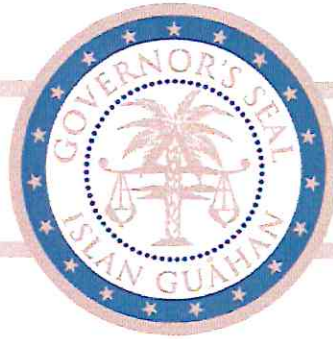


I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
283-35 (COR) As amended by the Committee on Environment; Revenue and Taxation; and Procurement; and substituted on the Floor.	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.	3/20/20	Committee on Environment, Revenue and Taxation, and Procurement	6/12/20 2:00 p.m.	10/30/20 8:00 a.m.	3/11/20	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	11/16/20	AN ACT TO REPEAL AND REENACT CHAPTER 53 AND REPEAL CHAPTER 53A (THE GUAM LEAD BAN ACT) BOTH OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER 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.	12/1/20	12/1/20	12/12/20	35-115	12/11/20	Received: 12/11/20 Mess and Comm. Doc. No. 35GL-20-2498	



LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LAHI • LIEUTENANT GOVERNOR

December 11, 2020

35GL-20-2498

Speaker Tina Rose Muñoz Barnes

HONORABLE TINA ROSE MUÑA BARNES

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

DEC 11 2020

Time 5:25

Approved by: [Signature]

Re: Substitute Bill No. 283-35 (COR) – An Act to *Repeal* and *Reenact* Chapter 53 and *Repeal* Chapter 53A (The Guam Lead Ban Act) Both of Division 2, Title 10, Guam Code Annotated, Relative to Updating the Guam Safe Drinking Water Act; and to *Repeal* Chapter 6 of Division 2, Title 22, Guam Administrative Rules and Regulations, Relative to Updating the Guam Safe Drinking Water Regulations

Dear Madame Speaker:

Substitute Bill No. 283-35, now known as *Public Law No. 35-115*, is a critical update to the Guam Safe Drinking Water Act, developed by the Guam Environmental Protection Agency, with the goal of modernizing our statutory and regulatory scheme to reflect significant advancements in the regulation of safe drinking water since our statute was last amended, over 40 years ago. This Act will support our efforts to regain primacy over the regulation of our drinking water, which in turn empowers us to direct the enforcement of safe drinking water regulations, protect our environment, and ensure the safety of our drinking water for our community for generations to come.

Senseramente,

LOURDES A. LEON GUERRERO

I Maga'hagan Guåhan
Governor of Guam

Enclosure: Substitute Bill No. 283-35 (COR) *nka P.L. 35-115*

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Substitute Bill No. 283-35 (COR) “AN ACT TO *REPEAL AND REENACT* CHAPTER 53 AND *REPEAL* CHAPTER 53A (THE GUAM LEAD BAN ACT) BOTH OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER 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,”** was on the 1st day of December 2020, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 1st day of December,
2020, at 4:33 o'clock P.M.

Jessica Cruz
Assistant Staff Officer
***Maga'håga's* Office**

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 12/11/2020

Public Law No. 35-115

Jessica Cruz
RCUD AT CENTRAL FILES
DEC 1 '20 PM4:33
2020-12256

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

Bill No. 283-35 (COR)

As amended by the Committee on Environment;
Revenue and Taxation; and Procurement; and
substituted on the Floor.

Introduced by:

Sabina Flores Perez
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Tina Rose Muña Barnes
Telena Cruz Nelson
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose “Pedo” Terlaje
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO *REPEAL* AND *REENACT* CHAPTER 53 AND
REPEAL CHAPTER 53A (THE GUAM LEAD BAN ACT)
BOTH OF DIVISION 2, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO UPDATING THE GUAM
SAFE DRINKING WATER 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.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the “Guam Safe Drinking Water Act” in the Guam Code Annotated has not been

1 updated since 1977, and its respective rules and regulations were last updated in
2 2005. In the intervening years, while significant federal regulations have been
3 adopted to protect the public and the environment, Guam’s laws have lagged behind.

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

8 *I Liheslatura* finds that the proposed revisions are necessary in order to
9 support Guam’s upcoming application for primacy over the Revised Total Coliform
10 Rule and Groundwater Rule, which are the two (2) primary regulations that protect
11 the public against the transmission of water-borne diseases. Currently, Guam does
12 not have primacy, which is the ability to directly enforce safe drinking water
13 regulations, over these two (2) important rules. As a consequence, ultimate
14 enforcement authority currently rests with the federal government, and the Guam
15 Environmental Protection Agency (GEPA) must refer violations to the United States
16 Environmental Protection Agency (USEPA) for enforcement action based on federal
17 regulations, which is a lengthier and inefficient process. As such, enforcement is
18 more difficult, endangering the ability to hold violators accountable for endangering
19 our island’s drinking water.

20 *I Liheslatura* also finds that when the Guam Safe Drinking Water Regulations
21 were last updated by Public Law 26-86 in 2005, the regulations were not officially
22 codified, and old language was not removed from the Guam Administrative Rules
23 and Regulations. So, while Public Law 26-86 is enforced today as the most current
24 approved rules and regulations, outdated and conflicting language remains codified,
25 which may potentially confuse the public. This legislation will correct this oversight.

26 *I Liheslatura* finds that the regulatory language proposed in this legislation,
27 which was developed by GEPA, adopts current federal safe drinking water

1 regulations by reference, except where language specific to Guam is necessary. For
2 each localized amendment, the language either meets or exceeds federal regulations,
3 which is a requirement for gaining primary enforcement ability over the safe
4 drinking water program. The revised regulations will also adopt the Revised Total
5 Coliform Rule and the Groundwater Rule, which took effect after the Guam Safe
6 Drinking Water Regulations were last updated. Finally, the revised regulations
7 include a new section updating and implementing the lead ban, including improved
8 methods for enforcement.

9 *I Liheslaturan Guåhan*, therefore, intends to update the Guam Safe Drinking
10 Water Act and corresponding rules and regulations to better protect the public and
11 our environment, and to enable GEPA to gain primary enforcement over our island’s
12 safe drinking water regulations.

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

15 **“CHAPTER 53**

16 **SAFE DRINKING WATER ACT**

- 17 § 53101. Title.
18 § 53102. Definitions.
19 § 53103. Statement of Policy.
20 § 53104. Drinking Water Standards.
21 § 53105. Design and Construction Standards.
22 § 53106. Right of Entry and Inspection.
23 § 53107. Bottled Water Companies.
24 § 53108. Water Vending Machines.
25 § 53109. Hauled Water.
26 § 53110. Rainwater Catchment Systems.
27 § 53111. Sanitary Surveys.

- 1 § 53112. Prohibition on Use, Sale, and Import of Lead Pipes, Solder, and
2 Flux.
- 3 § 53113. Establishment of Interim Action Levels.
- 4 § 53114. Ground Water Disinfection.
- 5 § 53115. Laboratory and Sampler Certification.
- 6 § 53116. Notification Requirements.
- 7 § 53117. Consumer Confidence Reports.
- 8 § 53118. Prohibited Acts.
- 9 § 53119. Security of Water Systems.
- 10 § 53120. Remedies.
- 11 § 53121. Plan for Emergency Provision of Water.
- 12 § 53122. Imminent Hazards.
- 13 § 53123. Administration.
- 14 § 53124. Safe Drinking Water Fund.
- 15 § 53125. Severability.
- 16 **§ 53101. Title.**

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

18 **§ 53102. Definitions.**

19 As used in this Chapter:

20 (a) *Act* means the Guam Safe Drinking Water Act.

21 (b) *Aquifer* means a formation, group of formations, or part of a
22 formation that contains sufficient saturated permeable material capable of
23 yielding significant quantities of usable potable water supply to wells or
24 springs.

25 (c) *Backflow* means the flow of water or other liquids, mixtures, or
26 substances into a public water supply from any source or sources other than

1 its intended source. Back-siphonage resulting from negative pressure in the
2 distribution system is one (1) type of backflow.

3 (d) *Board* means the Board of Directors of the Guam Environmental
4 Protection Agency.

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

7 (f) *Certified operator* means an individual who has passed an
8 examination that tests their knowledge, skills, ability, and judgment as a water
9 operator for a particular classification level of water treatment facility or water
10 distribution system and has been certified and issued a certificate by Guam
11 EPA.

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

16 (h) *Consecutive system* is a public water system that receives some
17 or all of its finished water from one (1) or more wholesale systems. Delivery
18 may be through a direct connection or through the distribution system of one
19 (1) or more consecutive systems.

20 (i) *Contaminant* means any physical, chemical, biological, or
21 radiological substance or matter in water.

22 (j) *Cross-connection* means any actual or physical connection or
23 structural arrangement between a public water system and any other source or
24 system through which it is possible to introduce into any part of the public
25 water system any used water, industrial fluid, gas, or other substance not
26 meeting the drinking water quality standards of these regulations. By-pass
27 arrangements, jumper connections, removable sections, swivel or change over

1 devices and other temporary or permanent devices through which “backflow”
2 can or may occur are considered to be cross-connections. A submerged inlet
3 from a public water system into a water storage tank that may also store water
4 from untreated source, such as rainwater catchment, is another example of a
5 cross-connection.

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

8 (l) *Distribution system* or *distribution facilities* means any
9 combination of pipes, tanks, tanker trucks, pumps, bottled water, etc. which
10 delivers water from the source(s) and/or treatment facility(ies) to the
11 consumer.

12 (m) *Drinking water quality standards* or *standards* means those
13 primary or secondary drinking water regulations as promulgated by either
14 Guam EPA or USEPA.

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

20 (o) *Federal Act* means the Safe Drinking Water Act, Pub. L. 93-
21 523 (Dec. 16, 1974, as amended and codified at 42 U.S.C. § 300f to 300j).

22 (p) *Federal Agency* means any department, agency, or
23 instrumentality of the United States.

24 (q) *Guam EPA* or *GEPA* means the Guam Environmental Protection
25 Agency as established by 10 GCA Chapter 45.

26 (r) *Guam EPA Administrator* or *Administrator* means the
27 Administrator of the Guam Environmental Protection Agency.

1 (s) *Human consumption* means drinking, bathing, showering, hand
2 washing, teeth brushing, food preparation, dish-washing, and maintaining oral
3 hygiene.

4 (t) *Maximum Contaminant Level* or *MCL* means the maximum
5 permissible level of a contaminant in water which is delivered to any user of
6 a public water system.

7 (u) *National Primary Drinking Water Regulations* means primary
8 drinking water regulations promulgated by the USEPA pursuant to the Federal
9 Act.

10 (v) *National Secondary Drinking Water Regulations* means
11 secondary drinking water regulations promulgated by the USEPA pursuant to
12 the Federal Act.

