an~~
9 ~~independent third party to be in compliance with ANSI/NSF Standard 61, §~~
10 ~~9.~~

11 (7) — ~~Person shall mean any individual, partnership, co partnership,~~
12 ~~firm, company, corporation, association, joint stock company, trust, estate, or~~
13 ~~any agency, department or instrumentality of the Federal or local government,~~
14 ~~or any other legal representatives, agents or assigns.~~

15 (8) — ~~Public water system. ('PWS') shall mean a system for the~~
16 ~~provision to the public of water for human consumption through pipes or other~~
17 ~~constructed conveyances, if such system has at least fifteen (15) service~~
18 ~~connections or regularly serves an average of at least twenty five (25)~~
19 ~~individuals daily at least sixty (60) days out of the year. Such term includes:~~
20 ~~any collection, treatment, storage and distribution facilities under control of~~
21 ~~the operator of such system and used primarily in connection with such~~
22 ~~system; and any collection or pretreatment storage facilities not under such~~
23 ~~control, which are used primarily in connection with such system.~~

24 (9) — ~~Replacement shall mean when used with respect to a potable~~
25 ~~water piping system, means the permanent removal of lead containing~~
26 ~~materials.~~

27 **~~§ 53302. — Prohibition on Use of Lead Pipes, Solder and Flux.~~**

1 ~~(a) — No person may use any pipe, plumbing fittings or fixtures, any~~
2 ~~solder, or any flux, which is not lead free as defined in this Act and any~~
3 ~~regulations promulgated hereunder, in the installation or repair of:~~

4 ~~(i) — any public water system; or~~

5 ~~(ii) — any plumbing in a residential or nonresidential facility~~
6 ~~providing water for human consumption.~~

7 ~~(b) — Subparagraph (a) shall not apply to leaded joints necessary for~~
8 ~~the repair of cast iron pipes.~~

9 ~~§ 53303. — Prohibition on the Importation, Use or Sale of Pipes,~~
10 ~~Plumbing Fittings and Fixtures.~~

11 ~~(a) — No person may import into Guam or introduce into commerce~~
12 ~~any lead pipe, except for a pipe that is used in manufacturing or industrial~~
13 ~~processing;~~

14 ~~(b) — No person may import into Guam or introduce into commerce~~
15 ~~any plumbing fitting or fixture that is not ANSI/NSF certified.~~

16 ~~(c) — No person may introduce into commerce or sell any solder or~~
17 ~~flux that is not lead free, unless the solder or flux bears a prominent label~~
18 ~~stating that it is illegal to use the solder or flux in the installation or repair of~~
19 ~~any plumbing providing water for human consumption.~~

20 ~~(d) — GEPA shall coordinate enforcement of this Section with the~~
21 ~~Department of Customs and Quarantine.~~

22 ~~§ 53304. — Right of Entry and Inspection.~~

23 ~~The Administrator or his authorized representative may enter at all~~
24 ~~reasonable times upon private or public facilities for the purpose of inspecting~~
25 ~~and investigating compliance with this Act. GEPA is authorized to charge for~~
26 ~~conducting inspections to determine compliance with this Act and regulations~~
27 ~~promulgated hereunder at the rate to be comprised of the hourly rate of the~~

1 engineer or environmental inspector, or both, plus an additional fifteen
2 percent (15%) of that total rate for administrative costs. All fees collected
3 under this Section shall be deposited into the Safe Drinking Water Fund as
4 established under § 53308 of this Act.

5 **§ 53305. — Building Permit.**

6 No building permit clearance will be granted, unless certification, in the
7 form and language deemed adequate by GEPA, is provided by the applicant
8 that only lead free materials will be used in the construction of potable water
9 plumbing systems at dwellings, schools, public buildings, restaurants,
10 commercial buildings, industrial buildings, places of assembly or water
11 system components, which include distribution, treatment, storage and
12 appurtenances.

13 **§ 53306. — Occupancy Permit.**

14 No building intended for use as a dwelling, school, public building,
15 restaurant, commercial building, industrial building, place of assembly or any
16 water system component, which includes distribution, treatment, storage and
17 appurtenances shall receive an occupancy permit, unless it complies with the
18 standards established by this Act for lead and/or copper levels in first draw
19 samples from endline and endpoint devices. The specific procedure or
20 protocol to be followed for testing the different categories of buildings is
21 attached as Exhibit A. The levels of lead and/or copper in individual endpoint
22 devices deemed acceptable to issue an occupancy certificate is included in
23 Exhibit A.

24 **§ 53307. — Enforcement and Penalties.**

25 (a) — Administrative. Whenever, on the basis of any information
26 available, the Administrator finds that any person has violated the provisions
27 of this Act, or rules and regulations, or a lawful order, or has violated any

1 ~~permit condition or limitation, the Administrator may assess an administrative~~
2 ~~penalty of not more than Five Thousand Five Hundred Dollars (\$5,500.00)~~
3 ~~per day per violation.~~

4 ~~The assessment of an administrative penalty shall not prohibit the~~
5 ~~administrator from also ordering the mitigation and/or replacement of lead~~
6 ~~containing material, or for the taking of such other corrective action as may~~
7 ~~be appropriate. The administrator is authorized to issue stop work orders to~~
8 ~~enforce this Section.~~

9 ~~(1) Before issuing an order assessing a civil penalty, the~~
10 ~~Administrator shall give to the person to be assessed such penalty,~~
11 ~~written notice of the Administrator's proposal to issue such order and~~
12 ~~the opportunity to request a hearing. Such request must be made within~~
13 ~~thirty (30) days of receipt of the notice. Hearings will be conducted as~~
14 ~~provided under the Administrative Adjudication Law ('AAL').~~

15 ~~In lieu of an order, the Agency may require that the alleged~~
16 ~~violator or violators appear before the Agency for a hearing at a time~~
17 ~~and place specified in the notice, and answer the charges complained~~
18 ~~of, or the Agency may initiate civil or criminal action.~~

19 ~~(i) If, after a hearing held pursuant to the AAL, the~~
20 ~~Board finds that a violation or violations have occurred, the~~
21 ~~Board shall affirm or modify the order previously issued, or issue~~
22 ~~an appropriate order or orders for the mitigation and/or~~
23 ~~replacement of lead containing material involved, or for the~~
24 ~~taking of such other corrective action as may be appropriate.~~

25 ~~(ii) If, after hearing on an order contained in a notice,~~
26 ~~the Board finds that no violation has occurred or is occurring, the~~
27 ~~Board shall rescind the order.~~

1 ~~(iii) Any order issued as part of a notice, or after hearing,~~
2 ~~may prescribe the date or dates by which the violation or~~
3 ~~violations shall cease, and may prescribe timetables for the~~
4 ~~necessary action in mitigating and/or replacing the lead~~
5 ~~containing material.~~

6 ~~(2) In determining the amount of any penalty assessed, the~~
7 ~~Administrator shall take into account the nature, circumstances, extent~~
8 ~~and gravity of the violation or violations and with respect to the~~
9 ~~violation; ability to pay; any prior history of such violations; the degree~~
10 ~~of culpability, economic benefit or savings realized by the violator from~~
11 ~~the violation; and such other matters as justice may require.~~

12 ~~(3) If any person fails to pay an assessment of a civil penalty~~
13 ~~after the order making the assessment has become final, or after a court~~
14 ~~in an action has entered a final judgment in favor of the Administrator,~~
15 ~~the Administrator shall request the Attorney General to bring a civil~~
16 ~~action to recover the amount assessed. In such an action, the validity,~~
17 ~~amount and appropriateness of such penalty shall not be subject to~~
18 ~~review.~~

19 ~~(b) Civil. Any person who violates any provision of this Act,~~
20 ~~regulations or requirement of an applicable safe drinking water program or an~~
21 ~~order requiring compliance shall be subject to a civil penalty of not more than~~
22 ~~Twenty seven Thousand Five Hundred Dollars (\$27,500.00) for each day per~~
23 ~~violation. Assessment of an administrative penalty order shall not be a bar to~~
24 ~~enforcement of these regulations and orders made pursuant to these~~
25 ~~regulations, by injunction or other appropriate remedy, and the Agency shall~~
26 ~~have the power to institute and maintain in the name of Guam any and all such~~
27 ~~enforcement proceedings.~~

1 ~~(e) Each day of violation shall constitute a separate offense.~~

2 ~~(d) Nothing in the Act shall prevent the Agency from making efforts~~
3 ~~to obtain voluntary compliance through warning conference, or any other~~
4 ~~appropriate means.~~

5 **~~§ 53308. Safe Drinking Water Fund.~~**

6 ~~There is hereby created within the government of Guam a non lapsing,~~
7 ~~revolving fund, to be known as the 'Safe Drinking Water Fund,' which shall be~~
8 ~~maintained separate and apart from any other funds of the government of Guam and~~
9 ~~shall be administered by the Administrator of GEPA. All fees, monetary charges and~~
10 ~~other funds collected or received pursuant to this Act shall be deposited in the Safe~~
11 ~~Drinking Water Fund, and used for the administration and implementation of the~~
12 ~~Safe Drinking Water Program; for public education and similar outreach programs;~~
13 ~~and promotions aimed at increasing awareness of the dangers of using pipes,~~
14 ~~plumbing fittings or fixtures containing lead over the acceptable limit set by this Act~~
15 ~~or regulations.~~

16 **~~Exhibit A.~~**

17 ~~Procedures for Implementation of Lead Ban Related to Attaining~~
18 ~~Building Occupancy Permits Clearance.~~

19 ~~Required testing procedure for endpoint device first draw sampling for~~
20 ~~lead and/or copper for dwellings, schools, public buildings, commercial~~
21 ~~buildings, industrial buildings or places of assembly. This testing procedure~~
22 ~~applies to newly constructed facilities, as well as additions and renovations of~~
23 ~~these same facilities.~~

24 **~~Number of Samples Collected.~~**

25 ~~All new buildings, additions and renovations, prior to receiving~~
26 ~~occupancy permits, shall have a representative sample of (first draw water)~~
27 ~~collected from endpoint devices, as defined in the Guam Lead Ban Act, tested~~

1 for levels of lead and/or copper. The number of endpoint devices to be tested
2 shall be as follows:

3 Buildings with less than five (5) endpoint fitting/fixture devices — all
4 devices shall be tested.

5 Buildings with five (5) or more endpoint fitting/fixture devices — five
6 (5) devices plus ten percent (10%) of the total numbers of endpoint
7 fitting/fixtures shall be tested; however, no building shall have less than five
8 (5) endpoint devices tested. Endpoint devices used primarily for drinking
9 water supply and cooking, i.e., water fountains, coolers, kitchen faucets, shall
10 be selected as first priority — other devices, bathroom faucets, etc., shall be
11 selected as second priority.

12 In the case of new, as well as additions and renovations of daycare
13 centers, schools and health care facilities — all endpoint devices in the facility
14 shall be tested.

15 **~~Sampling Protocol — First Draw Samples.~~**

16 All samples collected for determining materials in fittings shall be first
17 draw samples, i.e., water which has been allowed to sit in the pipes and
18 endpoint devices for at least six (6), but not more than twenty four (24) hours,
19 without use of the water in the facility. All other required samples will be
20 determined by GEPA.

21 **~~Certified Laboratories.~~**

22 For the purpose of determining compliance with the above mentioned
23 water analysis, samples may be considered only if they have been analyzed
24 by a laboratory certified by Guam EPA, or any other laboratory certified by
25 other States acceptable to Guam's EPA.

26 **~~Issuance or Denial of Occupancy Permits.~~**

1 ~~If all results are less than fifteen (15) parts per billion (“ppb”), then an~~
2 ~~occupancy permit clearance may be issued.~~

3 ~~If any results are greater than fifty (50) ppb, then those fixtures must be~~
4 ~~replaced, and the replacement fixtures re-tested prior to issuance of occupancy~~
5 ~~permit.~~

6 ~~If any results are between fifteen (15) ppb and fifty (50) ppb, the facility~~
7 ~~shall have three (3) options:~~

8 ~~Option 1. — Replace all fixtures, and/or pipes and fittings, if~~
9 ~~appropriate, with results between fifteen to fifty (15-50) ppb, and re-~~
10 ~~tested. An occupancy permit clearance may be issued if the analytical~~
11 ~~test results of water samples collected are less than fifteen (15) ppb.~~

12 ~~Option 2. — Mitigate all fixtures and/or pipes and fittings and re-~~
13 ~~tested. An occupancy permit clearance may be issued if the analytical~~
14 ~~test results of water samples collected are less than fifteen (15) ppb.~~

15 ~~Option 3. — Keep fixtures with results between fifteen to fifty~~
16 ~~(15-50) ppb, and post notices, as required below, adjacent to the fittings~~
17 ~~and fixtures. Retest after three (3) months to determine if levels have~~
18 ~~decreased.~~

19 ~~In the case of day care centers, schools or health care facilities, all~~
20 ~~endpoint devices located in areas which may be used by children or infants,~~
21 ~~such as water coolers, kitchen faucets, with a result greater than fifteen (15)~~
22 ~~ppb shall be replaced. No devices producing water greater than fifteen (15)~~
23 ~~ppb shall be allowed to be used by children.~~

24 ~~**Public Notice Requirements.**~~

25 ~~The contents of the notice shall provide a clear and readily~~
26 ~~understandable explanation of:~~

27 ~~(1) — the potential sources of lead in the drinking water;~~

- (2) ~~the potential adverse health effects;~~
- (3) ~~the reasonably available methods of mitigating known or potential lead content in drinking water;~~
- (4) ~~any steps the system is taking to mitigate lead content in drinking waters, and~~
- (5) ~~the necessity for seeking alternative water supplies, if any.”~~

Section 4. Chapter 6 of Division 2, Title 22, Guam Administrative Rules and Regulations is hereby *repealed* and *reenacted* read:

~~“DRINKING WATER CHAPTER 6~~

~~**PART 6141 GUAM PRIMARY DRINKING WATER REGULATIONS**~~

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9 ~~Guam Safe Drinking Water Act, Title 10 Guam Code Annotated, Chapter 53,~~
10 ~~Section 53104 authorizes the Guam Environmental Protection Agency to prescribe~~
11 ~~rules and regulations as may be necessary to implement the Safe Drinking Water~~
12 ~~Act.~~

13 **~~§6141.2 Definitions.~~**

14 ~~Except as provided below, the provisions of 40 Code of Federal Regulations~~
15 ~~§141.2 as revised and codified as of July 1, 2003 are hereby adopted by reference.~~
16 ~~The words and terms defined in the Guam Safe Drinking Water Act, Title 10~~
17 ~~Guam Code Annotated, Chapter 53, Section 53103, have the meanings ascribed to~~
18 ~~them therein.~~

19 **~~§6141.3 Coverage.~~**

20 ~~These regulations shall apply to each public water system, unless the public water~~
21 ~~system meets all of the following conditions:~~

22 ~~(a) — Consists only of distribution and storage facilities (and does not have any~~
23 ~~collection and treatment facilities);~~

24 ~~(b) — Obtains all of its water from, but is not owned by, a public water system~~
25 ~~to which such regulations apply~~