13 (w) *Non-community water system* means a public water system that
14 is not a community water system. A non-community water system is either a
15 “transient non-community water system (TWS)” or a “non-transient non-
16 community water system (NTNCWS).”

17 (x) *Non-transient non-community water system* or *NTNCWS* means
18 a public water system that is not a community water system and that regularly
19 serves at least twenty-five (25) of the same persons over six (6) months per
20 year.

21 (y) *Person* means any individual, corporation, company,
22 association, partnership, municipality, the government of Guam, or a federal
23 agency (and includes officers, employees, and agents of any corporation,
24 company, association, municipality, the government of Guam, or a federal
25 agency).

26 (z) *Plumbing, fittings, or fixtures* means piping and endline devices
27 intended to dispense water from a domestic water piping system for human

1 ingestion such as domestic piping, kitchen and bar faucets, lavatory faucets,
2 water dispensers, drinking fountains, water coolers, glass fillers, residential
3 refrigerator ice makers, supply stops, and endpoint control valves.

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

5 (1) applies to public water systems;

6 (2) specifies contaminants which, in the judgment of the
7 Guam Environmental Protection Agency, may have any adverse effect
8 on the health of persons;

9 (3) specifies for each contaminant either:

10 (A) a maximum contaminant level if, as determined by
11 Guam EPA, it is economically and technologically feasible to
12 ascertain the level of such contaminant in water in public water
13 systems; or

14 (B) if, as determined by Guam EPA, it is not
15 economically or technologically feasible to ascertain the level of
16 such contaminant, each treatment technique known to Guam
17 EPA which leads to a reduction in the level of such contaminant
18 sufficient to satisfy the requirements of § 53104 of this Chapter;
19 and

20 (4) contains criteria and procedures to assure a supply of
21 drinking water which dependably complies with such maximum
22 contaminant levels, including accepted methods for quality control and
23 testing procedures to ensure compliance with such levels and to ensure
24 proper operation and maintenance of the system, and requirements as
25 to:

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

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

2 (bb) *Public Water System* or *PWS* means a system for the provision to
3 the public of water for human consumption through pipes or other constructed
4 conveyances, if such system has at least fifteen (15) service connections or
5 regularly serves at least twenty-five (25) persons at least sixty (60) days out
6 of the year. A public water system is either a “community water system” or
7 a “non-community water system.”

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

9 (A) any collection, treatment, storage, and distribution
10 facilities under the control of the operator of such system and
11 used primarily in connection with such system; and

12 (B) any collection or pretreatment storage facilities not
13 under such control which are used primarily in connection with
14 such system.

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

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

24 (B) GEPA determines that the water provided for
25 residential or similar uses for drinking, cooking, and bathing is
26 centrally treated or treated at the point of entry by the provider,
27 a pass-through entity, or the user to achieve the equivalent level

1 of protection provided by the applicable national primary
2 drinking water regulations.

3 (cc) *Rainwater catchment* means a structure for the collection of
4 rainwater. A rainwater catchment may be a public water system or a part of a
5 public water system if the water system meets the definition of public water
6 system.

7 (dd) *Sanitary Survey* means an onsite review of the water source,
8 facilities, equipment, operation, and maintenance of a public water system for
9 the purpose of evaluating the adequacy of such source, facilities, equipment,
10 operation, and maintenance for producing and distributing safe drinking
11 water.

12 (ee) *Secondary Drinking Water Regulation* means a regulation which
13 applies to public water systems and which specifies the maximum
14 contaminant levels which, in the judgment of the Guam EPA, are requisite to
15 protect the public welfare. Such regulations may apply to any contaminant in
16 drinking water:

17 (1) which may adversely affect the odor or appearance of such
18 water and consequently may cause a substantial number of the persons
19 served by the public water system providing such water to discontinue
20 its use; or

21 (2) which may otherwise adversely affect the public welfare.
22 Such regulations may vary according to geographic and other
23 circumstances.

24 (ff) *Substantial alteration of an existing public water system* means
25 any addition or replacement of two (2) inch or larger pipe(s) at least two
26 hundred (200) feet or longer to be connected to an existing water piping

1 system or, any improvement or increase in the capacity of an existing public
2 water system.

3 (gg) *Supplier of water* means any person who owns or operates a
4 public water system.

5 (hh) *Surface water* means all water which is open to the atmosphere
6 and subject to surface runoff.

7 (ii) *Tamper* means to introduce a contaminant into a public water
8 system with the intention of harming persons or to otherwise interfere with
9 the operation of a public water system with the intention of harming persons.

10 (jj) *Transient non-community water system* or *TWS* means a non-
11 community water system that does not regularly serve at least twenty-five (25)
12 of the same persons over six (6) months per year.

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

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

18 (mm) *USEPA* means United States Environmental Protection Agency.

19 (nn) *Wellhead protection area* means the surface and subsurface area
20 surrounding a water well or wellfield, supplying a public water system,
21 through which contaminants are reasonably likely to move toward and reach
22 such water well or wellfield, or the area within a one thousand (1,000)-foot
23 radius of any potable water supply well.

24 (oo) *Wholesale system* is a public water system that treats source
25 water as necessary to produce finished water and then delivers some or all of
26 that finished water to another public water system. Delivery may be through

1 a direct connection or through the distribution system of one (1) or more
2 consecutive systems.

3 **§ 53103. Statement of Policy.**

4 It is hereby declared to be the public policy of Guam and the purpose
5 of this Chapter to protect public water supplies from contamination and to
6 require the provision of safe drinking water for public consumption in order
7 to protect human health and safety to the greatest degree practicable.

8 **§ 53104. Drinking Water Standards.**

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

12 (b) Primary and secondary drinking water regulations promulgated
13 pursuant to this Chapter shall be no less stringent than the National Primary
14 Drinking Water Regulations and National Secondary Drinking Water
15 Regulations in effect at that time.

16 (c) Primary and secondary drinking water regulations promulgated
17 pursuant to this Chapter shall apply to each public water system in Guam,
18 including those owned and operated by the government of Guam or federal
19 agencies, unless it is a system:

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

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

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

25 (4) which is not a carrier which conveys passengers in
26 interstate commerce.

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

5 (e) Guam EPA shall promulgate and enforce regulations relating to
6 cross-connection control and backflow prevention. The regulations shall
7 establish minimum criteria that must be met by all public water systems for
8 the purpose of cross connection control and backflow prevention, and shall
9 allow for the direct implementation by public water systems of cross
10 connection control and backflow prevention programs that meet the
11 established criteria. Direct implementation of a cross connection control and
12 backflow prevention program by a public water system shall not prevent
13 Guam EPA from enforcing its regulations against a public water system or
14 any person.

15 (f) Guam EPA shall promulgate regulations establishing an
16 underground injection control program. Such program shall prohibit any
17 underground injection which is not authorized by a permit issued by Guam
18 EPA except that Guam EPA may authorize underground injection by
19 regulation. Underground injection authorized by regulation shall not endanger
20 drinking water sources. Any underground injection control program shall:

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

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

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

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

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

14 **§ 53105. Design and Construction Standards.**

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

20 **§ 53106. Right of Entry and Inspection.**

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

25 (b) The Guam EPA Administrator or authorized representative may
26 enter and inspect locations where lead pipes, plumbing fittings, or fixtures are

1 distributed or sold, offered for distribution or sale, or held for distribution or
2 sale.

3 **§ 53107. Bottled Water Companies.**

4 The Guam EPA may promulgate separate regulations for monitoring
5 and other requirements specifically for bottled water companies.

6 **§ 53108. Water Vending Machines.**

7 The Guam EPA may promulgate separate regulations for monitoring
8 and other requirements specifically for water vending machines.

9 **§ 53109. Hauled Water.**

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

12 **§ 53110. Rainwater Catchment Systems.**

13 The Guam EPA may promulgate separate regulations for monitoring
14 and other requirements specifically for rainwater catchment systems. For the
15 purpose of this Chapter, a rainwater catchment system is classified as a surface
16 water system unless it meets requirements as may be specified by Guam EPA
17 by regulation to allow classification as a groundwater system.

18 **§ 53111. Sanitary Surveys.**

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

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

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

1 (1) Comprehensive Performance Evaluation, which is the
2 thorough review and analysis of a water treatment plant performance
3 based on capabilities and associated administrative, operation and
4 maintenance practices; and

5 (2) Comprehensive Technical Assistance, which is the
6 performance improvement phase that is implemented if the
7 Comprehensive Performance Evaluation results indicate improved
8 performance potential.

9 **§ 53112. Prohibition on Use, Sale, and Import of Lead Pipes, Solder,**
10 **and Flux.**

11 (a) In General.

12 (1) Prohibitions.

13 (A) In general. No person may use any pipe, any pipe or
14 plumbing fitting or fixture, any solder, or any flux that is not
15 lead-free in the installation or repair of:

16 (i) any public water system; or

17 (ii) any plumbing in a residential or
18 nonresidential facility providing water for human
19 consumption.

20 (B) Leaded joints. Subsection (a) of this Section shall
21 not apply to leaded joints necessary for the repair of cast iron
22 pipes.

23 (2) Public Notice Requirements.

24 (A) In general. Each owner or operator of a public water
25 system shall identify and provide notice in a manner and form
26 prescribed by the Guam EPA Administrator to persons that may

1 be affected by lead contamination of their drinking water where
2 such contamination results from either or both of the following:

3 (i) the lead content in the construction materials
4 of the public water distribution system;

5 (ii) corrosivity of the water supply sufficient to
6 cause leaching of lead.

7 (B) Contents of Notice. Notice under this Paragraph
8 shall provide a clear and readily understandable explanation of:

9 (i) the potential sources of lead in the drinking
10 water;

11 (ii) potential adverse health effects;

12 (iii) reasonably available methods of mitigating
13 known or potential lead content in drinking water;

14 (iv) any steps the system is taking to mitigate lead
15 content in drinking water; and

16 (v) the necessity for seeking alternative water
17 supplies, if any.

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

19 (A) any person to introduce into commerce any pipe, or
20 any pipe or plumbing fitting or fixture, that is not lead-free,
21 except for a pipe that is used in manufacturing or industrial
22 processing;

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

26 (C) any person to introduce into commerce any solder
27 or flux that is not lead-free unless the solder or flux bears a

1 prominent label stating that it is illegal to use the solder or flux
2 in the installation or repair of any plumbing providing water for
3 human consumption.

4 (4) Exemptions. The prohibitions in Subsections (a)(1) and
5 (a)(3) of this Section shall not apply to:

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

12 (B) toilets, bidets, urinals, fill valves, flushometer
13 valves, tub fillers, shower valves, service saddles, or water
14 distribution main gate valves that are two (2) inches in diameter
15 or larger.

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

17 (1) Guam EPA may promulgate regulations to implement the
18 requirements of this Section.