26 ~~(c) — Does not sell water to any person; and~~

27 ~~(d) — Is not a carrier which conveys passengers in interstate commerce.~~

1 **~~§ 6141.4 Variances and Exemptions.~~**

2 ~~Variances and exceptions, if any, shall be available as provided by the more~~
3 ~~stringent requirements of Guam law 10 Guam Code Annotated, Chapter 53, as~~
4 ~~amended, or 40 CFR § 141.4.~~

5 **~~§ 6141.5 Siting Requirements and Plan Review.~~**

6 (a) ~~Before any person may enter into a financial commitment for or initiate~~
7 ~~construction of a new public water supply system, or increase the capacity~~
8 ~~of an existing public water system, they shall notify the Guam EPA~~
9 ~~Administrator and, to the extent practicable, avoid locating part or all of~~
10 ~~the new or expanded facility at a site which:~~

11 (1) ~~Is subject to a significant risk from earthquakes, floods, fires or other~~
12 ~~disasters which could cause a breakdown of the public water system~~
13 ~~or a portion thereof; or~~

14 (2) ~~Except for intake structures, is within the flood plain of a 100-year~~
15 ~~flood or is lower than any recorded high tide where appropriate records~~
16 ~~exist.~~

17 (b) ~~No new public water supply system or substantial alterations to an existing~~
18 ~~public water supply system may be constructed or operated without~~
19 ~~approval issued by the Guam EPA Administrator.~~

20 (1) ~~The Guam EPA Administrator shall require any or all of the~~
21 ~~following prior to giving approval to proceed with construction:~~
22 ~~Drawings indicating extent and location of the project; complete~~
23 ~~engineering plans and specifications of the new or altered system~~
24 ~~including system design capacity, schedule of materials and~~
25 ~~equipment to be installed, information on the quality of the raw water~~
26 ~~sources and proposed treatment, if any, and information~~
27 ~~demonstrating that the system will be adequately operated and~~

1 ~~maintained. Two complete sets of engineering drawings and~~
2 ~~specifications shall be submitted to the Guam EPA Administrator at~~
3 ~~approximately the 30 percent, 60 percent, and 90 percent completion~~
4 ~~stages of design for approval prior to any notice to proceed to the~~
5 ~~next design stage, and at the 100 percent completion stage of design~~
6 ~~prior to commencement of construction.~~

7 ~~(2) No modifications to the final plans and specifications shall be made~~
8 ~~unless two sets of drawings and specifications indicating the~~
9 ~~modifications are submitted to the Guam EPA Administrator for~~
10 ~~approval. Such submittal must be timely enough to permit full review~~
11 ~~and analysis with a minimum lead time of two weeks. Approval~~
12 ~~shall be by stamp signed by the Guam EPA Administrator upon the~~
13 ~~design drawings.~~

14 ~~(c) The Guam EPA Administrator or the authorized representative may inspect~~
15 ~~any new or altered public water system during construction and prior to~~
16 ~~such water system being placed into operation to verify that construction~~
17 ~~conforms with the approved plans and specifications. The owner of the~~
18 ~~water system shall make arrangements as required by the Guam EPA~~
19 ~~Administrator to inspect the system and shall notify the Guam EPA~~
20 ~~Administrator prior to placing the system into operation. No new or altered~~
21 ~~water system may be put into operation without a signed approval from the~~
22 ~~Guam EPA Administrator. As-built plans shall be submitted to the Guam~~
23 ~~EPA Administrator within sixty days after project approval.~~

24 ~~(d) The Guam EPA Administrator shall not approve:~~

25 ~~(1) Plans for any new public water system or substantial alteration to~~
26 ~~an existing public water system until Guam EPA determines that~~
27 ~~the system, including any proposed treatment facility, has been~~

1 ~~designed to assure that the system will be capable of complying~~
2 ~~with these regulations.~~

3 ~~(2) New or substantially altered water systems which do not conform~~
4 ~~with approved plans and specifications required in paragraph (b).~~

5 ~~(e) The Guam EPA Administrator may require payment of compensation for~~
6 ~~such plan.~~

7 ~~**§ 6141.6 Effective Dates.**~~

8 ~~The provisions of 40 Code of Federal Regulations §141.6 as revised and codified~~
9 ~~as of July 1, 2003 are hereby adopted by reference.~~

10 ~~**§ 6141.7 to § 6141.10 inclusive, Reserved.**~~

11 ~~**Subpart 2 Maximum Contaminant Levels**~~

12 ~~**§ 6141.11 Maximum Contaminant Levels for Inorganic Chemicals.**~~

13 ~~The provisions of 40 Code of Federal Regulations §141.11 as revised and codified~~
14 ~~as of July 1, 2003 are hereby adopted by reference.~~

15 ~~**§ 6141.12 Maximum Contaminant Levels for Total Trihalomethanes.**~~

16 ~~The provisions of 40 Code of Federal Regulations §141.12 as revised and codified~~
17 ~~as of July 1, 2003 are hereby adopted by reference.~~

18 ~~**§ 6141.13 Maximum Contaminant Levels for Turbidity.**~~

19 ~~The provisions of 40 Code of Federal Regulations §141.13, as revised and codified~~
20 ~~as of July 1, 2003, are hereby adopted by reference.~~

21 ~~**§ 6141.14 Reserved.**~~

22 ~~**§ 6141.15 Maximum Contaminant Levels for Radium-226,**~~
23 ~~**Radium-228, and Gross Alpha Particle Radioactivity in**~~
24 ~~**Community Water Systems.**~~

25 ~~The provisions of 40 Code of Federal Regulations §141.15 as revised and codified~~
26 ~~as of July 1, 2003 are hereby adopted by reference.~~

27 ~~**§ 6141.16 Maximum Contaminant Levels for Beta Particle and Photon**~~

1 ~~Radioactivity from Man-made Radionuclides in Community Water~~
2 ~~Systems.~~

3 ~~The provisions of 40 Code of Federal Regulations § 141.16 as revised and codified~~
4 ~~as of July 1, 2003 are hereby adopted by reference.~~

5 ~~§ 6141.17 to § 6141.20 inclusive, Reserved.~~

6 ~~Subpart 3 Monitoring and Analytical Requirements~~

7 ~~§ 6141.21 Coliform Sampling.~~

8 ~~The provisions of 40 Code of Federal Regulations § 141.21 as revised and codified~~
9 ~~as of July 1, 2003 are hereby adopted by reference. In addition, the following~~
10 ~~requirements must be followed:~~

11 ~~(a) Routine Monitoring. With the exception of special purpose samples taken~~
12 ~~to determine whether disinfection practices are sufficient following pipe~~
13 ~~placement, replacement or repair, all other samples collected by the public~~
14 ~~water system or Guam EPA or required by Guam EPA to be collected by~~
15 ~~the public water system, for any other reasons (e.g., customer complaint,~~
16 ~~post-emergency, water rationing), shall be considered as part of the~~
17 ~~routine monitoring. Any such sample will not replace any of the required~~
18 ~~routine monitoring under the approved sample siting plan and will be~~
19 ~~included to determine compliance with the maximum contaminant level~~
20 ~~for total coliforms under § 6141.63.~~

21 ~~(b) Repeat Monitoring. When a system collects a repeat sample, the repeat~~
22 ~~sample must be taken prior to altering the water quality (e.g., prior to~~
23 ~~increasing the dosage of chlorine or flushing the line) that existed at the~~
24 ~~time of the initial sample. Failure to comply with this requirement, or~~
25 ~~failure to collect repeat samples, will result in the repeat samples defaulting~~
26 ~~to a positive reading for total coliforms. When circumstances indicate that~~
27 ~~a positive coliform reading is likely (i.e. line break, low chlorine residual)~~

1 ~~the public water system has the option, when collecting a routine samples,~~
2 ~~to collect repeat samples at the same time in order to allow for altering the~~
3 ~~water quality immediately after collecting the repeat samples.~~

4 ~~§ 6141.22 Turbidity Sampling and Analytical Requirements.~~

5 ~~The provisions of 40 Code of Federal Regulations §141.22 as revised and codified~~
6 ~~as of July 1, 2003 are hereby adopted by reference.~~

7 ~~§ 6141.23 Inorganic Chemical Sampling and Analytical Requirements.~~

8 ~~The provisions of 40 Code of Federal Regulations §141.23 as revised and codified~~
9 ~~as of July 1, 2003 are hereby adopted by reference.~~

10 ~~§ 6141.24 Organic Chemicals, Sampling and Analytical Requirements.~~

11 ~~The provisions of 40 Code of Federal Regulations §141.24 as revised and codified~~
12 ~~as of July 1, 2003 are hereby adopted by reference.~~

13 ~~§ 6141.25 Analytical Methods for Radioactivity.~~

14 ~~The provisions of 40 Code of Federal Regulations §141.25 as revised and codified~~
15 ~~as of July 1, 2003 are hereby adopted by reference.~~

16 ~~§ 6141.26 Monitoring Frequency for Radioactivity in Community Water~~
17 ~~Systems.~~

18 ~~The provisions of 40 Code of Federal Regulations §141.26 as revised and codified~~
19 ~~as of July 1, 2003 are hereby adopted by reference.~~

20 ~~§ 6141.27 Alternate Analytical Techniques.~~

21 ~~The provisions of 40 Code of Federal Regulations §141.27 as revised and codified~~
22 ~~as of July 1, 2003 are hereby adopted by reference.~~

23 ~~§ 6141.28 Certified Laboratories.~~

24 ~~The provisions of 40 Code of Federal Regulations §141.28 as revised and codified~~
25 ~~as of July 1, 2003 are hereby adopted by reference.~~

26 ~~§ 6141.29 Monitoring of Consecutive Public Water Systems.~~

27 ~~The provisions of 40 Code of Federal Regulations §141.29 as revised and codified~~

1 ~~as of July 1, 2003 are hereby adopted by reference.~~

2 ~~§ 6141.30 Total Trihalomethanes Sampling, Analytical and Other~~
3 ~~Requirements.~~

4 ~~The provisions of 40 Code of Federal Regulations §141.30 as revised and codified~~
5 ~~as of July 1, 2003 are hereby adopted by reference.~~

6 ~~Subpart 4 Reporting and Recordkeeping~~

7 ~~§ 6141.31 Reporting Requirements.~~

8 ~~Except as expanded below, the provisions of 40 Code of Federal Regulations~~
9 ~~§141.31 as revised and codified as of July 1, 2003 are hereby adopted by reference.~~

10 ~~The supplier of water shall report to Guam EPA any total coliform positive results~~
11 ~~within twenty four (24) hours of being informed of the results.~~

12 ~~§ 6141.32 Public Notification.~~

13 ~~Refer to Title 22 Guam Code Annotated, Part 6141, Subpart 17 (§6141.201—~~
14 ~~§6141.210) for public notification requirements.~~

15 ~~§ 6141.33 Record Maintenance.~~

16 ~~The provisions of 40 Code of Federal Regulations §141.33 as revised and codified~~
17 ~~as of July 1, 2003 are hereby adopted by reference.~~

18 ~~§ 6141.34 Reserved.~~

19 ~~§ 6141.35 Reporting and Public Notification for Certain Unregulated~~
20 ~~Contaminants.~~

21 ~~Public water systems must comply with provisions of 40 Code of Federal~~
22 ~~Regulations §141.35. However, Guam EPA is not adopting 40 Code of Federal~~
23 ~~Regulations §141.35 by reference because the Federal EPA enforces this~~
24 ~~regulation, in coordination with Guam EPA.~~

25 ~~§ 6141.36 to § 6141.39 inclusive, Reserved.~~

26 ~~Subpart 5 Special Regulations, Including Monitoring Regulations and~~
27 ~~Prohibition on Lead Use~~

1 ~~§ 6141.40 Monitoring Requirements for Unregulated Contaminants.~~

2 Public water systems must comply with provisions of 40 Code of Federal
3 Regulations §141.40. However, Guam EPA is not adopting 40 Code of Federal
4 Regulations §141.40 by reference because the Federal EPA enforces this
5 regulation, in coordination with July 1, 2003 are hereby adopted by reference.

6 ~~§ 6141.41 Special Monitoring for Sodium.~~

7 The provisions of 40 Code of Federal Regulations §141.41 as revised and codified
8 as of July 1, 2003 are hereby adopted by reference.

9 ~~§ 6141.42 Special Monitoring for Corrosivity Characteristics.~~

10 The provisions of 40 Code of Federal Regulations §141.42 as revised and codified
11 as of July 1, 2003 are hereby adopted by reference.

12 ~~§ 6141.43 Prohibition on Use of Lead Pipes, Solder, and Flux.~~

13 The provisions of 40 Code of Federal Regulations §141.43 as revised and codified
14 as of July 1, 2003 are hereby adopted by reference.

15 ~~§ 6141.44 to § 6141.49 inclusive, Reserved.~~

16 ~~Subpart 6 Maximum Contaminant Level Goals and Maximum Residual
17 Disinfectant Level Goals~~

18 ~~§ 6141.50 Maximum Contaminant Level Goals for Organic
19 Contaminants.~~

20 The provisions of 40 Code of Federal Regulations §141.50 as revised and codified
21 as of July 1, 2003 are hereby adopted by reference.

22 ~~§ 6141.51 Maximum Contaminant Level Goals for Inorganic
23 Contaminants.~~

24 The provisions of 40 Code of Federal Regulations §141.51 as revised and codified
25 as of July 1, 2003 are hereby adopted by reference.

26 ~~§ 6141.52 Maximum Contaminant Level Goals for Microbiological
27 Contaminants.~~

1 ~~The provisions of 40 Code of Federal Regulations §141.52 as revised and codified~~
2 ~~as of July 1, 2003 are hereby adopted by reference.~~

3 ~~§ 6141.53 Maximum Contaminant Level Goals for Disinfection~~
4 ~~Byproducts.~~

5 ~~The provisions of 40 Code of Federal Regulations §141.53 as revised and codified~~
6 ~~as of July 1, 2003 are hereby adopted by reference.~~

7 ~~§ 6141.54 Maximum Residual Disinfectant Level Goals for Disinfectants.~~

8 ~~The provisions of 40 Code of Federal Regulations §141.54 as revised and codified~~
9 ~~as of July 1, 2003 are hereby adopted by reference.~~

10 ~~§ 6141.55 Maximum Contaminant Level Goals for Radionuclides.~~

11 ~~The provisions of 40 Code of Federal Regulations §141.55 as revised and~~
12 ~~codified as of July 1, 2003 are hereby adopted by reference.~~

13 ~~§ 6141.56 to § 6141.59 inclusive, Reserved.~~

14 ~~Subpart 7 National Revised Primary Drinking Water~~
15 ~~Regulations: Maximum Contaminant Levels and Maximum~~
16 ~~Residual Disinfectant Levels.~~

17 ~~§ 6141.60 Effective Dates~~

18 ~~The provisions of 40 Code of Federal Regulations §141.60 as revised and codified~~
19 ~~as of July 1, 2003 are hereby adopted by reference.~~

20 ~~§ 6141.61 Maximum Contaminant Levels for Organic Contaminants.~~

21 ~~The provisions of 40 Code of Federal Regulations §141.61 as revised and codified~~
22 ~~as of July 1, 2003 are hereby adopted by reference.~~

23 ~~§ 6141.62 Maximum Contaminant Levels for Inorganic Contaminants.~~

24 ~~The provisions of 40 Code of Federal Regulations §141.62 as revised and codified~~
25 ~~as of July 1, 2003 are hereby adopted by reference.~~

26 ~~§ 6141.63 Maximum Contaminant Levels (MCLs) for Microbiological~~
27 ~~Contaminants. Except as modified below, the provisions of 40 Code of Federal~~

1 ~~Regulations §141.63 as revised and codified as of July 1, 2003 are hereby~~
2 ~~adopted by reference. Any fecal coliform positive repeat sample following a~~
3 ~~total positive routine sample, or *E. coli* positive repeat sample, or any fecal~~
4 ~~coliform positive or *E. Coli* positive routine sample, or any total coliform-~~
5 ~~positive repeat sample following a fecal coliform positive or *E. coli* positive~~
6 ~~routine sample, constitutes a violation of the MCL for total coliforms. For~~
7 ~~purposes of the public notification requirements in Part 6141, Subpart 17~~
8 ~~(§6141.201—§6141.210), this is a violation that may pose an acute risk to health.~~

9 **~~§ 6141.64 Maximum Contaminant Levels for Disinfection Byproducts.~~**

10 ~~The provisions of 40 Code of Federal Regulations §141.64 as revised and codified~~
11 ~~as of July 1, 2003 are hereby adopted by reference.~~

12 **~~§ 6141.65 Maximum Residual Disinfectant Levels.~~**

13 ~~The provisions of 40 Code of Federal Regulations §141.65 as revised and codified~~
14 ~~as of July 1, 2003 are hereby adopted by reference.~~

15 **~~§ 6141.66 Maximum Contaminant Levels for Radionuclides.~~**

16 ~~The provisions of 40 Code of Federal Regulations §141.66 as revised and codified~~
17 ~~as of July 1, 2003 are hereby adopted by reference.~~

18 **~~§ 6141.67 to § 6141.69 inclusive, Reserved.~~**

19 **~~Subpart 8 Filtration and Disinfection.~~**

20 **~~§ 6141.70 General Requirements.~~**

21 ~~The provisions of 40 Code of Federal Regulations §141.70 as revised and codified~~
22 ~~as of July 1, 2003 are hereby adopted by reference.~~

23 **~~§ 6141.71 Criteria for Avoiding Filtration.~~**

24 ~~The provisions of 40 Code of Federal Regulations §141.71 as revised and codified~~
25 ~~as of July 1, 2003 are hereby adopted by reference.~~

26 **~~§ 6141.72 Disinfection.~~**

27 ~~The provisions of 40 Code of Federal Regulations §141.72 as revised and codified~~

1 ~~as of July 1, 2003 are hereby adopted by reference.~~

2 ~~**§6141.73 Filtration.**~~

3 ~~The provisions of 40 Code of Federal Regulations §141.73 as revised and codified~~
4 ~~as of July 1, 2003 are hereby adopted by reference.~~

5 ~~**§6141.74 Analytical and Monitoring Requirements.**~~

6 ~~The provisions of 40 Code of Federal Regulations §141.74 as revised and codified~~
7 ~~as of July 1, 2003 are hereby adopted by reference.~~

8 ~~**§6141.75 Reporting and Record Keeping Requirements.**~~

9 ~~The provisions of 40 Code of Federal Regulations §141.75 as revised and codified~~
10 ~~as of July 1, 2003, are hereby adopted by reference.~~

11 ~~**§6141.76 Recycle Provisions.**~~

12 ~~The provisions of 40 Code of Federal Regulations §141.76 as revised and codified~~
13 ~~as of July 1, 2003, are hereby adopted by reference.~~

14 ~~**§6141.77 to §6141.79 inclusive, Reserved.**~~

15 ~~**Subpart 9 Control of Lead and Copper**~~

16 ~~**§6141.80 General Requirements.**~~

17 ~~The provisions of 40 Code of Federal Regulations §141.80 as revised and codified~~
18 ~~as of July 1, 2003, are hereby adopted by reference.~~

19 ~~**§6141.81 Applicability of Corrosion Control Treatment Steps to Small,**~~
20 ~~**Medium-size and Large Water Systems.**~~

21 ~~The provisions of 40 Code of Federal Regulations §141.81 as revised and codified~~
22 ~~as of July 1, 2003, are hereby adopted by reference.~~

23 ~~**§6141.82 Description of Corrosion Control Treatment Requirements.**~~

24 ~~The provisions of 40 Code of Federal Regulations §141.82 as revised and codified~~
25 ~~as of July 1, 2003, are hereby adopted by reference.~~

26 ~~**§6141.83 Source Water Treatment Requirements.**~~

27 ~~The provisions of 40 Code of Federal Regulations §141.83 as revised and codified~~

1 ~~as of July 1, 2003, are hereby adopted by reference.~~

2 **~~§6141.84 Lead Service Line Replacement Requirements.~~**

3 ~~The provisions of 40 Code of Federal Regulations §141.84 as revised and codified~~
4 ~~as of July 1, 2003, are hereby adopted by reference.~~

5 **~~§6141.85 Public Education and Supplemental Monitoring Requirements.~~**

6 ~~The provisions of 40 Code of Federal Regulations §141.85 as revised and codified~~
7 ~~as of July 1, 2003, are hereby adopted by reference.~~

8 **~~§6141.86 Monitoring Requirements for Lead and Copper in Tap Water.~~**

9 ~~The provisions of 40 Code of Federal Regulations §141.86 as revised and codified~~
10 ~~as of July 1, 2003, are hereby adopted by reference.~~

11 **~~§6141.87 Monitoring Requirements for Water Quality Parameters.~~**

12 ~~The provisions of 40 Code of Federal Regulations §141.87 as revised and codified~~
13 ~~as of July 1, 2003, are hereby adopted by reference.~~

14 **~~§6141.88 Monitoring Requirements for Lead and Copper in Source Water.~~**

15 ~~The provisions of 40 Code of Federal Regulations §141.88 as revised and codified~~
16 ~~as of July 1, 2003, are hereby adopted by reference.~~

17 **~~§6141.89 Analytical Methods.~~**

18 ~~The provisions of 40 Code of Federal Regulations §141.89 as revised and codified~~
19 ~~as of July 1, 2003 are hereby adopted by reference.~~

20 **~~§6141.90 Reporting Requirements.~~**

21 ~~The provisions of 40 Code of Federal Regulations §141.90 as revised and codified~~
22 ~~as of July 1, 2003, are hereby adopted by reference.~~

23 **~~§6141.91 Record Keeping Requirements.~~**

24 ~~The provisions of 40 Code of Federal Regulations §141.91 as revised and codified~~
25 ~~as of July 1, 2003, are hereby adopted by reference.~~

26 **~~§6141.92 to §6141.99 inclusive, Reserved.~~**

27 **~~Subpart 10 Use of Non-Centralized Treatment Devices~~**

1 ~~§6141.100 Criteria and Procedures for Public Water Systems Using Point-~~
2 ~~of Entry Devices.~~

3 The provisions of 40 Code of Federal Regulations §141.100 as revised and
4 codified as of July 1, 2003, are hereby adopted by reference.

5 ~~§6141.101 Use of Bottled Water.~~

6 The provisions of 40 Code of Federal Regulations § 141.101 as revised and
7 codified as of July 1, 2003, are hereby adopted by reference.

8 ~~§6141.102 to §6141.109 inclusive, Reserved.~~

9 ~~Subpart 11 Treatment Techniques~~

10 ~~§6141.110 General Requirements.~~

11 The provisions of 40 Code of Federal Regulations §141.110 as revised and
12 codified as of July 1, 2003, are hereby adopted by reference.

13 ~~§6141.111 Treatment Techniques for Acrylamide and Epichlorohydrin.~~

14 The provisions of 40 Code of Federal Regulations §141.111 as revised and
15 codified as of July 1, 2003, are hereby adopted by reference.

16 ~~§6141.112 to §6141.129 inclusive, Reserved.~~

17 ~~Subpart 12 Disinfectant Residuals, Disinfection Byproducts, and~~
18 ~~Disinfection Byproduct Precursors~~

19 ~~§6141.130 General Requirements.~~

20 The provisions of 40 Code of Federal Regulations § 141.130 as revised and
21 codified as of July 1, 2003, are hereby adopted by reference.

22 ~~§6141.131 Analytical Requirements.~~

23 The provisions of 40 Code of Federal Regulations §141.131 as revised and codified
24 as of July 1, 2003, are hereby adopted by reference.

25 ~~§6141.132 Monitoring Requirements.~~

26 The provisions of 40 Code of Federal Regulations §141.132 as revised and codified
27 as of July 1, 2003, are hereby adopted by reference.

1 ~~§ 6141.133 Compliance Requirements.~~

2 ~~The provisions of 40 Code of Federal Regulations §141.133 as revised and codified~~
3 ~~as of July 1, 2003, are hereby adopted by reference.~~

4 ~~§ 6141.134 Reporting and Record Keeping Requirements.~~

5 ~~The provisions of 40 Code of Federal Regulations §141.134 as revised and codified~~
6 ~~as of July 1, 2003, are hereby adopted by reference.~~

7 ~~§ 6141.135 Treatment Technique for Control of Disinfection Byproduct~~
8 ~~(DBP) Precursors. The provisions of 40 Code of Federal Regulations §141.135~~
9 ~~as revised and codified as of July 1, 2003, are hereby adopted by reference.~~

10 ~~§6141.136 to §6141.150 inclusive, Reserved.~~

11 ~~Subpart 15 Consumer Confidence Reports~~

12 ~~§ 6141.151 Purpose and Applicability of this Subpart.~~

13 ~~The provisions of 40 Code of Federal Regulations §141.151 as revised and codified~~
14 ~~as of July 1, 2003, are hereby adopted by reference.~~

15 ~~§6141.152 Effective Dates.~~

16 ~~The provisions of 40 Code of Federal Regulations §141.152 as revised and codified~~
17 ~~as of July 1, 2003, are hereby adopted by reference.~~

18 ~~§6141.153 Content of the Reports.~~

19 ~~Except as provided below, the provisions of 40 Code of Federal Regulations~~
20 ~~§141.153 as revised and codified as of July 1, 2003 are hereby adopted by~~
21 ~~reference. No public water system in Guam is required to comply with the~~
22 ~~"Information Collection Requirements for Public Water Systems" rule, codified~~
23 ~~at 40 Code of Federal Regulations §141.140 through §141.144 (July 1, 2000~~
24 ~~version). Therefore, the cross references to 40 Code of Federal Regulations~~
25 ~~§141.142 and §141.143 contained in 40 Code of Federal Regulations §141.153~~
26 ~~do not apply to public water systems in Guam.~~

27 ~~§6141.154 Required Additional Health Information.~~

1 ~~The provisions of 40 Code of Federal Regulations § 141.154 as revised and~~
2 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

3 **~~§ 6141.155 Report Delivery and Record Keeping.~~**

4 ~~The provisions of 40 Code of Federal Regulations § 141.155 as revised and~~
5 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

6 **~~§ 6141.156 to § 6141.169 inclusive, Reserved.~~**

7 **~~Subpart 16—Enhanced Filtration and Disinfection Systems Serving 10,000 or~~**
8 **~~More People~~**

9 **~~§ 6141.170 General Requirements.~~**

10 ~~The provisions of 40 Code of Federal Regulations § 141.170 as revised and~~
11 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

12 **~~§ 6141.171 Criteria for Avoiding Filtration.~~**

13 ~~The provisions of 40 Code of Federal Regulations § 141.171 as revised and~~
14 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

15 **~~§ 6141.172 Disinfection Profiling and Benchmarking.~~**

16 ~~The provisions of 40 Code of Federal Regulations § 141.172 as revised and~~
17 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

18 **~~§ 6141.173 Filtration.~~**

19 ~~The provisions of 40 Code of Federal Regulations § 141.173 as revised and~~
20 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

21 **~~§ 6141.174 Filtration Sampling Requirements.~~**

22 ~~The provisions of 40 Code of Federal Regulations § 141.174 as revised and~~
23 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

24 **~~§ 6141.175 Reporting and Record Keeping Requirements.~~**

25 ~~The provisions of 40 Code of Federal Regulations § 141.175 as revised and~~
26 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

27 **~~§ 6141.176 to § 6141.200 inclusive, Reserved~~**

1 ~~**Subpart 17 – Public Notification of Drinking Water Violations**~~

2 ~~**§ 6141.201 General Public Notification Requirements.**~~

3 ~~The provisions of 40 Code of Federal Regulations §141.201 as revised and~~
4 ~~codified as of July 1, 2003, are hereby adopted by reference. In addition, PWSs~~
5 ~~must submit a draft of the public notification and/or press release to Guam EPA~~
6 ~~for concurrence, as soon as practicable, prior to release to the appropriate media~~
7 ~~or delivery to the public. PWSs must still comply with the required timelines for~~
8 ~~release or delivery of public notification.~~

9 ~~**§ 6141.202 Tier 1 Public Notice – Form, Manner, and Frequency of Notice.**~~

10 ~~Except as provided below, the provisions of 40 Code of Federal Regulations~~
11 ~~§141.202 as revised and codified as of July 1, 2003, are hereby adopted by~~
12 ~~reference. In order to reach all persons served and unless directed otherwise by~~
13 ~~Guam EPA in writing, water systems are to use, at a minimum, in order of the~~
14 ~~following priority, one or more of the following forms of delivery:~~

- 15 ~~(1) — Another delivery method approved in writing by Guam EPA;~~
16 ~~(2) — Publication of the notice in a local newspaper of general distribution;~~
17 ~~(3) — Appropriate broadcast media (such as radio and television);~~
18 ~~(4) — Hand delivery of the notice to persons served by the water system; or~~
19 ~~(5) — Posting of the notice in conspicuous locations throughout the area~~
20 ~~served by the water system.~~

21 ~~**§ 6141.203 Tier 2 Public Notice – Form, Manner, and Frequency of Notice.**~~

22 ~~The provisions of 40 Code of Federal Regulations §141.203 as revised and~~
23 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

24 ~~**§ 6141.204 Tier 3 Public Notice – Form, Manner, and Frequency of Notice.**~~

25 ~~The provisions of 40 Code of Federal Regulations §141.204 as revised and codified~~
26 ~~as of July 1, 2003, are hereby adopted by reference.~~

27 ~~**§ 6141.205 Content of the Public Notice.**~~

1 ~~The provisions of 40 Code of Federal Regulations §141.205 as revised and codified~~
2 ~~as of July 1, 2003, are hereby adopted by reference.~~

3 ~~**§6141.206 Notice to New Billing Units or New Customers.**~~

4 ~~The provisions of 40 Code of Federal Regulations §141.206 as revised and codified~~
5 ~~as of July 1, 2003, are hereby adopted by reference.~~

6 ~~**§ 6141.207 Special Notice of the Availability of Unregulated Contaminant**~~
7 ~~**Monitoring Results.**~~

8 ~~The provisions of 40 Code of Federal Regulations §141.207 as revised and~~
9 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