19 (2) Guam EPA may promulgate regulations to certify
20 person(s) to conduct sampling for the purpose of complying with this
21 Section.

22 (3) Guam EPA may require any person to remove new or
23 existing pipe, plumbing fitting or fixture, any solder, or any flux in
24 order to comply with this Section.

25 (4) Guam EPA may confiscate, destroy, or order any person
26 to destroy or return ship any products, supplies, or materials not in
27 conformance with this Section. Any person so ordered shall be required

1 to provide written certification and documentary proof that said order
2 has been carried out.

3 **§ 53113. Establishment of Interim Action Levels.**

4 (a) Guam EPA, upon identifying a contaminant in a public water
5 system that may present an unacceptable health risk to the public, may
6 establish interim action levels for contaminants for which maximum
7 contamination levels have not been established by the USEPA. Guam EPA
8 may utilize federal drinking water guidelines as well as guidelines issued by
9 other states as interim action levels when appropriate.

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

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

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

25 (2) Guam EPA shall hold a public hearing for the
26 consideration, adoption, or modification to an interim action level.
27 Notice of a public hearing shall indicate the time, date, and place for

1 such hearing and shall be published at least once a week for two (2)
2 consecutive weeks in a newspaper of general circulation, with the final
3 notice being published at least seven (7) days prior to the date of the
4 proposed hearing. The notice must state the availability and location of
5 the draft risk assessment document.

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

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

13 (1) issue guidance as may be necessary to protect the health
14 of persons (including travelers) who are or may be users of a
15 contaminated water supply system; and

16 (2) notify the public through the media of the establishment of
17 an interim action level.

18 **§ 53114. Ground Water Disinfection.**

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

21 **§ 53115. Laboratory and Sampler Certification.**

22 (a) No laboratory shall perform the test and analyses required by the
23 Guam EPA Administrator pursuant to this Chapter for any public water
24 system without first obtaining a certificate issued by the Guam EPA
25 Administrator that such laboratory is competent and equipped to conduct such
26 tests.

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

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

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

8 (c) Certification of Samplers. The GEPA may promulgate
9 regulations establishing minimum qualifications, training, certification
10 requirements, fees, and rules of conduct for persons authorized by GEPA to
11 collect water samples for the purpose of determining compliance with this
12 Chapter.

13 (1) Sampler certificates shall be renewed annually after the
14 date of issuance.

15 (2) The Guam EPA Administrator, in addition to any other
16 remedy authorized under this Chapter, may revoke any sampler
17 certification upon a finding that a sampler has falsified any sample or
18 other information submitted to GEPA, has violated any rules of conduct
19 established under Subsection (c) of this Section, or has demonstrated a
20 lack of competence as determined by the Guam EPA Administrator.

21 (3) A sampler who has had their sampler certification revoked
22 under Subsection (c)(2) of this Section may only reapply and be
23 certified again by Guam EPA as follows:

24 (A) If the certification was revoked for reason of
25 incompetence, a person must wait at least one (1) year after the
26 effective date of revocation to reapply.

1 (B) If the certification was revoked for reason of
2 violation of a rule of conduct established under Subsection (c) of
3 this Section, a person must wait at least five (5) years after the
4 effective date of revocation to reapply.

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

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

11 **§ 53116. Notification Requirements.**

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

15 (a) all violations of any applicable standard, treatment
16 technique, or testing procedure requirement of the primary drinking
17 water regulations;

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

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

22 (d) other situations, as described in regulations promulgated
23 under this Chapter.

24 **§ 53117. Consumer Confidence Reports.**

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

27 **§ 53118. Prohibited Acts.**

1 The following acts are prohibited:

2 (a) failure by a supplier of water to comply with the
3 requirements of § 53116, or dissemination by any supplier of water of
4 false or misleading information with respect to notices required
5 pursuant to § 53116 or with respect to remedial actions undertaken to
6 achieve compliance with primary and secondary drinking water
7 regulations;

8 (b) failure by a supplier of water to comply with rules and
9 regulations adopted pursuant to this Chapter;

10 (c) failure by any person to comply with any order issued
11 pursuant to this Chapter;

12 (d) failure by a supplier of water to allow any duly authorized
13 representative of Guam EPA to conduct inspections pursuant to this
14 Chapter;

15 (e) submission by any person of any false statement or
16 representation in any application, record, report, plan, or other
17 document filed, or required to be filed by this Chapter or rules and
18 regulations adopted pursuant this Chapter;

19 (f) failure by a supplier of water to comply with the
20 requirements of a permit issued under this Chapter;

21 (g) failure by any person to comply with the requirements or
22 conditions of a sampler or laboratory certification issued under this
23 Chapter;

24 (h) tampering, attempting to tamper, or making a threat to
25 tamper with a public water system; and

26 (i) any unauthorized access to a public water system.

27 **§ 53119. Security of Water Systems.**

1 (a) Guam EPA may promulgate regulations for the operation of
2 public water systems, including, but not limited to, the prevention of
3 tampering and ensuring the safety of water provided to users of public water
4 systems.

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

7 **§ 53120. Remedies.**

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

10 (a) Administrative. If the Guam EPA Administrator
11 determines that any person is violating any provision of this Chapter,
12 or any rule or regulation promulgated under this Chapter, the Guam
13 EPA Administrator may have that person served with a Notice of
14 Violation and an Order. The notice shall specify the alleged violation.
15 The order may require that the alleged violator do any or all of the
16 following: cease and desist from the violation; pay an administrative
17 penalty not to exceed Thirty-two Thousand Five Hundred Dollars
18 (\$32,500) per day for each violation; or appear before the Administrator
19 at a time and place specified in the order and answer to the charges
20 complained of. The order shall become final fifteen (15) days after
21 service unless within those fifteen (15) days the alleged violator
22 requests in writing a hearing before the Board. Upon such request, the
23 Board shall specify a time and place for the alleged violator to appear.

24 (1) When the Administrator issues an order for
25 immediate action to protect the public health from an imminent
26 and substantial danger, the Agency shall provide an opportunity

1 for a hearing within twenty-four (24) hours after service of the
2 order.

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

6 (3) Any person adversely affected by a decision of the
7 Guam EPA Board may seek judicial review by filing a petition
8 with the Superior Court of Guam in accordance with the
9 Administrative Adjudication Law, and by simultaneously
10 serving the Guam EPA Administrator with a copy of the petition.
11 The petitioner shall reimburse Guam EPA for the expenses
12 associated with the preparation of the record for judicial review.

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

16 (b) Civil.

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

21 (2) Any person who violates any provision of this
22 Chapter, or any rule or regulation promulgated under this
23 Chapter, or who refuses or neglects to comply with any lawful
24 order issued by the Administrator in carrying out the provisions
25 of this Chapter shall, in addition to clean-up costs and other
26 damages, forfeit and pay a civil penalty of not more than Thirty-

1 two Thousand Five Hundred Dollars (\$32,500) per day for each
2 violation or noncompliance.

3 (c) Criminal. Any person who knowingly violates any
4 provision of this Chapter, or any rule or regulation promulgated under
5 this Chapter, or who refuses or neglects to comply with any lawful order
6 issued by the Administrator in carrying out the provisions of this
7 Chapter shall, upon conviction, be imprisoned for a term of not more
8 than one (1) year, and/or be fined not more than Thirty-two Thousand
9 Five Hundred Dollars (\$32,500) per day for each violation or
10 noncompliance, and shall make restitution.

11 (d) Nothing in this Chapter shall prevent the agency from
12 making efforts to obtain voluntary compliance through warning,
13 conference, or any other appropriate means.

14 **§ 53121. Plan for Emergency Provision of Water.**

15 Guam EPA shall develop a plan for the provision of safe drinking water
16 under emergency circumstances. When the Guam EPA Administrator
17 determines that emergency circumstances exist in Guam with respect to a need
18 for safe drinking water, necessary action may be taken with the concurrence
19 of the Governor of Guam to implement the plan for safe drinking water.

20 **§ 53122. Imminent Hazards.**

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

1 (a) issuing such orders as may be necessary to protect the
2 health of persons who are or may be users of such systems (including
3 travelers); and

4 (b) requesting that the Attorney General of Guam commence
5 a civil or criminal action for appropriate relief, including a restraining
6 order or permanent or temporary injunction.

7 **§ 53123. Administration.**

8 Guam EPA is herein authorized to:

9 (a) perform any and all acts necessary to carry out the
10 purposes and requirements of this Chapter;

11 (b) administer and enforce the provisions of this Chapter and
12 all rules, regulations and orders promulgated thereunder;

13 (c) enter into agreements, contracts, or cooperative
14 arrangements with any person for the purpose of carrying out this
15 Chapter;

16 (d) receive financial and technical assistance from the federal
17 government and other public or private agencies to carry out the
18 provisions of this Chapter;

19 (e) participate in related programs of any public or private
20 agencies or organizations;

21 (f) establish adequate fiscal controls and accounting
22 procedures to ensure proper disbursement of and an accounting for
23 funds appropriated or received for the purpose of carrying out this
24 Chapter;

25 (g) delegate those responsibilities and duties as appropriate
26 for the purpose of administering the requirements of this Chapter;

1 (h) establish and collect fees for permits, plan reviews,
2 sanitary surveys, inspections, sampling, sampler certification,
3 laboratory certification and analyses as necessary for the purpose of
4 carrying out this Chapter;

5 (i) prescribe such regulations as necessary to carry out
6 functions under this Chapter;

7 (j) make such investigations and inspections as may be
8 necessary to ensure compliance with this Chapter; and

9 (k) encourage voluntary cooperation by persons and affected
10 groups to achieve the purposes of this Chapter.

11 All authority given by this Chapter shall remain with the Guam
12 Environmental Protection Agency.

13 **§ 53124. Safe Drinking Water Fund.**

14 There is established a non-lapsing, revolving fund to be known as the
15 Safe Drinking Water Fund (Fund), which shall be maintained separate and
16 apart from other funds of the government of Guam, shall be kept in a separate
17 bank account, and shall not be subject to *I Maga'håga's* (the Governor's)
18 transfer authority. The Fund shall be administered by the Administrator, and
19 independent records and accounts shall be maintained in connection with the
20 Fund. All fees, fines, penalties, and other funds collected or received pursuant
21 to this Chapter shall be deposited in the Fund, and used only for the costs of
22 administration and implementation of this Chapter; for providing staff and
23 resources to assist PWS owners and operators with compliance assistance,
24 plan review, sanitary surveys, and inspections for compliance with this
25 Chapter; implementing and enforcing the provisions of this Chapter, including
26 legal support; preparing guidance and rules; administering the Fund; database
27 and administration; sample collection and analysis; public education and

1 outreach; training and capacity development for program staff and
2 management; and any other duties needed to administer this Chapter. All
3 monies in the Safe Drinking Water Fund are hereby appropriated to Guam
4 EPA to be expended in accordance with this Chapter.