10 ~~**§6141.208 Special Notice for Exceedance of the SMCL for Fluoride.**~~

11 ~~The provisions of 40 Code of Federal Regulations §141.208 as revised and~~
12 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

13 ~~**§ 6141.209 Special Notice for Nitrate Exceedances Above MCL by Non-**~~
14 ~~**community Water Systems (NCWS), Where Granted Permission by the**~~
15 ~~**Primacy Agency.**~~

16 ~~The provisions of 40 Code of Federal Regulations §141.209 as revised and~~
17 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

18 ~~**§6141.210 Notice by Primacy Agency on Behalf of the Public Water System.**~~

19 ~~The provisions of 40 Code of Federal Regulations §141.210 as revised and~~
20 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

21 ~~**Subpart 18 – 19 (Reserved)**~~

22 ~~**Subpart 20 – Enhanced Filtration and Disinfection – Systems Serving Fewer**~~
23 ~~**than 10,000 People**~~

24 ~~**GENERAL REQUIREMENTS**~~

25 ~~**§6141.500 General requirements**~~

26 ~~The provisions of 40 Code of Federal Regulations §141.500 as revised and~~
27 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

1 ~~§ 6141.501 Who is subject to the requirements of subpart 20?~~

2 ~~The provisions of 40 Code of Federal Regulations §141.501 as revised and~~
3 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

4 ~~§ 6141.502 When must my system comply with these requirements?~~

5 ~~The provisions of 40 Code of Federal Regulations §141.502 as revised and~~
6 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

7 ~~§ 6141.503 What does subpart 20 require?~~

8 ~~The provisions of 40 Code of Federal Regulations §141.503 as revised and~~
9 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

10 ~~FINISHED WATER RESERVOIRS~~

11 ~~§ 6141.510 Is my system subject to the new finished water reservoir~~
12 ~~requirements?~~

13 ~~The provisions of 40 Code of Federal Regulations §141.510 as revised and~~
14 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

15 ~~§ 6141.511 What is required of new finished water reservoir?~~

16 ~~The provisions of 40 Code of Federal Regulations §141.511 as revised and~~
17 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

18 ~~ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR~~
19 ~~UNFILTERED SYSTEMS~~

20 ~~§ 6141.520 Is my system subject to the updated watershed control~~
21 ~~requirements?~~

22 ~~The provisions of 40 Code of Federal Regulations §141.520 as revised and~~
23 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

24 ~~§ 6141.521 What updated watershed control requirements must my~~
25 ~~unfiltered system implement to continue to avoid filtration?~~

26 ~~The provisions of 40 Code of Federal Regulations §141.521 as revised and~~
27 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

1 ~~§ 6141.522 How does the State determine whether my system's watershed~~
2 ~~control requirements are adequate?~~

3 ~~The provisions of 40 Code of Federal Regulations §141.522 as revised and~~
4 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

5 **DISINFECTION PROFILE**

6 ~~§ 6141.530 What is a disinfection profile and who must develop one?~~

7 ~~The provisions of 40 Code of Federal Regulations §141.530 as revised and~~
8 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

9 ~~§ 6141.531 What criteria must a State use to determine that a profile is~~
10 ~~unnecessary?~~

11 ~~The provisions of 40 Code of Federal Regulations §141.531 as revised and~~
12 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

13 ~~§ 6141.532 How does my system develop a disinfection profile and when must~~
14 ~~it begin?~~

15 ~~The provisions of 40 Code of Federal Regulations §141.532 as revised and~~
16 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

17 ~~§ 6141.533 What data must my system collect to calculate a disinfection~~
18 ~~profile?~~

19 ~~The provisions of 40 Code of Federal Regulations §141.533 as revised and~~
20 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

21 ~~§ 6141.534 How does my system use this data to calculate an inactivation ratio?~~

22 ~~The provisions of 40 Code of Federal Regulations §141.534 as revised and~~
23 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

24 ~~§ 6141.535 What if my system uses chloramines, ozone, or chlorine dioxide~~
25 ~~for primary disinfection?~~

26 ~~The provisions of 40 Code of Federal Regulations §141.535 as revised and codified~~
27 ~~as of July 1, 2003, are hereby adopted by reference.~~

1 ~~§ 6141.536 My system has developed an inactivation ratio; what must we do~~
2 ~~now?~~

3 ~~The provisions of 40 Code of Federal Regulations §141.536 as revised and codified~~
4 ~~as of July 1, 2003, are hereby adopted by reference.~~

5 **~~DISINFECTION BENCHMARK~~**

6 ~~§ 6141.540 Who has to develop disinfection benchmark.~~

7 ~~The provisions of 40 Code of Federal Regulations §141.540 as revised and codified~~
8 ~~as of July 1, 2003, are hereby adopted by reference.~~

9 ~~§ 6141.541 What are significant changes to disinfection practice?~~

10 ~~The provisions of 40 Code of Federal Regulations §141.541 as revised and codified~~
11 ~~as of July 1, 2003, are hereby adopted by reference.~~

12 ~~§ 6141.542 What must my system do if we are considering a significant~~
13 ~~change to disinfection practices?~~

14 ~~The provisions of 40 Code of Federal Regulations §141.542 as revised and codified~~
15 ~~as of July 1, 2003, are hereby adopted by reference.~~

16 ~~§ 6141.543 How is the disinfection benchmark calculated?~~

17 ~~The provisions of 40 Code of Federal Regulations §141.543 as revised and codified~~
18 ~~as of July 1, 2003, are hereby adopted by reference.~~

19 ~~§ 6141.544 What if my system uses chloramines, ozone, or chlorine dioxide~~
20 ~~for primary disinfection?~~

21 ~~The provisions of 40 Code of Federal Regulations §141.544 as revised and codified~~
22 ~~as of July 1, 2003, are hereby adopted by reference.~~

23 **~~COMBINED FILTER EFFLUENT REQUIREMENTS~~**

24 ~~§ 6141.550 Is my system required to meet subpart 20 combined filter~~
25 ~~effluent turbidity limits?~~

26 ~~The provisions of 40 Code of Federal Regulations §141.550 as revised and codified~~
27 ~~as of July 1, 2003, are hereby adopted by reference.~~

1 ~~§6141.551 What strengthened combined filter effluent turbidity limits~~
2 ~~must my system meet?~~

3 ~~The provisions of 40 Code of Federal Regulations §141.551 as revised and codified~~
4 ~~as of July 1, 2003, are hereby adopted by reference.~~

5 ~~§ 6141.552 My system consists of "alternative filtration" and is required~~
6 ~~to conduct a demonstration what is required of my system and how~~
7 ~~does the State establish my turbidity limits?~~

8 ~~The provisions of 40 Code of Federal Regulations §141.552 as revised and codified~~
9 ~~as of July 1, 2003, are hereby adopted by reference.~~

10 ~~§ 6141.553 My system practices lime softening is there any special provision~~
11 ~~regarding my combined filter effluent?~~

12 ~~The provisions of 40 Code of Federal Regulations §141.553 as revised and codified~~
13 ~~as of July 1, 2003, are hereby adopted by reference.~~

14 ~~INDIVIDUAL FILTER TURBIDITY REQUIREMENTS~~

15 ~~§ 6141.560 Is my system subject to individual filter turbidity requirement?~~

16 ~~The provisions of 40 Code of Federal Regulations §141.560 as revised and codified~~
17 ~~as of July 1, 2003, are hereby adopted by reference.~~

18 ~~§ 6141.561 What happens if my system's turbidity monitoring equipment~~
19 ~~fails?~~

20 ~~The provisions of 40 Code of Federal Regulations §141.561 as revised and codified~~
21 ~~as of July 1, 2003, are hereby adopted by reference.~~

22 ~~§ 6141.562 My system only has two or fewer filters is there any special~~
23 ~~provision regarding individual filter turbidity monitoring?~~

24 ~~The provisions of 40 Code of Federal Regulations §141.562 as revised and codified~~
25 ~~as of July 1, 2003, are hereby adopted by reference.~~

26 ~~§ 6141.563 What follow up action is my system required to take based on~~
27 ~~continuous turbidity monitoring?~~

1 ~~The provisions of 40 Code of Federal Regulations §141.563 as revised and~~
2 ~~codified as of July 1, 2003, are hereby adopted by reference.~~

3 ~~§ 6141.564 My system practices lime softening is there any special provisions~~
4 ~~regarding my individual filter turbidity monitoring?~~

5 ~~The provisions of 40 Code of Federal Regulations §141.564 as revised and codified~~
6 ~~as of July 1, 2003, are hereby adopted by reference.~~

7 ~~REPORTING AND RECORDKEEPING~~

8 ~~§ 6141.570 What does Subpart 20 require that my system report to the~~
9 ~~State?~~

10 ~~The provisions of 40 Code of Federal Regulations §141.570 as revised and codified~~
11 ~~as of July 1, 2003, are hereby adopted by reference.~~

12 ~~§ 6141.571 What records does subpart 20 require my system to keep?~~

13 ~~The provisions of 40 Code of Federal Regulations §141.571 as revised and codified~~
14 ~~as of July 1, 2003, are hereby adopted by reference.~~

15 ~~PART 6143 GUAM SECONDARY DRINKING WATER REGULATIONS~~

16 ~~§ 6143.1 Purpose.~~

17 ~~The provisions of 40 Code of Federal Regulations §143.1 as revised and codified~~
18 ~~as of July 1, 2003 are hereby adopted by reference.~~

19 ~~§ 6143.2 Definitions.~~

20 ~~The provisions of 40 Code of Federal Regulations §143.2 as revised and codified as~~
21 ~~of July 1, 2003, are hereby adopted by reference.~~

22 ~~§ 6143.3 Secondary Maximum Contaminant Levels.~~

23 ~~The provisions of 40 Code of Federal Regulations §143.3 as revised and codified as~~
24 ~~of July 1, 2003, are hereby adopted by reference.~~

25 ~~§ 6143.4 Monitoring.~~

26 ~~(a) The parameters in these regulations shall be monitored at intervals no less~~
27 ~~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 may be appropriate for specific parameters such as pH, color, odor or others under certain circumstances as directed by Guam EPA.

(b) Measurement of pH, copper and fluoride to determine compliance under §6143.3 may be conducted with one of the methods in 40 Code of Federal Regulations §141.23(k)(1). Analyses of aluminum, fluoride, foaming agents, iron, manganese, odor, silver, sulfate, total dissolved solids (TDS) and zinc to determine compliance under §6143.3 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 ² | SM ⁴ 18th and 19th ed | SM ⁴ 20th ed. | Other |
|-------------------|--|--------------------------|---|---|-----------------------|
| 1. Aluminum | 200.7 ² 200.8 ² 200.9 ² 300.0 ¹ | | 3120-B 3113-B 3111-D | 3120-B | |
| 2. Chloride | 300.0 ¹ | 04327-97 D512-89B | 4110-B 4500-Cr-D 4500-Cr-B | 4110-B 4500-Cr-D 4500-Cr-B | |
| 3. Color | | | 2120-B | 2120-B | |
| 4. Foaming Agents | | | 5540-C | 5540-C | |
| 5. Iron | 200.7 ² 200.9 ² | | 3120-B 3111-B 3113-B | | |
| 6. Manganese | 200.7 ² 200.8 ² 200.9 ² | | 3120-B 3111-B 3113-B | 3120-B | |
| 7. Odor | | | 2150-B | 2150-B | |
| 8. Silver | 200.7 ² 200.8 ² 200.9 ² | | 3120-B 3111-B 3113-B | 3120-B | 13720-85 ⁵ |
| 9. Sulfate | 300.0 ¹ 375.2 ¹ | D4327-97 D516-90 | 4110-B 4500-SO/ 4500-SO ₄ ² -C, D 4500-SO ₄ ² -E | 4110-B 4500-SO/ 4500-SO ₄ ² -C, D 4500-SO ₄ ² -E | |

| | | | | | |
|---------------------------|--------------------|--|--------|--------|--|
| 10. Total Dissolved Solid | | | 2540-C | 2540-C | |
| 11. Zinc | 200.7 ² | | 3120-B | 3120-B | |
| | 200.8 ² | | 3111-B | | |

The procedure 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 Code of Federal Regulations 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 Office of Federal Register, 800 North Capitol Street, NW Suite 700, Washington, DC 20408. ¹"Methods for the Determination of Inorganic Substances in Environmental Samples", EPA-600/R-93-100, August 1993. Available at NTIS, PB94-121811. ²"Methods for the Determination of Metals in Environmental Samples - Supplement I", EPN600/R-94-111, May 1994. Available at NTIS, PB95-125472. *r 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. 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 editions may 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

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CHAPTER 6

DRINKING WATER REGULATIONS

PART 6141 – GUAM PRIMARY DRINKING WATER REGULATIONS

SUBPART A – GENERAL

- § 6141.1 Authority.
- § 6141.2 Definitions.
- § 6141.3 Coverage.
- § 6141.4 [Reserved]
- § 6141.5 Siting Requirements and Plan Review.
- § 6141.6 Effective Dates.
- § 6141.7 to § 6141.10 inclusive, [Reserved]

SUBPART B - MAXIMUM CONTAMINANT LEVELS

- § 6141.11 Maximum Contaminant Levels for Inorganic Chemicals.
- § 6141.12 [Reserved]
- § 6141.13 Maximum Contaminant Levels for Turbidity.
- § 6141.14 to § 6141.20 inclusive, [Reserved]

1 SUBPART C – MONITORING AND ANALYTICAL REQUIREMENTS

2 § 6141.21 Coliform Sampling.

3 § 6141.22 Turbidity Sampling and Analytical Requirements.

4 § 6141.23 Inorganic Chemical Sampling and Analytical Requirements.

5 § 6141.24 Organic Chemicals, Sampling and Analytical Requirements.

6 § 6141.25 Analytical Methods for Radioactivity.

7 § 6141.26 Monitoring Frequency and Compliance requirements for
8 Radionuclides in Community Water Systems.

9 § 6141.27 Alternate Analytical Techniques.

10 § 6141.28 Certified Laboratories.

11 § 6141.29 Monitoring of Consecutive Public Water Systems.

12 § 6141.30 [Reserved]

13 Appendix A to Subpart C of Part 141 - Alternative Testing Methods Approved
14 for Analyses Under the Safe Drinking Water Act

15 SUBPART D – REPORTING AND RECORDKEEPING

16 § 6141.31 Reporting Requirements.

17 § 6141.32 [Reserved]

18 § 6141.33 Record Maintenance.

19 § 6141.34 [Reserved]

20 § 6141.35 Reporting and Public Notification for Certain Unregulated
21 Contaminants.

22 § 6141.36 to § 6141.39 inclusive, [Reserved]

23 SUBPART E – SPECIAL REGULATIONS, INCLUDING MONITORING

24 REGULATIONS AND PROHIBITION ON LEAD USE

25 § 6141.40 Monitoring Requirements for Unregulated Contaminants.

26 § 6141.41 Special monitoring for sodium.

27 § 6141.42 Special monitoring for corrosivity characteristics.

1 § 6141.43 Prohibition on use of lead pipes, solder, and flux.