5 **§ 53125. Severability.**

6 The provisions of this Chapter are severable. If any provision or
7 application of this Chapter is held invalid, such invalidity shall not affect other
8 provisions or applications of this Chapter that can be given effect without the
9 invalid provision or application.”

10 **Section 3.** Chapter 53A (Guam Lead Ban Act) of Division 2, Title 10,
11 Guam Code Annotated, is hereby *repealed*.

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

14 **“CHAPTER 6**
15 **DRINKING WATER REGULATIONS**
16 **PART 6141 – GUAM PRIMARY DRINKING WATER REGULATIONS**
17 **SUBPART A – GENERAL**

- 18
- 19 § 6141.1. Authority.
 - 20 § 6141.2. Definitions.
 - 21 § 6141.3. Coverage.
 - 22 § 6141.4. [Reserved].
 - 23 § 6141.5. Siting Requirements and Plan Review.
 - 24 § 6141.6. Effective Dates.
 - 25 § 6141.7 to § 6141.10 inclusive, [Reserved].

26 **SUBPART B - MAXIMUM CONTAMINANT LEVELS**

- 27 § 6141.11. Maximum Contaminant Levels for Inorganic Chemicals.
- 28 § 6141.12. [Reserved]

1 § 6141.13. Maximum Contaminant Levels for Turbidity.

2 § 6141.14 to § 6141.20 inclusive, [Reserved].

3 SUBPART C – MONITORING AND ANALYTICAL REQUIREMENTS

4 § 6141.21. Coliform Sampling.

5 § 6141.22. Turbidity Sampling and Analytical Requirements.

6 § 6141.23. Inorganic Chemical Sampling and Analytical Requirements.

7 § 6141.24. Organic Chemicals, Sampling and Analytical Requirements.

8 § 6141.25. Analytical Methods for Radioactivity.

9 § 6141.26. Monitoring Frequency and Compliance Requirements for
10 Radionuclides in Community Water Systems.

11 § 6141.27. Alternate Analytical Techniques.

12 § 6141.28. Certified Laboratories.

13 § 6141.29. Monitoring of Consecutive Public Water Systems.

14 § 6141.30. [Reserved].

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

17 SUBPART D – REPORTING AND RECORDKEEPING

18 § 6141.31. Reporting Requirements.

19 § 6141.32. [Reserved]

20 § 6141.33. Record Maintenance.

21 § 6141.34. [Reserved]

22 § 6141.35. Reporting and Public Notification for Certain Unregulated
23 Contaminants.

24 § 6141.36 to § 6141.39 inclusive, [Reserved].

25 SUBPART E – SPECIAL REGULATIONS, INCLUDING MONITORING
26 REGULATIONS AND PROHIBITION ON LEAD USE

27 § 6141.40. Monitoring Requirements for Unregulated Contaminants.

- 1 § 6141.41. Special monitoring for sodium.
- 2 § 6141.42. Special monitoring for corrosivity characteristics.
- 3 § 6141.43. Prohibition on use of lead pipes, solder, and flux.
- 4 § 6141.44 to § 6141.49 inclusive, [Reserved].

5 SUBPART F – MAXIMUM CONTAMINANT LEVEL GOALS AND
6 MAXIMUM RESIDUAL DISINFECTANT LEVEL GOALS

- 7 § 6141.50. Maximum contaminant level goals for organic contaminants.
- 8 § 6141.51. Maximum contaminant level goals for inorganic contaminants.
- 9 § 6141.52. Maximum contaminant level goals for microbiological
10 contaminants.
- 11 § 6141.53. Maximum contaminant level goals for disinfection byproducts.
- 12 § 6141.54. Maximum residual disinfectant level goals for disinfectants.
- 13 § 6141.55. Maximum contaminant level goals for radionuclides.
- 14 § 6141.56 to § 6141.59 inclusive, [Reserved].

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

- 18 § 6141.60. Effective dates.
- 19 § 6141.61. Maximum contaminant levels for organic contaminants.
- 20 § 6141.62. Maximum contaminant levels for inorganic contaminants.
- 21 § 6141.63. Maximum contaminant levels (MCLs) for microbiological
22 contaminants.
- 23 § 6141.64. Maximum contaminant levels for disinfection byproducts.
- 24 § 6141.65. Maximum residual disinfectant levels.
- 25 § 6141.66. Maximum contaminant levels for radionuclides.
- 26 § 6141.67 to § 6141.69 inclusive, [Reserved].

27 SUBPART H—FILTRATION AND DISINFECTION

- 1 § 6141.70. General requirements.
- 2 § 6141.71. Criteria for avoiding filtration.
- 3 § 6141.72. Disinfection.
- 4 § 6141.73. Filtration.
- 5 § 6141.74. Analytical and monitoring requirements.
- 6 § 6141.75. Reporting and recordkeeping requirements.
- 7 § 6141.76. Recycle provisions.
- 8 § 6141.77 to § 6141.79 inclusive, [Reserved].

9 SUBPART I—CONTROL OF LEAD AND COPPER

- 10 § 6141.80. General Requirements.
- 11 § 6141.81. Applicability of corrosion control treatment steps to small,
12 medium-size, and large water systems.
- 13 § 6141.82. Description of corrosion control treatment requirements.
- 14 § 6141.83. Source water treatment requirements.
- 15 § 6141.84. Lead service line replacement requirements.
- 16 § 6141.85. Public education and supplemental monitoring requirements.
- 17 § 6141.86. Monitoring requirements for lead and copper in tap water.
- 18 § 6141.87. Monitoring requirements for water quality parameters.
- 19 § 6141.88. Monitoring requirements for lead and copper in source water.
- 20 § 6141.89. Analytical methods.
- 21 § 6141.90. Reporting requirements.
- 22 § 6141.91. Recordkeeping requirements.
- 23 § 6141.92 to § 6141.99 inclusive, [Reserved].

24 SUBPART J—USE OF NON-CENTRALIZED TREATMENT DEVICES

- 25 § 6141.100. Criteria and procedures for public water systems using point-of-
26 entry devices.
- 27 § 6141.101. Use of bottled water.

1 § 6141.102 to § 6141.109 inclusive, [Reserved].

2 SUBPART K—TREATMENT TECHNIQUES

3 § 6141.110. General requirements.

4 § 6141.111. Treatment techniques for acrylamide and epichlorohydrin.

5 § 6141.112 to § 6141.129 inclusive, [Reserved].

6 SUBPART L—DISINFECTANT RESIDUALS, DISINFECTION
7 BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

8 § 6141.130. General requirements.

9 § 6141.131. Analytical requirements.

10 § 6141.132. Monitoring requirements.

11 § 6141.133. Compliance requirements.

12 § 6141.134. Reporting and recordkeeping requirements.

13 § 6141.135. Treatment technique for control of disinfection byproduct (DBP)
14 precursors.

15 § 6141.136 to § 6141.150 inclusive, [Reserved].

16 SUBPART M – RESERVED

17 SUBPART N - RESERVED

18 SUBPART O—CONSUMER CONFIDENCE REPORTS

19 § 6141.151. Purpose and applicability of this subpart.

20 § 6141.152. Effective dates.

21 § 6141.153. Content of the reports.

22 § 6141.154. Required additional health information.

23 § 6141.155. Report delivery and recordkeeping.

24 Appendix A to Subpart O - Regulated Contaminants

25 § 6141.156 to § 6141.169 inclusive, [Reserved].

26 SUBPART P—ENHANCED FILTRATION AND DISINFECTION—SYSTEMS
27 SERVING 10,000 OR MORE PEOPLE

- 1 § 6141.170. General requirements.
- 2 § 6141.171. Criteria for avoiding filtration.
- 3 § 6141.172. Disinfection profiling and benchmarking.
- 4 § 6141.173. Filtration.
- 5 § 6141.174. Filtration sampling requirements.
- 6 § 6141.175. Reporting and recordkeeping requirements.
- 7 § 6141.176 to § 6141.200 inclusive, [Reserved].

8 SUBPART Q—PUBLIC NOTIFICATION OF DRINKING WATER
9 VIOLATIONS

- 10 § 6141.201. General public notification requirements.
- 11 § 6141.202. Tier 1 Public Notice—Form, manner, and frequency of notice.
- 12 § 6141.203. Tier 2 Public Notice—Form, manner, and frequency of notice.
- 13 § 6141.204. Tier 3 Public Notice—Form, manner, and frequency of notice.
- 14 § 6141.205. Content of the public notice.
- 15 § 6141.206. Notice to new billing units or new customers.
- 16 § 6141.207. Special notice of the availability of unregulated contaminant
- 17 monitoring results.
- 18 § 6141.208. Special notice for exceedance of the SMCL for fluoride.
- 19 § 6141.209. Special notice for nitrate exceedances above MCL by non-
- 20 community water systems (NCWS), where granted permission
- 21 by the primacy agency.
- 22 § 6141.210. Notice by primacy agency on behalf of the public water system.
- 23 § 6141.211. Special notice for repeated failure to conduct monitoring of the
- 24 source water for Cryptosporidium and for failure to determine
- 25 bin classification or mean Cryptosporidium level.

26 Appendix A to Subpart Q of Part 141 – NPDWR Violations and Situations
27 Requiring Public Notice

1 Appendix B to Subpart Q of Part 141 – Standard Health Effects Language for
2 Public Notification

3 Appendix C to Subpart Q of Part 141 – List of Acronyms Used in Public
4 Notification Regulation

5 § 6141.212 to § 6141.299 inclusive, [Reserved].

6 SUBPART R – [RESERVED]

7 § 6141.300 to § 6141.399 inclusive, [Reserved].

8 SUBPART S – GROUND WATER RULE

9 § 6141.400. General requirements and applicability.

10 § 6141.401. Sanitary surveys for ground water systems.

11 § 6141.402. Ground water source microbial monitoring and analytical
12 methods.

13 § 6141.403. Treatment technique requirements for ground water systems.

14 § 6141.404. Treatment technique violations for ground water systems.

15 § 6141.405. Reporting and recordkeeping for ground water systems.

16 § 6141.406 to § 6141.499 inclusive, [Reserved].

17 SUBPART T—ENHANCED FILTRATION AND DISINFECTION—SYSTEMS
18 SERVING FEWER THAN 10,000 PEOPLE

19 GENERAL REQUIREMENTS

20 § 6141.500. General Requirements.

21 § 6141.501. Who is subject to the requirements of subpart T?

22 § 6141.502. When must my system comply with these requirements?

23 § 6141.503. What does subpart T require?

24 § 6141.504 to § 6141.509 inclusive, [Reserved].

25 FINISHED WATER RESERVOIRS

26 § 6141.510. Is my system subject to the new finished water reservoir
27 requirements?

1 § 6141.511. What is required of new finished water reservoir?

2 § 6141.512 to § 6141.519 inclusive, [Reserved].

3 ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR
4 UNFILTERED SYSTEMS

5 § 6141.520. Is my system subject to the updated watershed control
6 requirements?

7 § 6141.521. What updated watershed control requirements must my
8 unfiltered system implement to continue to avoid filtration?

9 § 6141.522. How does the State determine whether my system's watershed
10 control requirements are adequate?

11 § 6141.523 to § 6141.529 inclusive, [Reserved].

12 DISINFECTION PROFILE

13 § 6141.530. What is a disinfection profile and who must develop one?

14 § 6141.531. What criteria must a State use to determine that a profile is
15 unnecessary?

16 § 6141.532. How does my system develop a disinfection profile and when
17 must it begin?

18 § 6141.533. What data must my system collect to calculate a disinfection
19 profile?

20 § 6141.534. How does my system use this data to calculate an inactivation
21 ratio?

22 § 6141.535. What if my system uses chloramines, ozone, or chlorine dioxide
23 for primary disinfection?

24 § 6141.536. My system has developed an inactivation ratio; what must we do
25 now?

26 § 6141.537 to § 6141.539 inclusive, [Reserved].

27 DISINFECTION BENCHMARK

1 § 6141.540. Who has to develop disinfection benchmark.

2 § 6141.541. What are significant changes to disinfection practice?

3 § 6141.542. What must my system do if we are considering a significant
4 change to disinfection practices?

5 § 6141.543. How is the disinfection benchmark calculated?

6 § 6141.544. What if my system uses chloramines, ozone, or chlorine dioxide
7 for primary disinfection?

8 § 6141.545 to § 6141.549 inclusive, [Reserved].

9 COMBINED FILTER EFFLUENT REQUIREMENTS

10 § 6141.550. Is my system required to meet subpart T combined filter effluent
11 turbidity limits?

12 § 6141.551. What strengthened combined filter effluent turbidity limits must
13 my system meet?

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

17 § 6141.553. My system practices lime softening-is there any special
18 provision regarding my combined filter effluent?

19 § 6141.554 to § 6141.559 inclusive, [Reserved].

20 INDIVIDUAL FILTER TURBIDITY REQUIREMENTS

21 § 6141.560. Is my system subject to individual filter turbidity requirement?

22 § 6141.561. What happens if my system’s turbidity monitoring equipment
23 fails?

24 § 6141.562. My system only has two or fewer filters-is there any special
25 provision regarding individual filter turbidity monitoring?

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

1 § 6141.564. My system practices lime softening—is there any special
2 provisions regarding my individual filter turbidity monitoring?

3 § 6141.565 to § 6141.569 inclusive, [Reserved].

4 REPORTING AND RECORDKEEPING

5 § 6141.570. What does subpart T require that my system report to the State?

6 § 6141.571. What records does subpart T require my system to keep?

7 § 6141.572 to § 6141.599 inclusive, [Reserved].

8 SUBPART U—INITIAL DISTRIBUTION SYSTEM EVALUATIONS

9 § 6141.600. General requirements.

10 § 6141.601. Standard monitoring.

11 § 6141.602. System specific studies.

12 § 6141.603. 40/30 certification.

13 § 6141.604. Very small system waivers.

14 § 6141.605. Subpart V compliance monitoring location recommendations.

15 § 6141.606 to § 6141.619 inclusive, [Reserved].

16 SUBPART V—STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

17 § 6141.620. General requirements.

18 § 6141.621. Routine monitoring.

19 § 6141.622. Subpart V monitoring plan.

20 § 6141.623. Reduced monitoring.

21 § 6141.624. Additional requirements for consecutive systems.

22 § 6141.625. Conditions requiring increased monitoring.

23 § 6141.626. Operational evaluation levels.

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

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

1 § 6141.629. Reporting and recordkeeping requirements.

2 § 6141.630 to § 6141.699 inclusive, [Reserved].

3 SUBPART W – ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

4 GENERAL REQUIREMENTS

5 § 6141.700. General requirements.

6 SOURCE WATER MONITORING REQUIREMENTS

7 § 6141.701. Source water monitoring requirements.

8 § 6141.702. Sampling schedules.

9 § 6141.703. Sampling locations.

10 § 6141.704. Analytical methods.

11 § 6141.705. Approved laboratories.

12 § 6141.706. Reporting source water monitoring results.

13 § 6141.707. Grandfathering previously collected data.

14 DISINFECTION PROFILING AND BENCHMARKING

15 REQUIREMENTS

16 § 6141.708. Disinfection profiling and benchmarking.

17 § 6141.709. Developing the disinfection profile and benchmark.

18 TREATMENT TECHNIQUE REQUIREMENTS

19 § 6141.710. Bin classification for filtered systems.

20 § 6141.711. Filtered system additional Cryptosporidium treatment
21 requirements.

22 § 6141.712. Unfiltered system Cryptosporidium treatment requirements.

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

25 § 6141.714. Requirements for uncovered finished water storage facilities.

26 REQUIREMENTS FOR MICROBIAL TOOLBOX COMPONENTS

1 § 6141.715. Microbial toolbox options for meeting *Cryptosporidium*
2 treatment requirements.

3 § 6141.716. Source toolbox components.

4 § 6141.717. Pre-filtration treatment toolbox components.

5 § 6141.718. Treatment performance toolbox components.

6 § 6141.719. Additional filtration toolbox components.

7 § 6141.720. Inactivation toolbox components.

8 § 6141.721. Reporting requirements.

9 § 6141.722. Recordkeeping requirements.

10 § 6141.723. Requirements to respond to significant deficiencies identified in
11 sanitary surveys performed by EPA.

12 SUBPART Y – REVISED TOTAL COLIFORM RULE

13 § 6141.851. General.

14 § 6141.852. Analytical methods and laboratory certification.

15 § 6141.853. General monitoring requirements for all public water systems.

16 § 6141.854. Routine monitoring requirements for non-community water
17 systems serving 1,000 or fewer people using only ground water.

18 § 6141.855. Routine monitoring requirements for community water systems
19 serving 1,000 or fewer people using only ground water.

20 § 6141.856. Routine monitoring requirements for subpart H public water
21 systems serving 1,000 or fewer people.

22 § 6141.857. Routine monitoring requirements for public water systems
23 serving more than 1,000 people.

24 § 6141.858. Repeat monitoring and *E. coli* requirements.

25 § 6141.859. Coliform treatment technique triggers and assessment
26 requirements for protection against potential fecal
27 contamination.

1 **§ 6141.5. Siting Requirements and Plan Review.**

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

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

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

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

15 (1) The Guam EPA Administrator shall require any or all of the
16 following prior to giving approval to proceed with construction: Drawings
17 indicating extent and location of the project; complete engineering plans and
18 specifications of the new or altered system including system design capacity,
19 schedule of materials and equipment to be installed, information on the quality
20 of the raw water sources and proposed treatment, if any, and information
21 demonstrating that the system will be adequately operated and maintained.
22 Two (2) complete sets of engineering drawings and specifications shall be
23 submitted to the Guam EPA Administrator at approximately the thirty percent
24 (30%), sixty percent (60%), and ninety percent (90%) completion stages of
25 design for approval prior to any notice to proceed to the next design stage, and
26 at the one hundred percent (100%) completion stage of design prior to
27 commencement of construction.

1 (2) No modifications to the final plans and specifications shall be
2 made unless two (2) sets of drawings and specifications indicating the
3 modifications are submitted to the Guam EPA Administrator for approval.
4 Such submittal must be timely enough to permit full review and analysis with
5 a minimum lead-time of two (2) weeks. Approval shall be by stamp signed by
6 the Guam EPA Administrator upon the design drawings.

7 (c) The Guam EPA Administrator or the authorized representative may
8 inspect any new or altered public water system during construction and prior to such
9 water system being placed into operation to verify that construction conforms with
10 the approved plans and specifications. The owner of the water system shall make
11 arrangements as required by the Guam EPA Administrator to inspect the system and
12 shall notify the Guam EPA Administrator prior to placing the system into operation.
13 No new or altered water system may be put into operation without a signed approval
14 from the Guam EPA Administrator. As-built plans shall be submitted to the Guam
15 EPA Administrator within sixty (60) days after project approval.

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

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

21 (2) new or substantially altered water systems which do not conform
22 with approved plans and specifications required in § 6141.5(b).

23 (e) Plan review fees [Reserved].

24 **§ 6141.6. Effective Dates.**

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

27 **§ 6141.7 to § 6141.10 inclusive, [Reserved].**

1 **SUBPART B - MAXIMUM CONTAMINANT LEVELS**

2 **§ 6141.11. Maximum Contaminant Levels for Inorganic Chemicals.**

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

5 **§ 6141.12. [Reserved].**

6 **§ 6141.13. Maximum Contaminant Levels for Turbidity.**

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

9 **§ 6141.14 to § 6141.20 inclusive, [Reserved].**

10 **SUBPART C – MONITORING AND ANALYTICAL**
11 **REQUIREMENTS**

12 **§ 6141.21. Coliform Sampling.**

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

15 **§ 6141.22. Turbidity Sampling and Analytical Requirements.**

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

18 **§ 6141.23. Inorganic Chemical Sampling and Analytical Requirements.**

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

21 **§ 6141.24. Organic Chemicals, Sampling and Analytical Requirements.**

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

24 **§ 6141.25. Analytical Methods for Radioactivity.**

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

1 **§ 6141.26. Monitoring Frequency and Compliance requirements for**
2 **Radionuclides in Community Water Systems.**

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

5 **§ 6141.27. Alternate Analytical Techniques.**

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

8 **§ 6141.28. Certified Laboratories.**

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

11 **§ 6141.29. Monitoring of Consecutive Public Water Systems.**

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

14 **§ 6141.30. [Reserved].**

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

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

19 **SUBPART D – REPORTING AND RECORDKEEPING**

20 **§ 6141.31. Reporting Requirements.**

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

23 **§ 6141.32. [Reserved].**

24 **§ 6141.33. Record Maintenance.**

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

27 **§ 6141.34. [Reserved].**

1 **§ 6141.35. Reporting and Public Notification for Certain Unregulated**
2 **Contaminant Monitoring Results.**

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

5 **§ 6141.36 to § 6141.39 inclusive, [Reserved].**

6 **SUBPART E – SPECIAL REGULATIONS, INCLUDING**
7 **MONITORING REGULATIONS AND PROHIBITION ON LEAD USE**

8 **§ 6141.40. Monitoring Requirements for Unregulated Contaminants.**

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

11 **§ 6141.41. Special monitoring for sodium.**

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

14 **§ 6141.42. Special monitoring for corrosivity characteristics.**

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

17 **§ 6141.43. Prohibition on use of lead pipes, solder, and flux.**

18 (a) [Reserved].