2 § 6141.44 to § 6141.49 inclusive, [Reserved]

3 SUBPART F – MAXIMUM CONTAMINANT LEVEL GOALS AND

4 MAXIMUM RESIDUAL DISINFECTANT LEVEL GOALS

5 § 6141.50 Maximum contaminant level goals for organic contaminants.

6 § 6141.51 Maximum contaminant level goals for inorganic contaminants.

7 § 6141.52 Maximum contaminant level goals for microbiological
8 contaminants.

9 § 6141.53 Maximum contaminant level goals for disinfection byproducts.

10 § 6141.54 Maximum residual disinfectant level goals for disinfectants

11 § 6141.55 Maximum contaminant level goals for radionuclides.

12 § 6141.56 to § 6141.59 inclusive, [Reserved]

13 SUBPART G – NATIONAL REVISED PRIMARY DRINKING WATER
14 REGULATIONS: MAXIMUM CONTAMINANT LEVELS AND MAXIMUM
15 RESIDUAL DISINFECTANT LEVELS

16 § 6141.60 Effective dates.

17 § 6141.61 Maximum contaminant levels for organic contaminants

18 § 6141.62 Maximum contaminant levels for inorganic contaminants.

19 § 6141.63 Maximum contaminant levels (MCLs) for microbiological
20 contaminants

21 § 6141.64 Maximum contaminant levels for disinfection byproducts.

22 § 6141.65 Maximum residual disinfectant levels.

23 § 6141.66 Maximum contaminant levels for radionuclides.

24 § 6141.67 to § 6141.69 inclusive, [Reserved]

25 SUBPART H—FILTRATION AND DISINFECTION

26 § 6141.70 General requirements.

27 § 6141.71 Criteria for avoiding filtration.

1 § 6141.72 Disinfection.

2 § 6141.73 Filtration.

3 § 6141.74 Analytical and monitoring requirements.

4 § 6141.75 Reporting and recordkeeping requirements.

5 § 6141.76 Recycle provisions.

6 § 6141.77 to § 6141.79 inclusive, [Reserved]

7 SUBPART I—CONTROL OF LEAD AND COPPER

8 § 6141.80 General Requirements.

9 § 6141.81 Applicability of corrosion control treatment steps to small,
10 medium-size and large water systems.

11 § 6141.82 Description of corrosion control treatment requirements.

12 § 6141.83 Source water treatment requirements.

13 § 6141.84 Lead service line replacement requirements.

14 § 6141.85 Public education and supplemental monitoring requirements.

15 § 6141.86 Monitoring requirements for lead and copper in tap water.

16 § 6141.87 Monitoring requirements for water quality parameters.

17 § 6141.88 Monitoring requirements for lead and copper in source water.

18 § 6141.89 Analytical methods.

19 § 6141.90 Reporting requirements.

20 § 6141.91 Recordkeeping requirements.

21 § 6141.92 to § 6141.99 inclusive, [Reserved]

22 SUBPART J—USE OF NON-CENTRALIZED TREATMENT DEVICES

23 § 6141.100 Criteria and procedures for public water systems using point-of-
24 entry devices.

25 § 6141.101 Use of bottled water.

26 § 6141.102 to § 6141.109 inclusive, [Reserved]

27 SUBPART K—TREATMENT TECHNIQUES

1 § 6141.110 General requirements.

2 § 6141.111 Treatment techniques for acrylamide and epichlorohydrin.

3 § 6141.112 to § 6141.129 inclusive, [Reserved]

4 SUBPART L—DISINFECTANT RESIDUALS, DISINFECTION
5 BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

6 § 6141.130 General requirements.

7 § 6141.131 Analytical requirements.

8 § 6141.132 Monitoring requirements.

9 § 6141.133 Compliance requirements.

10 § 6141.134 Reporting and recordkeeping requirements.

11 § 6141.135 Treatment technique for control of disinfection byproduct (DBP)
12 precursors.

13 § 6141.136 to § 6141.150 inclusive, [Reserved]

14 SUBPART M – RESERVED

15 SUBPART N - RESERVED

16 SUBPART O—CONSUMER CONFIDENCE REPORTS

17 § 6141.151 Purpose and applicability of this subpart.

18 § 6141.152 Effective dates.

19 § 6141.153 Content of the reports.

20 § 6141.154 Required additional health information.

21 § 6141.155 Report delivery and recordkeeping.

22 Appendix A to Subpart O - Regulated Contaminants

23 § 6141.156 to § 6141.169 inclusive, [Reserved]

24 SUBPART P—ENHANCED FILTRATION AND DISINFECTION—
25 SYSTEMS SERVING 10,000 OR MORE PEOPLE

26 § 6141.170 General requirements.

27 § 6141.171 Criteria for avoiding filtration.

1 § 6141.172 Disinfection profiling and benchmarking.

2 § 6141.173 Filtration.

3 § 6141.174 Filtration sampling requirements.

4 § 6141.175 Reporting and recordkeeping requirements.

5 § 6141.176 to § 6141.200 inclusive, [Reserved]

6 SUBPART Q—PUBLIC NOTIFICATION OF DRINKING WATER

7 VIOLATIONS

8 § 6141.201 General public notification requirements.

9 § 6141.202 Tier 1 Public Notice—Form, manner, and frequency of notice

10 § 6141.203 Tier 2 Public Notice—Form, manner, and frequency of notice

11 § 6141.204 Tier 3 Public Notice—Form, manner, and frequency of notice.

12 § 6141.205 Content of the public notice.

13 § 6141.206 Notice to new billing units or new customers.

14 § 6141.207 Special notice of the availability of unregulated contaminant
15 monitoring results.

16 § 6141.208 Special notice for exceedance of the SMCL for fluoride.

17 § 6141.209 Special notice for nitrate exceedances above MCL by non-
18 community water systems (NCWS), where granted permission by the primacy
19 agency.

20 § 6141.210 Notice by primacy agency on behalf of the public water system.

21 § 6141.211 Special notice for repeated failure to conduct monitoring of the
22 source water for Cryptosporidium and for failure to determine bin classification or
23 mean Cryptosporidium level.

24 Appendix A to Subpart Q of Part 2 – NPDWR Violations and Situations
25 Requiring Public Notice

26 Appendix B to Subpart Q of Part 2 – Standard Health Effects Language for
27 Public Notification

1 Appendix C to Subpart Q of Part 2 – List of Acronyms Used in Public
2 Notification Regulation

3 § 6141.212 to § 6141.299 inclusive, [Reserved]

4 SUBPART R – [RESERVED]

5 § 6141.300 to § 6141.399 inclusive, [Reserved]

6 SUBPART S – GROUND WATER RULE

7 § 6141.400 General requirements and applicability.

8 § 6141.401 Sanitary surveys for ground water systems.

9 § 6141.402 Ground water source microbial monitoring and analytical
10 methods.

11 § 6141.403 Treatment technique requirements for ground water systems.

12 § 6141.404 Treatment technique violations for ground water systems.

13 § 6141.405 Reporting and recordkeeping for ground water systems.

14 § 6141.406 to § 6141.499 inclusive, [Reserved]

15 SUBPART T—ENHANCED FILTRATION AND DISINFECTION—

16 SYSTEMS SERVING FEWER THAN 10,000 PEOPLE

17 GENERAL REQUIREMENTS

18 § 6141.500 General Requirements.

19 § 6141.501 Who is subject to the requirements of subpart T?

20 § 6141.502 When must my system comply with these requirements?

21 § 6141.503 What does subpart T require?

22 § 6141.504 to § 6141.509 inclusive, [Reserved]

23 FINISHED WATER RESERVOIRS

24 § 6141.510 Is my system subject to the new finished water reservoir
25 requirements?

26 § 6141.511 What is required of new finished water reservoir?

27 § 6141.512 to § 6141.519 inclusive, [Reserved]

1 ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR
2 UNFILTERED SYSTEMS

3 § 6141.520 Is my system subject to the updated watershed control
4 requirements?

5 § 6141.521 What updated watershed control requirements must my
6 unfiltered system implement to continue to avoid filtration?

7 § 6141.522 How does the State determine whether my system's watershed
8 control requirements are adequate?

9 § 6141.523 to § 6141.529 inclusive, [Reserved]

10 DISINFECTION PROFILE

11 § 6141.530 What is a disinfection profile and who must develop one?

12 § 6141.531 What criteria must a State use to determine that a profile is
13 unnecessary?

14 § 6141.532 How does my system develop a disinfection profile and when
15 must it begin?

16 § 6141.533 What data must my system collect to calculate a disinfection
17 profile?

18 § 6141.534 How does my system use this data to calculate an inactivation
19 ratio?

20 § 6141.535 What if my system uses chloramines, ozone, or chlorine dioxide
21 for primary disinfection?

22 § 6141.536 My system has developed an inactivation ratio; what must we do
23 now?

24 § 6141.537 to § 6141.539 inclusive, [Reserved]

25 DISINFECTION BENCHMARK

26 § 6141.540 Who has to develop disinfection benchmark.

27 § 6141.541 What are significant changes to disinfection practice?

1 § 6141.542 What must my system do if we are considering a significant
2 change to disinfection practices?

3 § 6141.543 How is the disinfection benchmark calculated?

4 § 6141.544 What if my system uses chloramines, ozone, or chlorine dioxide
5 for primary disinfection?

6 § 6141.545 to § 6141.549 inclusive, [Reserved]

7 COMBINED FILTER EFFLUENT REQUIREMENTS

8 § 6141.550 Is my system required to meet subpart T combined filter effluent
9 turbidity limits?

10 § 6141.551 What strengthened combined filter effluent turbidity limits must
11 my system meet?

12 § 6141.552 My system consists of “alternative filtration” and is required to
13 conduct a demonstration-what is required of my system and how does the State
14 establish my turbidity limits?

15 § 6141.553 My system practices lime softening-is there any special
16 provision regarding my combined filter effluent?

17 § 6141.554 to § 6141.559 inclusive, [Reserved]

18 INDIVIDUAL FILTER TURBIDITY REQUIREMENTS

19 § 6141.560 Is my system subject to individual filter turbidity requirement?

20 § 6141.561 What happens if my system’s turbidity monitoring equipment
21 fails?

22 § 6141.562 My system only has two or fewer filters-is there any special
23 provision regarding individual filter turbidity monitoring?

24 § 6141.563 What follow-up action is my system required to take based on
25 continuous turbidity monitoring?

26 § 6141.564 My system practices lime softening-is there any special
27 provisions regarding my individual filter turbidity monitoring?

1 § 6141.565 to § 6141.569 inclusive, [Reserved]

2 REPORTING AND RECORDKEEPING

3 § 6141.570 What does subpart T require that my system report to the State?

4 § 6141.571 What records does subpart T require my system to keep?

5 § 6141.572 to § 6141.599 inclusive, [Reserved]

6 SUBPART U—INITIAL DISTRIBUTION SYSTEM EVALUATIONS

7 § 6141.600 General requirements.

8 § 6141.601 Standard monitoring.

9 § 6141.602 System specific studies.

10 § 6141.603 40/30 certification.

11 § 6141.604 Very small system waivers.

12 § 6141.605 Subpart V compliance monitoring location recommendations.

13 § 6141.606 to § 6141.619 inclusive, [Reserved]

14 SUBPART V—STAGE 2 DISINFECTION BYPRODUCTS

15 REQUIREMENTS

16 § 6141.620 General requirements.

17 § 6141.621 Routine monitoring.

18 § 6141.622 Subpart V monitoring plan.

19 § 6141.623 Reduced monitoring.

20 § 6141.624 Additional requirements for consecutive systems.

21 § 6141.625 Conditions requiring increased monitoring.

22 § 6141.626 Operational evaluation levels.

23 § 6141.627 Requirements for remaining on reduced TTHM and HAA5
24 monitoring based on subpart L results.

25 § 6141.628 Requirements for remaining on increased TTHM and HAA5
26 monitoring based on subpart L results.

27 § 6141.629 Reporting and recordkeeping requirements.

1 § 6141.630 to § 6141.699 inclusive, [Reserved]

2 SUBPART W – ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

3 GENERAL REQUIREMENTS

4 § 6141.700 General requirements

5 SOURCE WATER MONITORING REQUIREMENTS

6 § 6141.701 Source water monitoring requirements.

7 § 6141.702 Sampling schedules.

8 § 6141.703 Sampling locations.

9 § 6141.704 Analytical methods.

10 § 6141.705 Approved laboratories.

11 § 6141.706 Reporting source water monitoring results.

12 § 6141.707 Grandfathering previously collected data.

13 DISINFECTION PROFILING AND BENCHMARKING

14 REQUIREMENTS

15 § 6141.708 Disinfection profiling and benchmarking.

16 § 6141.709 Developing the disinfection profile and benchmark.

17 TREATMENT TECHNIQUE REQUIREMENTS

18 § 6141.710 Bin classification for filtered systems.

19 § 6141.711 Filtered system additional Cryptosporidium treatment
20 requirements.

21 § 6141.712 Unfiltered system Cryptosporidium treatment requirements.

22 § 6141.713 Schedule for compliance with Cryptosporidium treatment
23 requirements.

24 § 6141.714 Requirements for uncovered finished water storage facilities.

25 REQUIREMENTS FOR MICROBIAL TOOLBOX COMPONENTS

26 § 6141.715 Microbial toolbox options for meeting Cryptosporidium
27 treatment requirements.

1 § 6141.716 Source toolbox components.

2 § 6141.717 Pre-filtration treatment toolbox components.

3 § 6141.718 Treatment performance toolbox components.

4 § 6141.719 Additional filtration toolbox components.

5 § 6141.720 Inactivation toolbox components.

6 § 6141.721 Reporting requirements.

7 § 6141.722 Recordkeeping requirements.

8 § 6141.723 Requirements to respond to significant deficiencies identified in
9 sanitary surveys performed by EPA.

10 SUBPART Y – REVISED TOTAL COLIFORM RULE

11 § 6141.851 General.

12 § 6141.852 Analytical methods and laboratory certification.

13 § 6141.853 General monitoring requirements for all public water systems.

14 § 6141.854 Routine monitoring requirements for non-community water
15 systems serving 1,000 or fewer people using only ground water.

16 § 6141.855 Routine monitoring requirements for community water systems
17 serving 1,000 or fewer people using only ground water.

18 § 6141.856 Routine monitoring requirements for subpart H public water
19 systems serving 1,000 or fewer people.

20 § 6141.857 Routine monitoring requirements for public water systems
21 serving more than 1,000 people.

22 § 6141.858 Repeat monitoring and E. coli requirements.

23 § 6141.859 Coliform treatment technique triggers and assessment
24 requirements for protection against potential fecal contamination.

25 § 6141.860 Violations.

26 § 6141.861 Reporting and recordkeeping.

27 § 6141.862 to § 6141.870, inclusive [Reserved]

1 PART 6142 – GUAM PRIMARY DRINKING WATER REGULATIONS

2 IMPLEMENTATION

3 SUBPART A – [RESERVED]

4 SUBPART B – SANITARY SURVEYS

5 § 6142.16 Sanitary surveys

6 SUBPART C – GUAM EPA-ISSUED VARIANCES AND EXEMPTIONS

7 PART 6143 – GUAM SECONDARY DRINKING WATER STANDARDS

8 SUBPART A – GUAM SECONDARY DRINKING WATER

9 STANDARDS

10 § 6143.1 Purpose.