19 (b) Definitions.

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

25 (2) (A) *Lead-free* means:

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

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

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

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

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

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

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

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

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

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

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

1 (f) Lead-free compliance sampling. All sampling conducted for
2 determining compliance with this section shall comply with the following
3 requirements. These sampling requirements shall apply to newly constructed
4 facilities, as well as additions to and renovations of these same facilities.

5 (1) Number of samples collected. All new buildings, additions, and
6 renovations, prior to receiving occupancy permits, shall have a representative
7 sample (first draw sample – see Subparagraph (f)(2)) collected from
8 applicable endpoint devices tested for concentration of lead. The number of
9 endpoint devices to be tested shall be as follows:

10 (A) Buildings with less than five (5) endpoint devices – all
11 devices shall be tested.

12 (B) Buildings with five (5) or more endpoint devices – five (5)
13 devices plus ten percent (10%) of the total numbers of endpoint
14 fitting/fixtures shall be tested; however, no building shall have less than
15 five (5) endpoint devices tested. Endpoint devices used primarily for
16 drinking water supply and cooking, i.e., water fountains, coolers,
17 kitchen faucets, shall be selected as first priority; other devices,
18 bathroom faucets, etc. shall be selected as second priority.

19 (C) In the case of new, as well as additions and renovations of
20 daycare centers, schools, and health care facilities - all endpoint devices
21 in the facility shall be tested.

22 (2) First Draw Samples. All samples collected for determining
23 compliance with this section shall be first draw samples. “First draw sample”
24 means a one-liter sample of tap water, collected in accordance with 40 CFR
25 141.86(b)(2), as adopted under § 6141.86 of this Chapter, that has been
26 standing in plumbing pipes at least six (6) hours and is collected without
27 flushing the tap. Failure to follow this instruction may result in cancellation

1 of sampling, the sample results being invalidated, and/or enforcement action
2 up to and including administrative and civil penalties, or criminal penalties if
3 it is determined by Guam EPA that flushing was performed intentionally for
4 the purpose of altering sampling results. It is recommended that water not be
5 allowed to sit in pipes and endpoint devices for more than twenty-four (24)
6 hours prior to sampling.

7 (3) Samplers must be approved. All sampling conducted for
8 compliance with this section must be performed by approved Guam EPA
9 personnel, or samplers certified by Guam EPA in accordance with paragraph
10 (i) (reserved) of this Section. Sample results from samples taken by non-
11 approved persons will not be accepted.

12 (4) Certified Laboratories. For the purpose of determining
13 compliance with the requirements of this Section, sample results will be
14 accepted from a laboratory specifically certified by Guam EPA for the
15 analytes and methods used.

16 (g) Action required for exceedances of occupancy permit lead sample
17 requirement. If any sampling results are greater than 0.015 mg/L, occupancy permit
18 clearance may only be issued after:

19 (1) the necessary pipes, pipe fittings, plumbing fittings, or fixtures
20 are replaced and the relevant endpoint device or devices are re-sampled in
21 accordance with Subsection (f), and the results are less than 0.015 mg/L; or

22 (2) original product packaging is submitted and/or on-product
23 marking is verified by Guam EPA staff as required under Subsection (e)(2),
24 for every pipe, pipe fitting, plumbing fitting, or fixture upstream of and
25 including the endpoint device for all endpoint devices for which sample
26 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 thirty-five dollars (\$35.00) per
6 hour.

7 (2) Sampling fees will be computed based on actual time including
8 travel to and from the sampling or inspection location, and delivery to a Guam
9 EPA certified laboratory, if applicable.

10 (3) A minimum one (1) hour fee will be charged for all sampling or
11 inspection.

12 (4) Fractions of an hour will be rounded up to the next fifteen (15)
13 minute interval (example, one (1) hour and three (3) minutes will be rounded
14 to one (1) hour and fifteen (15) minutes).

15 (5) In the event a sample cannot be collected or an inspection cannot
16 take place due to an applicant not being ready, or due to evidence that the
17 required first draw conditions have not been met, the applicant will be charged
18 the full sampling and inspection fee for the time spent by the Guam EPA
19 inspector.

20 (i) Lead Sampler Certification – RESERVED.

21 § 6141.44 to § 6141.49 inclusive, [Reserved].

22 **SUBPART F – MAXIMUM CONTAMINANT LEVEL GOALS AND**
23 **MAXIMUM RESIDUAL DISINFECTANT LEVEL GOALS**

24 **§ 6141.50. Maximum contaminant level goals for organic contaminants.**

25 The provisions of 40 Code of Federal Regulations § 141.50, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.51. Maximum contaminant level goals for inorganic**
2 **contaminants.**

3 The provisions of 40 Code of Federal Regulations § 141.51, as revised and
4 codified as of July 1, 2019, are hereby adopted by reference.

5 **§ 6141.52. Maximum contaminant level goals for microbiological**
6 **contaminants.**

7 The provisions of 40 Code of Federal Regulations § 141.52, as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.53. Maximum contaminant level goals for disinfection**
10 **byproducts.**

11 The provisions of 40 Code of Federal Regulations § 141.53, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.54. Maximum residual disinfectant level goals for disinfectants.**

14 The provisions of 40 Code of Federal Regulations § 141.54, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.55. Maximum contaminant level goals for radionuclides.**

17 The provisions of 40 Code of Federal Regulations § 141.55, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.56. to § 6141.59 inclusive, [Reserved].**

20 **SUBPART G – NATIONAL REVISED PRIMARY DRINKING**
21 **WATER REGULATIONS: MAXIMUM CONTAMINANT LEVELS AND**
22 **MAXIMUM RESIDUAL DISINFECTANT LEVELS**

23 **§ 6141.60. Effective dates.**

24 The provisions of 40 Code of Federal Regulations § 141.60, as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.61. Maximum contaminant levels for organic contaminants.**

1 The provisions of 40 Code of Federal Regulations § 141.61, as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.62. Maximum contaminant levels for inorganic contaminants.**

4 The provisions of 40 Code of Federal Regulations § 141.62, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.63. Maximum contaminant levels (MCLs) for microbiological**
7 **contaminants.**

8 The provisions of 40 Code of Federal Regulations § 141.63, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.64. Maximum contaminant levels for disinfection byproducts.**

11 The provisions of 40 Code of Federal Regulations § 141.64, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.65. Maximum residual disinfectant levels.**

14 The provisions of 40 Code of Federal Regulations § 141.65, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.66. Maximum contaminant levels for radionuclides.**

17 The provisions of 40 Code of Federal Regulations § 141.66, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.67 to § 6141.69 inclusive, [Reserved].**

20 **SUBPART H—FILTRATION AND DISINFECTION**

21 **§ 6141.70. General requirements.**

22 The provisions of 40 Code of Federal Regulations § 141.70, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.71. Criteria for avoiding filtration.**

25 The provisions of 40 Code of Federal Regulations § 141.71, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.72. Disinfection.**

1 The provisions of 40 Code of Federal Regulations § 141.72, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.73. Filtration.**

4 The provisions of 40 Code of Federal Regulations § 141.73, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.74. Analytical and monitoring requirements.**

7 The provisions of 40 Code of Federal Regulations § 141.74, as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.75. Reporting and recordkeeping requirements.**

10 The provisions of 40 Code of Federal Regulations § 141.75, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.76. Recycle provisions.**

13 The provisions of 40 Code of Federal Regulations § 141.76, as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.77 to § 6141.79 inclusive, [Reserved].**

16 **SUBPART I—CONTROL OF LEAD AND COPPER**

17 **§ 6141.80. General Requirements.**

18 The provisions of 40 Code of Federal Regulations § 141.80, as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.81. Applicability of corrosion control treatment steps to small,
21 medium-size, and large water systems.**

22 The provisions of 40 Code of Federal Regulations § 141.81, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.82. Description of corrosion control treatment requirements.**

25 The provisions of 40 Code of Federal Regulations § 141.82, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.83. Source water treatment requirements.**

1 The provisions of 40 Code of Federal Regulations § 141.83, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.84. Lead service line replacement requirements.**

4 The provisions of 40 Code of Federal Regulations § 141.84, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.85. Public education and supplemental monitoring**
7 **requirements.**

8 The provisions of 40 Code of Federal Regulations § 141.85, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.86. Monitoring requirements for lead and copper in tap water.**

11 The provisions of 40 Code of Federal Regulations § 141.86, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.87. Monitoring requirements for water quality parameters.**

14 The provisions of 40 Code of Federal Regulations § 141.87, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.88. Monitoring requirements for lead and copper in source**
17 **water.**

18 The provisions of 40 Code of Federal Regulations § 141.88, as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.89. Analytical methods.**

21 The provisions of 40 Code of Federal Regulations § 141.89, as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.90. Reporting requirements.**

24 The provisions of 40 Code of Federal Regulations § 141.90, as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.91. Recordkeeping requirements.**

1 The provisions of 40 Code of Federal Regulations § 141.91, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.92 to § 6141.99 inclusive, [Reserved].**

4 **SUBPART J—USE OF NON-CENTRALIZED TREATMENT**
5 **DEVICES**

6 **§ 6141.100. Criteria and procedures for public water systems using**
7 **point-of-entry devices.**

8 The provisions of 40 Code of Federal Regulations § 141.100, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.101. Use of bottled water.**

11 The provisions of 40 Code of Federal Regulations § 141.101, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.102 to § 6141.109 inclusive, [Reserved].**

14 **SUBPART K—TREATMENT TECHNIQUES**

15 **§ 6141.110. General requirements.**

16 The provisions of 40 Code of Federal Regulations § 141.110, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.111. Treatment techniques for acrylamide and epichlorohydrin.**

19 The provisions of 40 Code of Federal Regulations § 141.111, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.112 to § 6141.129 inclusive, [Reserved].**

22 **SUBPART L—DISINFECTANT RESIDUALS, DISINFECTION**
23 **BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS**

24 **§ 6141.130. General requirements.**

25 The provisions of 40 Code of Federal Regulations § 141.130, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.131. Analytical requirements.**

1 The provisions of 40 Code of Federal Regulations § 141.131, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.132. Monitoring requirements.**

4 The provisions of 40 Code of Federal Regulations § 141.132, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.133. Compliance requirements.**

7 The provisions of 40 Code of Federal Regulations § 141.133, as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.134. Reporting and recordkeeping requirements.**

10 The provisions of 40 Code of Federal Regulations § 141.134, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

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

14 The provisions of 40 Code of Federal Regulations § 141.135, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.136 to § 6141.150 inclusive, [Reserved].**

17 **SUBPART M – RESERVED**

18 **SUBPART N - RESERVED**

19 **SUBPART O—CONSUMER CONFIDENCE REPORTS**

20 **§ 6141.151. Purpose and applicability of this subpart.**

21 The provisions of 40 Code of Federal Regulations § 141.151, as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

23 **§ 6141.152. Effective dates.**

24 The provisions of 40 Code of Federal Regulations § 141.152(b) through (d)
25 inclusive, as revised and codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.153. Content of the reports.**

1 The provisions of 40 Code of Federal Regulations § 141.153, as revised and
2 codified as of July 1, 2019 are hereby adopted by reference.