11 § 6143.2 Definitions.

12 § 6143.3 Secondary maximum contaminant levels.

13 § 6143.4 Monitoring.

14 SUBPART A – GENERAL

15 § 6141.1 Authority.

16 Guam Safe Drinking Water Act, Title 10 Guam Code Annotated, Chapter 53,
17 authorize the Guam Environmental Protection Agency to prescribe rules and
18 regulations as may be necessary to implement the Safe Drinking Water Act.

19 § 6141.2 Definitions.

20 The provisions of 40 Code of Federal Regulations §141.2 as revised and
21 codified as of July 1, 2019 are hereby adopted by reference.

22 § 6141.3 Coverage.

23 The provisions of 40 Code of Federal Regulations §141.3 as revised and
24 codified as of July 1, 2019 are hereby adopted by reference.

25 § 6141.4 [RESERVED]

26 § 6141.5 Siting Requirements and Plan Review.

1 (a) Before a person may enter into a financial commitment for or initiate
2 construction of a new public water system or increase the capacity of an existing
3 public water system, he shall notify Guam EPA and, to the extent practicable, avoid
4 locating part or all of the new or expanded facility at a site which:

5 (1) Is subject to a significant risk from earthquakes, floods, fires or
6 other disasters which could cause a breakdown of the public water system or
7 a portion thereof; or

8 (2) Except for intake structures, is within the flood-plain of a 100-
9 year flood or is lower than any recorded high tide where appropriate records
10 exist.

11 (b) No new public water supply system or substantial alterations to an
12 existing public water supply system may be constructed or operated without
13 approval issued by the Guam EPA Administrator.

14 (1) The Guam EPA Administrator shall require any or all of the
15 following prior to giving approval to proceed with construction: Drawings
16 indicating extent and location of the project; complete engineering plans and
17 specifications of the new or altered system including system design capacity,
18 schedule of materials and equipment to be installed, information on the quality
19 of the raw water sources and proposed treatment, if any, and information
20 demonstrating that the system will be adequately operated and maintained.
21 Two complete sets of engineering drawings and specifications shall be
22 submitted to the Guam EPA Administrator at approximately the 30 percent,
23 60 percent, and 90 percent completion stages of design for approval prior to
24 any notice to proceed to the next design stage, and at the 100 percent
25 completion

26 (2) No modifications to the final plans and specifications shall be
27 made unless two sets of drawings and specifications indicating the

1 modifications are submitted to the Guam EPA Administrator for approval.
2 Such submittal must be timely enough to permit full review and analysis with
3 a minimum lead-time of two weeks. Approval shall be by stamp signed by the
4 Guam EPA Administrator upon the design drawings.

5 (c) The Guam EPA Administrator or the authorized representative may
6 inspect any new or altered public water system during construction and prior to such
7 water system being placed into operation to verify that construction conforms with
8 the approved plans and specifications. The owner of the water system shall make
9 arrangements as required by the Guam EPA Administrator to inspect the system and
10 shall notify the Guam EPA Administrator prior to placing the system into operation.
11 No new or altered water system may be put into operation without a signed approval
12 from the Guam EPA Administrator. As-built plans shall be submitted to the Guam
13 EPA Administrator within sixty days after project approval.

14 (d) The Guam EPA Administrator shall not approve:

15 (1) Plans for any new public water system or substantial alteration
16 to an existing public water system until Guam EPA determines that the
17 system, including any proposed treatment facility, has been designed to assure
18 that the system will be capable of complying with these regulations.

19 (2) New or substantially altered water systems which do not conform
20 with approved plans and specifications required in §6141.5 (b).

21 (e) Plan review fees [Reserved]

22 **§ 6141.6 Effective Dates.**

23 The provisions of 40 Code of Federal Regulations §141.6 as revised and
24 codified as of July 1, 2019 are hereby adopted by reference.

25 **§ 6141.7 to § 6141.10 inclusive, [Reserved]**

26 **SUBPART B - MAXIMUM CONTAMINANT LEVELS**

27 **§ 6141.11 Maximum Contaminant Levels for Inorganic Chemicals.**

1 The provisions of 40 Code of Federal Regulations §141.11 as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.12 [Reserved]**

4 **§ 6141.13 Maximum Contaminant Levels for Turbidity.**

5 The provisions of 40 Code of Federal Regulations §141.13 as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.14 to § 6141.20 inclusive, [Reserved]**

8 **SUBPART C – MONITORING AND ANALYTICAL**
9 **REQUIREMENTS**

10 **§ 6141.21 Coliform Sampling.**

11 The provisions of 40 Code of Federal Regulations §141.21 as revised and
12 codified as of July 1, 2019 are hereby adopted by reference.

13 **§ 6141.22 Turbidity Sampling and Analytical Requirements.**

14 The provisions of 40 Code of Federal Regulations §141.22 as revised and
15 codified as of July 1, 2019 are hereby adopted by reference.

16 **§ 6141.23 Inorganic Chemical Sampling and Analytical Requirements.**

17 The provisions of 40 Code of Federal Regulations §141.23 as revised and
18 codified as of July 1, 2019 are hereby adopted by reference.

19 **§ 6141.24 Organic Chemicals, Sampling and Analytical Requirements.**

20 The provisions of 40 Code of Federal Regulations §141.24 as revised and
21 codified as of July 1, 2019 are hereby adopted by reference.

22 **§ 6141.25 Analytical Methods for Radioactivity.**

23 The provisions of 40 Code of Federal Regulations §141.25 as revised and
24 codified as of July 1, 2019 are hereby adopted by reference.

25 **§ 6141.26 Monitoring Frequency and Compliance requirements for**
26 **Radionuclides in Community Water Systems.**

1 The provisions of 40 Code of Federal Regulations §141.26 as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.27 Alternate Analytical Techniques.**

4 The provisions of 40 Code of Federal Regulations §141.27 as revised and
5 codified as of July 1, 2019 are hereby adopted by reference.

6 **§ 6141.28 Certified Laboratories.**

7 The provisions of 40 Code of Federal Regulations §141.28 as revised and
8 codified as of July 1, 2019 are hereby adopted by reference.

9 **§ 6141.29 Monitoring of Consecutive Public Water Systems.**

10 The provisions of 40 Code of Federal Regulations §141.29 as revised and
11 codified as of July 1, 2019 are hereby adopted by reference.

12 **§ 6141.30 [Reserved]**

13 **Appendix A to Subpart C of Part 141 - Alternative Testing Methods**
14 **Approved for Analyses Under the Safe Drinking Water Act**

15 The provisions of Appendix A to Subpart C of 40 Code of Federal Regulations
16 Part 141 as revised and codified as of July 1, 2019, are hereby adopted by reference.

17 **SUBPART D – REPORTING AND RECORDKEEPING**

18 **§ 6141.31 Reporting Requirements.**

19 The provisions of 40 Code of Federal Regulations §141.31 as revised and
20 codified as of July 1, 2019 are hereby adopted by reference.

21 **§ 6141.32 [Reserved]**

22 **§ 6141.33 Record Maintenance.**

23 The provisions of 40 Code of Federal Regulations §141.33 as revised and
24 codified as of July 1, 2019 are hereby adopted by reference.

25 **§ 6141.34 [Reserved]**

26 **§ 6141.35 Reporting and Public Notification for Certain Unregulated**
27 **Contaminants.**

1 The provisions of 40 Code of Federal Regulations §141.35 as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.36 to § 6141.39 inclusive, [Reserved]**

4 **SUBPART E – SPECIAL REGULATIONS, INCLUDING**
5 **MONITORING REGULATIONS AND PROHIBITION ON LEAD USE**

6 **§ 6141.40 Monitoring Requirements for Unregulated Contaminants.**

7 The provisions of 40 Code of Federal Regulations §141.40 as revised and
8 codified as of July 1, 2019 are hereby adopted by reference.

9 **§ 6141.41 Special monitoring for sodium.**

10 The provisions of 40 Code of Federal Regulations §141.41 as revised and
11 codified as of July 1, 2019 are hereby adopted by reference.

12 **§ 6141.42 Special monitoring for corrosivity characteristics.**

13 The provisions of 40 Code of Federal Regulations §141.42 as revised and
14 codified as of July 1, 2019 are hereby adopted by reference.

15 **§ 6141.43 Prohibition on use of lead pipes, solder, and flux.**

16 (a) [Reserved]

17 (b) Definitions.

18 (1) Endpoint devices means plumbing fittings and fixtures intended
19 to dispense water from the domestic water piping system for human ingestion.

20 These devices include but are not limited to kitchen and bar faucets, lavatory
21 faucets, water dispensers, drinking fountains, water coolers, glass fillers,
22 residential refrigerator ice makers, supply stops and endpoint control valves.

23 (2) (A) Lead-free means:

24 (i) not containing more than 0.2 percent lead when used with
25 respect to solder and flux; and

1 (ii) not containing more than a weighted average of 0.25
2 percent lead when used with respect to the wetted surfaces of pipes,
3 pipe fittings, plumbing fittings, and fixtures.

4 (B) Calculations: The weighted average lead content of a pipe, pipe
5 fitting, plumbing fitting, or fixture shall be calculated by using the following
6 formula: For each wetted component, the percentage of lead in the component
7 shall be multiplied by the ratio of the wetted surface area of that component
8 to the total wetted surface area of the entire product to arrive at the weighted
9 percentage of lead of the component. The weighted percentage of lead of each
10 wetted component shall be added together, and the sum of these weighted
11 percentages shall constitute the weighted average lead content of the product.
12 The lead content of the material used to produce wetted components shall be
13 used to determine compliance with part (A)(i) of this definition. For lead
14 content of materials that are provided as a range, the maximum content of the
15 range shall be used.

16 (c) Certified lead -free materials must be used. All materials used in the
17 construction of any public water system, public water system component, or any
18 plumbing in a residential or nonresidential facility providing water for human
19 consumption, must be lead-free. To meet this requirement, only products that have
20 been independently certified as lead-free under at least one of the following
21 standards may be used: NSF/ANSI Standard 372; NSF/ANSI Standard 61, Annex
22 G; California HB AB1953, Section 116875; or ASME A112.18.1-2012/CSA
23 B125.1-12.

24 (1) Exemptions. The certification requirements in this paragraph
25 shall not apply to:

26 (A) pipes, pipe fittings, plumbing fittings, or fixtures,
27 including backflow preventers, that are used exclusively for nonpotable

1 services such as manufacturing, industrial processing, irrigation,
2 outdoor watering, or any other uses where the water is not anticipated
3 to be used for human consumption; or

4 (B) toilets, bidets, urinals, fill valves, flushometer valves, tub
5 fillers, shower valves, service saddles, or water distribution main gate
6 valves that are 2 inches in diameter or larger.

7 (d) Building permits. No building permit shall be approved by Guam EPA
8 unless written instructions are provided on the construction drawings submitted with
9 the application which require compliance with this section, and include, at a
10 minimum, the full text of paragraphs (c), (e), and (f) of this section.

11 (e) Building occupancy permits. No public water system, public
12 water system component, or residential or nonresidential facility which
13 includes plumbing that provides or may provide water for human
14 consumption shall receive an occupancy permit, unless evidence is submitted
15 to and approved by Guam EPA that all pipes, pipe fittings, plumbing fittings,
16 or fixtures upstream of and including all endpoint devices are lead-free.
17 Acceptable evidence shall be in one of the following forms:

18 (1) Lead sampling results that are 0.015 milligrams per liter
19 ("mg/L") or less from first draw samples collected from all required endpoint
20 devices; or

21 (2) Original product packaging or approved on-product markings,
22 verified through inspection by Guam EPA staff, identifying each pipe, pipe
23 fitting, plumbing fitting, or fixture upstream of and including each endpoint
24 device as having been independently certified as lead-free under at least one
25 of the standards referenced in paragraph (c) of this section.

26 (f) Lead-free compliance sampling. All sampling conducted for
27 determining compliance with this section shall comply with the following

1 requirements. These sampling requirements shall apply to newly constructed
2 facilities, as well as additions to and renovations of these same facilities.

3 (1) Number of samples collected. All new buildings, additions and
4 renovations, prior to receiving occupancy permits, shall have a representative
5 sample (first draw sample – see subparagraph (f)(2)) collected from applicable
6 endpoint devices tested for concentration of lead. The number of endpoint
7 devices to be tested shall be as follows:

8 (A) Buildings with less than five (5) endpoint devices – all
9 devices shall be tested.

10 (B) Buildings with five (5) or more endpoint devices – five (5)
11 devices plus ten percent (10%) of the total numbers of endpoint
12 fitting/fixtures shall be tested; however, no building shall have less than
13 five (5) endpoint devices tested. Endpoint devices used primarily for
14 drinking water supply and cooking, i.e., water fountains, coolers,
15 kitchen faucets, shall be selected as first priority - other devices,
16 bathroom faucets, etc. shall be selected as second priority.

17 (C) In the case of new, as well as additions and renovations of
18 daycare centers, schools and health care facilities - all endpoint devices
19 in the facility shall be tested.

20 (2) First Draw Samples. All samples collected for determining
21 compliance with this section shall be first draw samples. “First draw sample”
22 means a one-liter sample of tap water, collected in accordance with 40 CFR
23 141.86(b)(2), as adopted under §6141.86 of this Chapter, that has been
24 standing in plumbing pipes at least 6 hours and is collected without flushing
25 the tap. Failure to follow this instruction may result in cancellation of
26 sampling, the sample results being invalidated, and/or enforcement action up
27 to and including administrative and civil penalties, or criminal penalties if it

1 is determined by Guam EPA that flushing was performed intentionally for the
2 purpose of altering sampling results. It is recommended that water not be
3 allowed to sit in pipes and endpoint devices for more than twenty-four (24)
4 hours prior to sampling.

5 (3) Samplers must be approved. All sampling conducted for
6 compliance with this section must be performed by approved Guam EPA
7 personnel, or samplers certified by Guam EPA in accordance with paragraph
8 (i) (reserved) of this section. Sample results from samples taken by non-
9 approved persons will not be accepted.

10 (4) Certified Laboratories. For the purpose of determining
11 compliance with the requirements of this section, sample results will be
12 accepted from a laboratory specifically certified by Guam EPA for the
13 analytes and methods used.

14 (g) Action required for exceedances of occupancy permit lead sample
15 requirement. If any sampling results are greater than 0.015 mg/L, occupancy permit
16 clearance may only be issued after:

17 (1) the necessary pipes, pipe fittings, plumbing fittings, and/or
18 fixtures are replaced and the relevant endpoint device or devices are re-
19 sampled in accordance with paragraph (f), and the results are less than 0.015
20 mg/L; or

21 (2) original product packaging is submitted and/or on-product
22 marking is verified by Guam EPA staff as required under subparagraph (e)(2),
23 for every pipe, pipe fitting, plumbing fitting, or fixture upstream of and
24 including the endpoint device for all endpoint devices for which sample
25 results exceeded 0.015 mg/L.