3 **§ 6141.154. Required additional health information.**

4 The provisions of 40 Code of Federal Regulations § 141.154, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.155. Report delivery and recordkeeping.**

7 The provisions of 40 Code of Federal Regulations § 141.155. as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **Appendix A to Subpart O - Regulated Contaminants.**

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

12 **§ 6141.156 to § 6141.169 inclusive, [Reserved].**

13 **SUBPART P—ENHANCED FILTRATION AND DISINFECTION—**
14 **SYSTEMS SERVING 10,000 OR MORE PEOPLE**

15 **§ 6141.170. General requirements.**

16 The provisions of 40 Code of Federal Regulations § 141.170, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.171. Criteria for avoiding filtration.**

19 The provisions of 40 Code of Federal Regulations § 141.171, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.172. Disinfection profiling and benchmarking.**

22 The provisions of 40 Code of Federal Regulations § 141.172, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.173. Filtration.**

25 The provisions of 40 Code of Federal Regulations § 141.173, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.174. Filtration sampling requirements.**

1 The provisions of 40 Code of Federal Regulations § 141.174, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.175. Reporting and recordkeeping requirements.**

4 The provisions of 40 Code of Federal Regulations § 141.175, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.176 to § 6141.200 inclusive, [Reserved].**

7 **SUBPART Q—PUBLIC NOTIFICATION OF DRINKING WATER**
8 **VIOLATIONS**

9 **§ 6141.201. General public notification requirements.**

10 The provisions of 40 Code of Federal Regulations § 141.201, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference. In addition, each owner
12 or operator of a PWS must submit a draft of the public notification to Guam EPA
13 for approval, as soon as practicable, prior to distribution. PWSs must still comply
14 with the required timelines for providing public notification.

15 **§ 6141.202. Tier 1 Public Notice—Form, manner, and frequency of**
16 **notice.**

17 Except as otherwise provided in this Subpart, the provisions of 40 Code of
18 Federal Regulations § 141.202, as revised and codified as of July 1, 2019, are hereby
19 adopted by reference.

20 **§ 6141.203. Tier 2 Public Notice—Form, manner, and frequency of**
21 **notice.**

22 The provisions of 40 Code of Federal Regulations § 141.203, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.204. Tier 3 Public Notice—Form, manner, and frequency of**
25 **notice.**

26 The provisions of 40 Code of Federal Regulations § 141.204, as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.205. Content of the public notice.**

2 The provisions of 40 Code of Federal Regulations § 141.205, as revised and
3 codified as of July 1, 2019, are hereby adopted by reference.

4 **§ 6141.206. Notice to new billing units or new customers.**

5 The provisions of 40 Code of Federal Regulations § 141.206, as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.207. Special notice of the availability of unregulated contaminant**
8 **monitoring results.**

9 The provisions of 40 Code of Federal Regulations § 141.207, as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.208. Special notice for exceedance of the SMCL for fluoride.**

12 The provisions of 40 Code of Federal Regulations § 141.208, as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6141.209. Special notice for nitrate exceedances above MCL by non-**
15 **community water systems (NCWS), where granted permission by the primacy**
16 **agency.**

17 The provisions of 40 Code of Federal Regulations § 141.209, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.210. Notice by primacy agency on behalf of the public water**
20 **system.**

21 The provisions of 40 Code of Federal Regulations § 141.210, as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

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

26 The provisions of 40 Code of Federal Regulations § 141.211, as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.403. Treatment technique requirements for ground water**
2 **systems.**

3 The provisions of 40 Code of Federal Regulations § 141.403, as revised and
4 codified as of July 1, 2019, are hereby adopted by reference.

5 **§ 6141.404. Treatment technique violations for ground water systems.**

6 The provisions of 40 Code of Federal Regulations § 141.404, as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.405. Reporting and recordkeeping for ground water systems.**

9 The provisions of 40 Code of Federal Regulations § 141.405, as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.406 to § 6141.499 inclusive, [Reserved].**

12 **SUBPART T—ENHANCED FILTRATION AND DISINFECTION—**
13 **SYSTEMS SERVING FEWER THAN 10,000 PEOPLE**

14 **GENERAL REQUIREMENTS**

15 **§ 6141.500. General Requirements.**

16 The provisions of 40 Code of Federal Regulations § 141.500, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.501. Who is subject to the requirements of subpart T?**

19 The provisions of 40 Code of Federal Regulations § 141.501, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.502. When must my system comply with these requirements?**

22 The provisions of 40 Code of Federal Regulations § 141.502, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.503. What does subpart T require?**

25 The provisions of 40 Code of Federal Regulations § 141.503, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.504 to § 6141.509 inclusive, [Reserved].**

1 **FINISHED WATER RESERVOIRS**

2 **§ 6141.510. Is my system subject to the new finished water reservoir**
3 **requirements?**

4 The provisions of 40 Code of Federal Regulations § 141.510, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.511. What is required of new finished water reservoirs?**

7 The provisions of 40 Code of Federal Regulations § 141.511, as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.512 to § 6141.519 inclusive, [Reserved].**

10 **ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR**
11 **UNFILTERED SYSTEMS**

12 **§ 6141.520. Is my system subject to the updated watershed control**
13 **requirements?**

14 The provisions of 40 Code of Federal Regulations § 141.520, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.521. What updated watershed control requirements must my**
17 **unfiltered system implement to continue to avoid filtration?**

18 The provisions of 40 Code of Federal Regulations § 141.521, as revised and
19 codified as of July 1, 2019, are hereby adopted by reference.

20 **§ 6141.522. How does the State determine whether my system's**
21 **watershed control requirements are adequate?**

22 The provisions of 40 Code of Federal Regulations § 141.522, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.523 to § 6141.529 inclusive, [Reserved].**

25 **DISINFECTION PROFILE**

26 **§ 6141.530. What is a disinfection profile and who must develop one?**

1 The provisions of 40 Code of Federal Regulations § 141.530, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.531. What criteria must a State use to determine that a profile is**
4 **unnecessary?**

5 The provisions of 40 Code of Federal Regulations § 141.531, as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.532. How does my system develop a disinfection profile and when**
8 **must it begin?**

9 The provisions of 40 Code of Federal Regulations § 141.532, as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.533. What data must my system collect to calculate a disinfection**
12 **profile?**

13 The provisions of 40 Code of Federal Regulations § 141.533, as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.534. How does my system use this data to calculate an inactivation**
16 **ratio?**

17 The provisions of 40 Code of Federal Regulations § 141.534, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.535. What if my system uses chloramines, ozone, or chlorine**
20 **dioxide for primary disinfection?**

21 The provisions of 40 Code of Federal Regulations § 141.535, as revised and
22 codified as of July 1, 2019, are hereby adopted by reference.

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

25 The provisions of 40 Code of Federal Regulations § 141.536, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.537 to § 6141.539 inclusive, [Reserved].**

1 **DISINFECTION BENCHMARK**

2 **§ 6141.540. Who has to develop disinfection benchmark.**

3 The provisions of 40 Code of Federal Regulations § 141.540, as revised and
4 codified as of July 1, 2019, are hereby adopted by reference.

5 **§ 6141.541. What are significant changes to disinfection practice?**

6 The provisions of 40 Code of Federal Regulations § 141.541, as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.542. What must my system do if we are considering a significant**
9 **change to disinfection practices?**

10 The provisions of 40 Code of Federal Regulations § 141.542, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.543. How is the disinfection benchmark calculated?**

13 The provisions of 40 Code of Federal Regulations § 141.543, as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.544. What if my system uses chloramines, ozone, or chlorine**
16 **dioxide for primary disinfection?**

17 The provisions of 40 Code of Federal Regulations § 141.544, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.545 to § 6141.549 inclusive, [Reserved].**

20 **COMBINED FILTER EFFLUENT REQUIREMENTS**

21 **§ 6141.550. Is my system required to meet Subpart T combined filter**
22 **effluent turbidity limits?**

23 The provisions of 40 Code of Federal Regulations § 141.550, as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.551. What strengthened combined filter effluent turbidity limits**
26 **must my system meet?**

1 The provisions of 40 Code of Federal Regulations § 141.551, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.552. My system consists of “alternative filtration” and is required**
4 **to conduct a demonstration—what is required of my system and how does the**
5 **State establish my turbidity limits?**

6 The provisions of 40 Code of Federal Regulations § 141.552, as revised and
7 codified as of July 1, 2019, are hereby adopted by reference.

8 **§ 6141.553. My system practices lime softening—is there any special**
9 **provision regarding my combined filter effluent?**

10 The provisions of 40 Code of Federal Regulations § 141.553, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.554 to § 6141.559 inclusive, [Reserved].**

13 **INDIVIDUAL FILTER TURBIDITY REQUIREMENTS**

14 **§ 6141.560. Is my system subject to individual filter turbidity**
15 **requirement?**

16 The provisions of 40 Code of Federal Regulations § 141.560, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.561. What happens if my system’s turbidity monitoring**
19 **equipment fails?**

20 The provisions of 40 Code of Federal Regulations § 141.561, as revised and
21 codified as of July 1, 2019, 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
25 codified as of July 1, 2019, are hereby adopted by reference.

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

1 The provisions of 40 Code of Federal Regulations § 141.563, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

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

5 The provisions of 40 Code of Federal Regulations § 141.564, as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.565 to § 6141.569 inclusive, [Reserved].**

8 **REPORTING AND RECORDKEEPING**

9 **§ 6141.570. What does subpart T require that my system report to the**
10 **State?**

11 The provisions of 40 Code of Federal Regulations § 141.570, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.571. What records does subpart T require my system to keep?**

14 The provisions of 40 Code of Federal Regulations § 141.571, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.572 to § 6141.599 inclusive, [Reserved].**

17 **SUBPART U—INITIAL DISTRIBUTION SYSTEM EVALUATIONS**

18 **§ 6141.600. General requirements.**

19 The provisions of 40 Code of Federal Regulations § 141.600, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.601. Standard monitoring.**

22 The provisions of 40 Code of Federal Regulations § 141.601, as revised and
23 codified as of July 1, 2019, are hereby adopted by reference.

24 **§ 6141.602. System specific studies.**

25 The provisions of 40 Code of Federal Regulations § 141.602, as revised and
26 codified as of July 1, 2019, are hereby adopted by reference.

27 **§ 6141.603. 40/30 certification.**

1 The provisions of 40 Code of Federal Regulations § 141.603, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.604. Very small system waivers.**

4 The provisions of 40 Code of Federal Regulations § 141.604, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.605. Subpart V compliance monitoring location**
7 **recommendations.**

8 The provisions of 40 Code of Federal Regulations § 141.605, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.606 to § 6141.619 inclusive, [Reserved].**

11 **SUBPART V—STAGE 2 DISINFECTION BYPRODUCTS**
12 **REQUIREMENTS**

13 **§ 6141.620. General requirements.**

14 The provisions of 40 Code of Federal Regulations § 141.620, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6141.621. Routine monitoring.**

17 The provisions of 40 Code of Federal Regulations § 141.621, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.

19 **§ 6141.622. Subpart V monitoring plan.**

20 The provisions of 40 Code of Federal Regulations § 141.622, as revised and
21 codified as of July 1, 2019, are hereby adopted by reference.

22 **§ 6141.623. Reduced monitoring.**

23 The provisions of 40 Code of Federal Regulations § 141.623, as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **§ 6141.624. Additional requirements for consecutive systems.**

26 The provisions of 40 Code of Federal Regulations § 141.624, as revised and
27 codified as of July 1, 2019, are hereby adopted by reference.

1 **§ 6141.625. Conditions requiring increased monitoring.**

2 The provisions of 40 Code of Federal Regulations § 141.625, as revised and
3 codified as of July 1, 2019, are hereby adopted by reference.

4 **§ 6141.626. Operational evaluation levels.**

5 The provisions of 40 Code of Federal Regulations § 141.626, as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.627. Requirements for remaining on reduced TTHM and HAA5**
8 **monitoring based on Subpart L results.**

9 The provisions of 40 Code of Federal Regulations § 141.627, as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.628. Requirements for remaining on increased TTHM and HAA5**
12 **monitoring based on subpart L results.**

13 The provisions of 40 Code of Federal Regulations § 141.628, as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.629. Reporting and recordkeeping requirements.**

16 The provisions of 40 Code of Federal Regulations § 141.629, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.630 to § 6141.699 inclusive, [Reserved].**

19 **SUBPART W – ENHANCED TREATMENT FOR**
20 **CRYPTOSPORIDIUM**

21 **GENERAL REQUIREMENTS**

22 **§ 6141.700. General requirements.**

23 The provisions of 40 Code of Federal Regulations § 141.700, as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **SOURCE WATER MONITORING REQUIREMENTS**

26 **§ 6141.701. Source water monitoring requirements.**

1 The provisions of 40 Code of Federal Regulations § 141.701, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.702. Sampling schedules.**

4 The provisions of 40 Code of Federal Regulations § 141.702, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.703. Sampling locations.**

7 The provisions of 40 Code of Federal Regulations § 141.703, as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.704. Analytical methods.**

10 The provisions of 40 Code of Federal Regulations § 141.704, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.705. Approved laboratories.**

13 The provisions of 40 Code of Federal Regulations § 141.705, as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.706. Reporting source water monitoring results.**

16 The provisions of 40 Code of Federal Regulations § 141.706, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.707. Grandfathering previously collected data.**

19 The provisions of 40 Code of Federal Regulations § 141.707, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **DISINFECTION PROFILING AND BENCHMARKING**
22 **REQUIREMENTS**

23 **§ 6141.708. Disinfection profiling and benchmarking.**

24 The provisions of 40 Code of Federal Regulations § 141.708, as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.709. Developing the disinfection profile and benchmark.**

1 The provisions of 40 Code of Federal Regulations § 141.709, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **TREATMENT TECHNIQUE REQUIREMENTS**

4 **§ 6141.710. Bin classification for filtered systems.**

5 The provisions of 40 Code of Federal Regulations § 141.710, as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.711. Filtered system additional *Cryptosporidium* treatment**
8 **requirements.**

9 The provisions of 40 Code of Federal Regulations § 141.711, as revised and
10 codified as of July 1, 2019, are hereby adopted by reference.

11 **§ 6141.712. Unfiltered system *Cryptosporidium* treatment requirements.**

12 The provisions of 40 Code of Federal Regulations § 141.712, as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6141.713. Schedule for compliance with *Cryptosporidium* treatment**
15 **requirements.**

16 The provisions of 40 Code of Federal Regulations § 141.713, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.714. Requirements for uncovered finished water storage facilities.**

19 The provisions of 40 Code of Federal Regulations § 141.714, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **REQUIREMENTS FOR MICROBIAL TOOLBOX COMPONENTS**

22 **§ 6141.715. Microbial toolbox options for meeting *Cryptosporidium***
23 **treatment requirements.**

24 The provisions of 40 Code of Federal Regulations § 141.715, as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.716. Source toolbox components.**

1 The provisions of 40 Code of Federal Regulations § 141.716, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.717. Pre-filtration treatment toolbox components.**

4 The provisions of 40 Code of Federal Regulations § 141.717, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.718. Treatment performance toolbox components.**

7 The provisions of 40 Code of Federal Regulations § 141.718, as revised and
8 codified as of July 1, 2019, are hereby adopted by reference.

9 **§ 6141.719. Additional filtration toolbox components.**

10 The provisions of 40 Code of Federal Regulations § 141.719, as revised and
11 codified as of July 1, 2019, are hereby adopted by reference.

12 **§ 6141.720. Inactivation toolbox components.**

13 The provisions of 40 Code of Federal Regulations § 141.720, as revised and
14 codified as of July 1, 2019, are hereby adopted by reference.

15 **§ 6141.721. Reporting requirements.**

16 The provisions of 40 Code of Federal Regulations § 141.721, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

18 **§ 6141.722. Recordkeeping requirements.**

19 The provisions of 40 Code of Federal Regulations § 141.722, as revised and
20 codified as of July 1, 2019, are hereby adopted by reference.

21 **§ 6141.723. Requirements to respond to significant deficiencies identified**
22 **in sanitary surveys performed by EPA.**

23 The provisions of 40 Code of Federal Regulations § 141.723, as revised and
24 codified as of July 1, 2019, are hereby adopted by reference.

25 **SUBPART Y – REVISED TOTAL COLIFORM RULE**

26 **§ 6141.851. General.**

1 The provisions of 40 Code of Federal Regulations § 141.851, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.852. Analytical methods and laboratory certification.**

4 The provisions of 40 Code of Federal Regulations § 141.852, as revised and
5 codified as of July 1, 2019, are hereby adopted by reference.

6 **§ 6141.853. General monitoring requirements for all public water**
7 **systems.**

8 The provisions of 40 Code of Federal Regulations § 141.853, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.854. Routine monitoring requirements for non-community water**
11 **systems serving 1,000 or fewer people using only ground water.**

12 The provisions of 40 Code of Federal Regulations § 141.854, as revised and
13 codified as of July 1, 2019, are hereby adopted by reference.

14 **§ 6141.855. Routine monitoring requirements for community water**
15 **systems serving 1,000 or fewer people using only ground water.**

16 The provisions of 40 Code of Federal Regulations § 141.855, as revised and
17 codified as of July 1, 2019, are hereby adopted by reference.

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

20 The provisions of 40 Code of Federal Regulations § 141.856, as revised and
21 codified as of July 1, 2019, are hereby adopted by reference.

22 **§ 6141.857. Routine monitoring requirements for public water systems**
23 **serving more than 1,000 people.**

24 The provisions of 40 Code of Federal Regulations § 141.857, as revised and
25 codified as of July 1, 2019, are hereby adopted by reference.

26 **§ 6141.858. Repeat monitoring and *E. coli* requirements.**

1 The provisions of 40 Code of Federal Regulations § 141.858, as revised and
2 codified as of July 1, 2019, are hereby adopted by reference.

3 **§ 6141.859. Coliform treatment technique triggers and assessment**
4 **requirements for protection against potential fecal contamination.**

5 The provisions of 40 Code of Federal Regulations § 141.859, as revised and
6 codified as of July 1, 2019, are hereby adopted by reference.

7 **§ 6141.860. Violations.**

8 The provisions of 40 Code of Federal Regulations § 141.860, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6141.861. Reporting and recordkeeping.**

11 The provisions of 40 Code of Federal Regulations § 141.861, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6141.862 to § 6141.870, inclusive [Reserved].**

14 **PART 6142 – GUAM PRIMARY DRINKING WATER**

15 **REGULATIONS IMPLEMENTATION**

16 **SUBPART A – [RESERVED]**

17 **SUBPART B – SANITARY SURVEYS**

18 **§ 6142.16. Sanitary surveys.**

19 (a) The provisions of 40 Code of Federal Regulations § 141.16(b)(3)(i)
20 (sanitary survey) for surface water systems, including GWUDISW systems, as
21 revised and codified as of July 1, 2019, are hereby adopted by reference.

22 (b) The provisions of 40 Code of Federal Regulations § 141.16(o)(2)(i)
23 (state practices or procedures for sanitary surveys) for groundwater systems, as
24 revised and codified as of July 1, 2019, are hereby adopted by reference.

25 **PART 6143 – GUAM SECONDARY DRINKING WATER**

26 **STANDARDS**

1 **SUBPART A – GUAM SECONDARY DRINKING WATER**
2 **STANDARDS**

3 § 6143.1. Purpose.

4 § 6143.2. Definitions.

5 § 6143.3. Secondary maximum contaminant levels.

6 § 6143.4. Monitoring.

7 **§ 6143.1. Purpose.**

8 The provisions of 40 Code of Federal Regulations § 143.1, as revised and
9 codified as of July 1, 2019, are hereby adopted by reference.

10 **§ 6143.2. Definitions.**

11 The provisions of 40 Code of Federal Regulations § 143.2, as revised and
12 codified as of July 1, 2019, are hereby adopted by reference.

13 **§ 6143.3. Secondary maximum contaminant levels.**

14 The provisions of 40 Code of Federal Regulations § 143.3, as revised and
15 codified as of July 1, 2019, are hereby adopted by reference.

16 **§ 6143.4. Monitoring.**

17 The provisions of 40 Code of Federal Regulations § 143.4, as revised and
18 codified as of July 1, 2019, are hereby adopted by reference.”

19 **Section 5.** The Guam Compiler of Laws shall reserve the part and subpart
20 numbering and lettering of the administrative rules and regulations in this Act.

21 **Section 6. Severability.** If any provision of this Act or its application to any
22 person or circumstance is found to be invalid or contrary to law, such invalidity shall
23 not affect other provisions or applications of this Act that can be given effect without
24 the invalid provision or application, and to this end the provisions of this Act are
25 severable.