1 (h) Sampling and inspection fees. Applicants for occupancy permit
2 clearance shall pay a fee for sampling and/or inspection conducted by Guam EPA
3 personnel for the purposes of compliance with this subpart:

4 (1) Sampling and inspection services conducted by Guam EPA
5 personnel shall be charged at a total rate of \$35.00 per hour.

6 (2) Sampling fees will be computed based on actual time including
7 travel to and from the sampling or inspection location, and delivery to a Guam
8 EPA certified laboratory, if applicable.

9 (3) A minimum 1-hour fee will be charged for all sampling or
10 inspection.

11 (4) Fractions of an hour will be rounded up to the next 15 minute
12 interval (example, one hour and 3 minutes will be rounded to one hour and 15
13 minutes).

14 (5) In the event a sample cannot be collected or an inspection cannot
15 take place due to an applicant not being ready, or due to evidence that the
16 required first draw conditions have not been met, the applicant will be charged
17 the full sampling and inspection fee for the time spent by the Guam EPA
18 inspector.

19 (i) Lead Sampler Certification – RESERVED.

20 § 6141.44 to § 6141.49 inclusive, [Reserved]

21 **SUBPART F – MAXIMUM CONTAMINANT LEVEL GOALS AND**

22 **MAXIMUM RESIDUAL DISINFECTANT LEVEL GOALS**

23 **§ 6141.50 Maximum contaminant level goals for organic contaminants.**

24 The provisions of 40 Code of Federal Regulations §141.50 as revised and
25 codified as of July 1, 2019 are hereby adopted by reference.

26 **§ 6141.51 Maximum contaminant level goals for inorganic**
27 **contaminants.**

1 The provisions of 40 Code of Federal Regulations §141.51 as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.52 Maximum contaminant level goals for microbiological**
4 **contaminants.**

5 The provisions of 40 Code of Federal Regulations §141.52 as revised and
6 codified as of July 1, 2019 are hereby adopted by reference.

7 **§ 6141.53 Maximum contaminant level goals for disinfection**
8 **byproducts.**

9 The provisions of 40 Code of Federal Regulations §141.53 as revised and
10 codified as of July 1, 2019 are hereby adopted by reference.

11 **§ 6141.54 Maximum residual disinfectant level goals for disinfectants**

12 The provisions of 40 Code of Federal Regulations §141.54 as revised and
13 codified as of July 1, 2019 are hereby adopted by reference.

14 **§ 6141.55 Maximum contaminant level goals for radionuclides.**

15 The provisions of 40 Code of Federal Regulations §141.55 as revised and
16 codified as of July 1, 2019 are hereby adopted by reference.

17 **§ 6141.56 to § 6141.59 inclusive, [Reserved]**

18 **SUBPART G – NATIONAL REVISED PRIMARY DRINKING**
19 **WATER REGULATIONS: MAXIMUM CONTAMINANT LEVELS AND**
20 **MAXIMUM RESIDUAL DISINFECTANT LEVELS**

21 **§ 6141.60 Effective dates.**

22 The provisions of 40 Code of Federal Regulations §141.60 as revised and
23 codified as of July 1, 2019 are hereby adopted by reference.

24 **§ 6141.61 Maximum contaminant levels for organic contaminants**

25 The provisions of 40 Code of Federal Regulations §141.61 as revised and
26 codified as of July 1, 2019 are hereby adopted by reference.

27 **§ 6141.62 Maximum contaminant levels for inorganic contaminants.**

1 The provisions of 40 Code of Federal Regulations §141.62 as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.63 Maximum contaminant levels (MCLs) for microbiological**
4 **contaminants**

5 The provisions of 40 Code of Federal Regulations §141.63 as revised and
6 codified as of July 1, 2019 are hereby adopted by reference.

7 **§ 6141.64 Maximum contaminant levels for disinfection byproducts.**

8 The provisions of 40 Code of Federal Regulations §141.64 as revised and
9 codified as of July 1, 2019 are hereby adopted by reference.

10 **§ 6141.65 Maximum residual disinfectant levels.**

11 The provisions of 40 Code of Federal Regulations §141.65 as revised and
12 codified as of July 1, 2019 are hereby adopted by reference.

13 **§ 6141.66 Maximum contaminant levels for radionuclides.**

14 The provisions of 40 Code of Federal Regulations §141.66 as revised and
15 codified as of July 1, 2019 are hereby adopted by reference.

16 **§ 6141.67 to § 6141.69 inclusive, [Reserved]**

17 **SUBPART H—FILTRATION AND DISINFECTION**

18 **§ 6141.70 General requirements.**

19 The provisions of 40 Code of Federal Regulations §141.70 as revised and
20 codified as of July 1, 2019 are hereby adopted by reference.

21 **§ 6141.71 Criteria for avoiding filtration.**

22 The provisions of 40 Code of Federal Regulations §141.71 as revised and
23 codified as of July 1, 2019 are hereby adopted by reference.

24 **§ 6141.72 Disinfection.**

25 The provisions of 40 Code of Federal Regulations §141.72 as revised and
26 codified as of July 1, 2019 are hereby adopted by reference.

27 **§ 6141.73 Filtration.**

1 The provisions of 40 Code of Federal Regulations §141.73 as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.74 Analytical and monitoring requirements.**

4 The provisions of 40 Code of Federal Regulations §141.74 as revised and
5 codified as of July 1, 2019 are hereby adopted by reference.

6 **§ 6141.75 Reporting and recordkeeping requirements.**

7 The provisions of 40 Code of Federal Regulations §141.75 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.76 Recycle provisions.**

10 The provisions of 40 Code of Federal Regulations §141.76 as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.77 to § 6141.79 inclusive, [Reserved]**

13 **SUBPART I—CONTROL OF LEAD AND COPPER**

14 **§ 6141.80 General Requirements.**

15 The provisions of 40 Code of Federal Regulations §141.80 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.81 Applicability of corrosion control treatment steps to small,**
18 **medium-size and large water systems.**

19 The provisions of 40 Code of Federal Regulations §141.81 as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.82 Description of corrosion control treatment requirements.**

22 The provisions of 40 Code of Federal Regulations §141.82 as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.83 Source water treatment requirements.**

25 The provisions of 40 Code of Federal Regulations §141.83 as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.84 Lead service line replacement requirements.**

1 The provisions of 40 Code of Federal Regulations §141.84 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.85 Public education and supplemental monitoring**
4 **requirements.**

5 The provisions of 40 Code of Federal Regulations §141.85 as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.86 Monitoring requirements for lead and copper in tap water.**

8 The provisions of 40 Code of Federal Regulations §141.86 as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.87 Monitoring requirements for water quality parameters.**

11 The provisions of 40 Code of Federal Regulations §141.87 as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.88 Monitoring requirements for lead and copper in source**
14 **water.**

15 The provisions of 40 Code of Federal Regulations §141.88 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.89 Analytical methods.**

18 The provisions of 40 Code of Federal Regulations §141.89 as revised and
19 codified as of July 1, 2019 are hereby adopted by reference.

20 **§ 6141.90 Reporting requirements.**

21 The provisions of 40 Code of Federal Regulations §141.90 as revised and
22 codified as of July 1, 2019 are hereby adopted by reference.

23 **§ 6141.91 Recordkeeping requirements.**

24 The provisions of 40 Code of Federal Regulations §141.91 as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.92 to § 6141.99 inclusive, [Reserved]**

1 **SUBPART J—USE OF NON-CENTRALIZED TREATMENT**

2 **DEVICES**

3 **§ 6141.100 Criteria and procedures for public water systems using**
4 **point-of-entry devices.**

5 The provisions of 40 Code of Federal Regulations §141.100 as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.101 Use of bottled water.**

8 The provisions of 40 Code of Federal Regulations §141.101 as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.102 to § 6141.109 inclusive, [Reserved]**

11 **SUBPART K—TREATMENT TECHNIQUES**

12 **§ 6141.110 General requirements.**

13 The provisions of 40 Code of Federal Regulations §141.110 as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.111 Treatment techniques for acrylamide and epichlorohydrin.**

16 The provisions of 40 Code of Federal Regulations §141.111 as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.112 to § 6141.129 inclusive, [Reserved]**

19 **SUBPART L—DISINFECTANT RESIDUALS, DISINFECTION**
20 **BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS**

21 **§ 6141.130 General requirements.**

22 The provisions of 40 Code of Federal Regulations §141.130 as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.131 Analytical requirements.**

25 The provisions of 40 Code of Federal Regulations §141.131 as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.132 Monitoring requirements.**

1 The provisions of 40 Code of Federal Regulations §141.132 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.133 Compliance requirements.**

4 The provisions of 40 Code of Federal Regulations §141.133 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.134 Reporting and recordkeeping requirements.**

7 The provisions of 40 Code of Federal Regulations §141.134 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.135 Treatment technique for control of disinfection byproduct**
10 **(DBP) precursors.**

11 The provisions of 40 Code of Federal Regulations §141.135 as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.136 to § 6141.150 inclusive, [Reserved]**

14 **SUBPART M – RESERVED**

15 **SUBPART N - RESERVED**

16 **SUBPART O—CONSUMER CONFIDENCE REPORTS**

17 **§ 6141.151 Purpose and applicability of this subpart.**

18 The provisions of 40 Code of Federal Regulations §141.151 as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.152 Effective dates.**

21 The provisions of 40 Code of Federal Regulations §141.152(b) through (d)
22 inclusive, as revised and codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.153 Content of the reports.**

24 The provisions of 40 Code of Federal Regulations §141.153 as revised and
25 codified as of July 1, 2019 are hereby adopted by reference.

26 **§ 6141.154 Required additional health information.**

1 The provisions of 40 Code of Federal Regulations §141.154 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.155 Report delivery and recordkeeping.**

4 The provisions of 40 Code of Federal Regulations §141.155 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **Appendix A to Subpart O - Regulated Contaminants**

7 The provisions of Appendix A to Subpart O of 40 Code of Federal Regulations
8 Part 141 as revised and codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.156 to § 6141.169 inclusive, [Reserved]**

10 **SUBPART P—ENHANCED FILTRATION AND DISINFECTION—**
11 **SYSTEMS SERVING 10,000 OR MORE PEOPLE**

12 **§ 6141.170 General requirements.**

13 The provisions of 40 Code of Federal Regulations §141.170 as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.171 Criteria for avoiding filtration.**

16 The provisions of 40 Code of Federal Regulations §141.171 as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.172 Disinfection profiling and benchmarking.**

19 The provisions of 40 Code of Federal Regulations §141.172 as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.173 Filtration.**

22 The provisions of 40 Code of Federal Regulations §141.173 as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.174 Filtration sampling requirements.**

25 The provisions of 40 Code of Federal Regulations §141.174 as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.175 Reporting and recordkeeping requirements.**

1 The provisions of 40 Code of Federal Regulations §141.175 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.176 to § 6141.200 inclusive, [Reserved]**

4 **SUBPART Q—PUBLIC NOTIFICATION OF DRINKING WATER**
5 **VIOLATIONS**

6 **§ 6141.201 General public notification requirements.**

7 The provisions of 40 Code of Federal Regulations §141.201 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference. In addition, PWSs must
9 submit a draft of the public notification and/or press release to Guam EPA for
10 approval, as soon as practicable, prior to release to the appropriate media or delivery
11 to the public. PWSs must still comply with the required time lines for release or
12 delivery of public notification.

13 **§ 6141.202 Tier 1 Public Notice—Form, manner, and frequency of**
14 **notice**

15 Except as provided below, the provisions of 40 Code of Federal Regulations
16 §141.202 as revised and codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.203 Tier 2 Public Notice—Form, manner, and frequency of**
18 **notice**

19 The provisions of 40 Code of Federal Regulations §141.203 as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.204 Tier 3 Public Notice—Form, manner, and frequency of**
22 **notice.**

23 The provisions of 40 Code of Federal Regulations §141.204 as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.205 Content of the public notice.**

26 The provisions of 40 Code of Federal Regulations §141.205 as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.206 Notice to new billing units or new customers.**

2 The provisions of 40 Code of Federal Regulations §141.206 as revised and
3 codified as of July 1, 2019, are hereby adopted by reference.

4 **§ 6141.207 Special notice of the availability of unregulated contaminant**
5 **monitoring results.**

6 The provisions of 40 Code of Federal Regulations §141.207 as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.208 Special notice for exceedance of the SMCL for fluoride.**

9 The provisions of 40 Code of Federal Regulations §141.208 as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.209 Special notice for nitrate exceedances above MCL by non-**
12 **community water systems (NCWS), where granted permission by the primacy**
13 **agency.**

14 The provisions of 40 Code of Federal Regulations §141.209 as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.210 Notice by primacy agency on behalf of the public water**
17 **system.**

18 The provisions of 40 Code of Federal Regulations §141.210 as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.211 Special notice for repeated failure to conduct monitoring of**
21 **the source water for Cryptosporidium and for failure to determine bin**
22 **classification or mean Cryptosporidium level.**

23 The provisions of 40 Code of Federal Regulations §141.211 as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **Appendix A to Subpart Q of Part 2 – NPDWR Violations and Situations**
26 **Requiring Public Notice**

1 The provisions of Appendix A to Subpart Q of 40 Code of Federal Regulations
2 Part 141 as revised and codified as of July 1, 2019, are hereby adopted by reference.

3 **Appendix B to Subpart Q of Part 2 – Standard Health Effects Language**
4 **for Public Notification**

5 The provisions of Appendix B to Subpart Q of 40 Code of Federal Regulations
6 Part 141 as revised and codified as of July 1, 2019, are hereby adopted by reference.

7 **Appendix C to Subpart Q of Part 2 – List of Acronyms Used in Public**
8 **Notification Regulation**

9 The provisions of Appendix C to Subpart Q of 40 Code of Federal Regulations
10 Part 141 as revised and codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.212 to § 6141.299 inclusive, [Reserved]**

12 **SUBPART R – [RESERVED]**

13 **§ 6141.300 to § 6141.399 inclusive, [Reserved]**

14 **SUBPART S – GROUND WATER RULE**

15 **§ 6141.400 General requirements and applicability.**

16 The provisions of 40 Code of Federal Regulations §141.400 as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.401 Sanitary surveys for ground water systems.**

19 The provisions of 40 Code of Federal Regulations §141.401 as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.402 Ground water source microbial monitoring and analytical**
22 **methods.**

23 The provisions of 40 Code of Federal Regulations §141.402 as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.403 Treatment technique requirements for ground water**
26 **systems.**

1 The provisions of 40 Code of Federal Regulations §141.403 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.404 Treatment technique violations for ground water systems.**

4 The provisions of 40 Code of Federal Regulations §141.404 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.405 Reporting and recordkeeping for ground water systems.**

7 The provisions of 40 Code of Federal Regulations §141.405 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.406 to § 6141.499 inclusive, [Reserved]**

10 **SUBPART T—ENHANCED FILTRATION AND DISINFECTION—**

11 **SYSTEMS SERVING FEWER THAN 10,000 PEOPLE**

12 **GENERAL REQUIREMENTS**

13 **§ 6141.500 General Requirements.**

14 The provisions of 40 Code of Federal Regulations §141.500 as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.501 Who is subject to the requirements of subpart T?**

17 The provisions of 40 Code of Federal Regulations §141.501 as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.502 When must my system comply with these requirements?**

20 The provisions of 40 Code of Federal Regulations §141.502 as revised and
21 codified as of July 1, 2019, are hereby adopted by reference.

22 **§ 6141.503 What does subpart T require?**

23 The provisions of 40 Code of Federal Regulations §141.503 as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.504 to § 6141.509 inclusive, [Reserved]**

26 **FINISHED WATER RESERVOIRS**

1 **§ 6141.510 Is my system subject to the new finished water reservoir**
2 **requirements?**

3 The provisions of 40 Code of Federal Regulations §141.510 as revised and
4 codified as of July 1, 2019, are hereby adopted by reference.

5 **§ 6141.511 What is required of new finished water reservoir?**

6 The provisions of 40 Code of Federal Regulations §141.511 as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.512 to § 6141.519 inclusive, [Reserved]**

9 **ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR**
10 **UNFILTERED SYSTEMS**

11 **§ 6141.520 Is my system subject to the updated watershed control**
12 **requirements?**

13 The provisions of 40 Code of Federal Regulations §141.520 as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.521 What updated watershed control requirements must my**
16 **unfiltered system implement to continue to avoid filtration?**

17 The provisions of 40 Code of Federal Regulations §141.521 as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.522 How does the State determine whether my system's**
20 **watershed control requirements are adequate?**

21 The provisions of 40 Code of Federal Regulations §141.522 as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.523 to § 6141.529 inclusive, [Reserved]**

24 **DISINFECTION PROFILE**

25 **§ 6141.530 What is a disinfection profile and who must develop one?**

26 The provisions of 40 Code of Federal Regulations §141.530 as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.531 What criteria must a State use to determine that a profile is**
2 **unnecessary?**

3 The provisions of 40 Code of Federal Regulations §141.531 as revised and
4 codified as of July 1, 2019, are hereby adopted by reference.

5 **§ 6141.532 How does my system develop a disinfection profile and when**
6 **must it begin?**

7 The provisions of 40 Code of Federal Regulations §141.532 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.533 What data must my system collect to calculate a disinfection**
10 **profile?**

11 The provisions of 40 Code of Federal Regulations §141.533 as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.534 How does my system use this data to calculate an inactivation**
14 **ratio?**

15 The provisions of 40 Code of Federal Regulations §141.534 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.535 What if my system uses chloramines, ozone, or chlorine**
18 **dioxide for primary disinfection?**

19 The provisions of 40 Code of Federal Regulations §141.535 as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.536 My system has developed an inactivation ratio; what must we**
22 **do now?**

23 The provisions of 40 Code of Federal Regulations §141.536 as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.537 to § 6141.539 inclusive, [Reserved]**

26 **DISINFECTION BENCHMARK**

27 **§ 6141.540 Who has to develop disinfection benchmark.**

1 The provisions of 40 Code of Federal Regulations §141.540 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.541 What are significant changes to disinfection practice?**

4 The provisions of 40 Code of Federal Regulations §141.541 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.542 What must my system do if we are considering a significant**
7 **change to disinfection practices?**

8 The provisions of 40 Code of Federal Regulations §141.542 as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.543 How is the disinfection benchmark calculated?**

11 The provisions of 40 Code of Federal Regulations §141.543 as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.544 What if my system uses chloramines, ozone, or chlorine**
14 **dioxide for primary disinfection?**

15 The provisions of 40 Code of Federal Regulations §141.544 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.545 to § 6141.549 inclusive, [Reserved]**

18 **COMBINED FILTER EFFLUENT REQUIREMENTS**

19 **§ 6141.550 Is my system required to meet subpart 20 combined filter**
20 **effluent turbidity limits?**

21 The provisions of 40 Code of Federal Regulations §141.550 as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.551 What strengthened combined filter effluent turbidity limits**
24 **must my system meet?**

25 The provisions of 40 Code of Federal Regulations §141.551 as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.552 My system consists of “alternative filtration” and is required**
2 **to conduct a demonstration-what is required of my system and how does the**
3 **State establish my turbidity limits?**

4 The provisions of 40 Code of Federal Regulations §141.552 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.553 My system practices lime softening-is there any special**
7 **provision regarding my combined filter effluent?**

8 The provisions of 40 Code of Federal Regulations §141.553 as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.554 to § 6141.559 inclusive, [Reserved]**

11 **INDIVIDUAL FILTER TURBIDITY REQUIREMENTS**

12 **§ 6141.560 Is my system subject to individual filter turbidity**
13 **requirement?**

14 The provisions of 40 Code of Federal Regulations §141.560 as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.561 What happens if my system’s turbidity monitoring**
17 **equipment fails?**

18 The provisions of 40 Code of Federal Regulations §141.561 as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.562 My system only has two or fewer filters-is there any special**
21 **provision regarding individual filter turbidity monitoring?**

22 The provisions of 40 Code of Federal Regulations §141.562 as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.563 What follow-up action is my system required to take based**
25 **on continuous turbidity monitoring?**

26 The provisions of 40 Code of Federal Regulations §141.563 as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.564 My system practices lime softening-is there any special**
2 **provisions regarding my individual filter turbidity monitoring?**

3 The provisions of 40 Code of Federal Regulations §141.564 as revised and
4 codified as of July 1, 2019, are hereby adopted by reference.

5 **§ 6141.565 to § 6141.569 inclusive, [Reserved]**

6 **REPORTING AND RECORDKEEPING**

7 **§ 6141.570 What does subpart T require that my system report to the**
8 **State?**

9 The provisions of 40 Code of Federal Regulations §141.570 as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.571 What records does subpart T require my system to keep?**

12 The provisions of 40 Code of Federal Regulations §141.571 as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6141.572 to § 6141.599 inclusive, [Reserved]**

15 **SUBPART U—INITIAL DISTRIBUTION SYSTEM EVALUATIONS**

16 **§ 6141.600 General requirements.**

17 The provisions of 40 Code of Federal Regulations §141.600 as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.601 Standard monitoring.**

20 The provisions of 40 Code of Federal Regulations §141.601 as revised and
21 codified as of July 1, 2019, are hereby adopted by reference.

22 **§ 6141.602 System specific studies.**

23 The provisions of 40 Code of Federal Regulations §141.602 as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.603 40/30 certification.**

26 The provisions of 40 Code of Federal Regulations §141.603 as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.604 Very small system waivers.**

2 The provisions of 40 Code of Federal Regulations §141.604 as revised and
3 codified as of July 1, 2019, are hereby adopted by reference.

4 **§ 6141.605 Subpart V compliance monitoring location**
5 **recommendations.**

6 The provisions of 40 Code of Federal Regulations §141.605 as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.606 to § 6141.619 inclusive, [Reserved]**

9 **SUBPART V—STAGE 2 DISINFECTION BYPRODUCTS**
10 **REQUIREMENTS**

11 **§ 6141.620 General requirements.**

12 The provisions of 40 Code of Federal Regulations §141.620 as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6141.621 Routine monitoring.**

15 The provisions of 40 Code of Federal Regulations §141.621 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.622 Subpart V monitoring plan.**

18 The provisions of 40 Code of Federal Regulations §141.622 as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.623 Reduced monitoring.**

21 The provisions of 40 Code of Federal Regulations §141.623 as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.624 Additional requirements for consecutive systems.**

24 The provisions of 40 Code of Federal Regulations §141.624 as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.625 Conditions requiring increased monitoring.**

1 The provisions of 40 Code of Federal Regulations §141.625 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.626 Operational evaluation levels.**

4 The provisions of 40 Code of Federal Regulations §141.626 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.627 Requirements for remaining on reduced TTHM and HAA5**
7 **monitoring based on subpart L results.**

8 The provisions of 40 Code of Federal Regulations §141.627 as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.628 Requirements for remaining on increased TTHM and HAA5**
11 **monitoring based on subpart L results.**

12 The provisions of 40 Code of Federal Regulations §141.628 as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6141.629 Reporting and recordkeeping requirements.**

15 The provisions of 40 Code of Federal Regulations §141.629 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.

17 **§ 6141.630 to § 6141.699 inclusive, [Reserved**

18 **SUBPART W – ENHANCED TREATMENT FOR**

19 **CRYPTOSPORIDIUM**

20 **GENERAL REQUIREMENTS**

21 **§ 6141.700 General requirements**

22 The provisions of 40 Code of Federal Regulations §141.700 as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **SOURCE WATER MONITORING REQUIREMENTS**

25 **§ 6141.701 Source water monitoring requirements.**

26 The provisions of 40 Code of Federal Regulations §141.701 as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.702 Sampling schedules.**

2 The provisions of 40 Code of Federal Regulations §141.702 as revised and
3 codified as of July 1, 2019, are hereby adopted by reference.

4 **§ 6141.703 Sampling locations.**

5 The provisions of 40 Code of Federal Regulations §141.703 as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.704 Analytical methods.**

8 The provisions of 40 Code of Federal Regulations §141.704 as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.705 Approved laboratories.**

11 The provisions of 40 Code of Federal Regulations §141.705 as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.706 Reporting source water monitoring results.**

14 The provisions of 40 Code of Federal Regulations §141.706 as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.707 Grandfathering previously collected data.**

17 The provisions of 40 Code of Federal Regulations §141.707 as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **DISINFECTION PROFILING AND BENCHMARKING**
20 **REQUIREMENTS**

21 **§ 6141.708 Disinfection profiling and benchmarking.**

22 The provisions of 40 Code of Federal Regulations §141.708 as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.709 Developing the disinfection profile and benchmark.**

25 The provisions of 40 Code of Federal Regulations §141.709 as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **TREATMENT TECHNIQUE REQUIREMENTS**

1 **§ 6141.710 Bin classification for filtered systems.**

2 The provisions of 40 Code of Federal Regulations §141.710 as revised and
3 codified as of July 1, 2019, are hereby adopted by reference.

4 **§ 6141.71 Filtered system additional Cryptosporidium treatment**
5 **requirements.**

6 The provisions of 40 Code of Federal Regulations §141.711 as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.712 Unfiltered system Cryptosporidium treatment requirements.**

9 The provisions of 40 Code of Federal Regulations §141.712 as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.713 Schedule for compliance with Cryptosporidium treatment**
12 **requirements.**

13 The provisions of 40 Code of Federal Regulations §141.713 as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.714 Requirements for uncovered finished water storage facilities.**

16 The provisions of 40 Code of Federal Regulations §141.714 as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **REQUIREMENTS FOR MICROBIAL TOOLBOX COMPONENTS**

19 **§ 6141.715 Microbial toolbox options for meeting Cryptosporidium**
20 **treatment requirements.**

21 The provisions of 40 Code of Federal Regulations §141.715 as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.716 Source toolbox components.**

24 The provisions of 40 Code of Federal Regulations §141.716 as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.717 Pre-filtration treatment toolbox components.**

1 The provisions of 40 Code of Federal Regulations §141.717 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.718 Treatment performance toolbox components.**

4 The provisions of 40 Code of Federal Regulations §141.718 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.719 Additional filtration toolbox components.**

7 The provisions of 40 Code of Federal Regulations §141.719 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.720 Inactivation toolbox components.**

10 The provisions of 40 Code of Federal Regulations §141.720 as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.721 Reporting requirements.**

13 The provisions of 40 Code of Federal Regulations §141.721 as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.722 Recordkeeping requirements.**

16 The provisions of 40 Code of Federal Regulations §141.722 as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.723 Requirements to respond to significant deficiencies identified**
19 **in sanitary surveys performed by EPA.**

20 The provisions of 40 Code of Federal Regulations §141.723 as revised and
21 codified as of July 1, 2019, are hereby adopted by reference.

22 **SUBPART Y – REVISED TOTAL COLIFORM RULE**

23 **§ 6141.851 General.**

24 The provisions of 40 Code of Federal Regulations §141.851 as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.852 Analytical methods and laboratory certification.**

1 The provisions of 40 Code of Federal Regulations §141.852 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.853 General monitoring requirements for all public water**
4 **systems.**

5 The provisions of 40 Code of Federal Regulations §141.853 as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.854 Routine monitoring requirements for non-community water**
8 **systems serving 1,000 or fewer people using only ground water.**

9 The provisions of 40 Code of Federal Regulations §141.854 as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.855 Routine monitoring requirements for community water**
12 **systems serving 1,000 or fewer people using only ground water.**

13 The provisions of 40 Code of Federal Regulations §141.855 as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.856 Routine monitoring requirements for subpart H public water**
16 **systems serving 1,000 or fewer people.**

17 The provisions of 40 Code of Federal Regulations §141.856 as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.857 Routine monitoring requirements for public water systems**
20 **serving more than 1,000 people.**

21 The provisions of 40 Code of Federal Regulations §141.857 as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.858 Repeat monitoring and E. coli requirements.**

24 The provisions of 40 Code of Federal Regulations §141.858 as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.859 Coliform treatment technique triggers and assessment**
27 **requirements for protection against potential fecal contamination.**

1 The provisions of 40 Code of Federal Regulations §141.859 as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.860 Violations.**

4 The provisions of 40 Code of Federal Regulations §141.860 as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.861 Reporting and recordkeeping.**

7 The provisions of 40 Code of Federal Regulations §141.861 as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.862 to § 6141.870, inclusive [Reserved]**

10 **PART 6142 – GUAM PRIMARY DRINKING WATER**

11 **REGULATIONS IMPLEMENTATION**

12 **SUBPART A – [RESERVED]**

13 **SUBPART B – SANITARY SURVEYS**

14 § 6142.16 Sanitary surveys

15 **§ 6142.16 Sanitary surveys**

16 (a) The provisions of 40 Code of Federal Regulations
17 §141.16(b)(3)(i) (sanitary survey) for surface water systems, including
18 GWUDISW systems, as revised and codified as of July 1, 2019, are hereby
19 adopted by reference.

20 (b) The provisions of 40 Code of Federal Regulations
21 §141.16(o)(2)(i) (state practices or procedures for sanitary surveys) for
22 groundwater systems, as revised and codified as of July 1, 2019, are hereby
23 adopted by reference.

24 **PART 6143 – GUAM SECONDARY DRINKING WATER**

25 **STANDARDS**

26 **SUBPART A – GUAM SECONDARY DRINKING WATER**

27 **STANDARDS**

1 § 6143.1 Purpose.

2 § 6143.2 Definitions.

3 § 6143.3 Secondary maximum contaminant levels.

4 § 6143.4 Monitoring.

5 **§ 6143.1 Purpose.**

6 The provisions of 40 Code of Federal Regulations §143.1 as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6143.2 Definitions.**

9 The provisions of 40 Code of Federal Regulations §143.2 as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6143.3 Secondary maximum contaminant levels.**

12 The provisions of 40 Code of Federal Regulations §143.3 as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6143.4 Monitoring.**

15 The provisions of 40 Code of Federal Regulations §143.4 as revised and
16 codified as of July 1, 2019, are hereby adopted by reference.”

17 **Section 5. Severability.** If any provision of this Act or its application to
18 any person or circumstance is found to be invalid or contrary to law, such invalidity
19 *shall not* affect other provisions or applications of this Act that can be given effect
20 without the invalid provision or application, and to this end the provisions of this
21 Act are severable.