(b) EPA has stayed the effective date of this section relating to the total coliform MCL of §141.63(a) for systems that demonstrate to the State that the violation of the total coliform MCL is due to a persistent growth of total coliforms in the distribution system rather than fecal or pathogenic contamination, a treatment lapse or deficiency, or a problem in the operation or maintenance of the distribution system.


§ 141.5 Siting requirements.

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

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

(b) Except for intake structures, is within the floodplain of a 100-year flood or is lower than any recorded high tide where appropriate records exist. The U.S. Environmental Protection Agency will not seek to override land use decisions affecting public water systems siting which are made at the State or local government levels.

§ 141.6 Effective dates.

(a) Except as provided in paragraphs (b) through (k) of this section, and in §141.90(a)(2), the regulations set forth in this part shall take effect on June 24, 1977.

(b) The regulations for total trihalomethanes set forth in §141.12(c) shall take effect 2 years after the date of promulgation of these regulations for community water systems serving 75,000 or more individuals, and 4 years after the date of promulgation for communities serving 10,000 to 74,999 individuals.

(c) The regulations set forth in §§141.11(d); 141.21(a), (c) and (l); 141.22(a) and (e); 141.24(e) and (f); 141.25(e); 141.27(a); 141.28(a) and (b); 141.31(a), (d) and (e); 141.32(b)(3); and 141.32(d) shall take effect immediately upon promulgation.

(d) The regulations set forth in §141.41 shall take effect 18 months from the date of promulgation. Suppliers must complete the first round of sampling and reporting within 12 months following the effective date.

(e) The regulations set forth in §141.42 shall take effect 18 months from the date of promulgation. All requirements in §141.42 must be completed within 12 months following the effective date.

(f) The regulations set forth in §141.11(c) and §141.23(g) are effective May 2, 1986. Section 141.23(g)(4) is effective October 2, 1987.

(g) The regulations contained in §141.6, paragraph (c) of the table in §141.12, and §141.62(b)(1) are effective July 1, 1991. The regulations contained in §§141.11(b), 141.23, 141.24, 142.57(b), 143.4(b)(12) and (b)(13), are effective July 30, 1992. The regulations contained in the revisions to §§141.32(e) (16), (25) through (27) and (46); 141.61(c)(16); and 141.62(b)(3) are effective January 1, 1993. The effective date of regulations contained in §141.61(c)(2), (3), and (4) is postponed.

(h) Regulations for the analytic methods listed at §141.23(k)(4) for measuring antimony, beryllium, cyanide, nickel, and thallium are effective August 17, 1992. Regulations for the analytic methods listed at §141.24(h)(16) for dichloromethane, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane are effective August 17, 1992. Regulations for the analytic methods listed at §141.24(f)(16) for di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, hexachlorobenzene, hexachlorocyclopentadiene, and 2,3,7,8-TCDD are effective August 17, 1992. The revision to §141.12(a) promulgated on July 17, 1992 is effective on August 17, 1992.

(i) [Reserved]

(j) The arsenic maximum contaminant levels (MCL) listed in §141.62 is effective for the purpose of compliance
on January 23, 2006. Requirements relating to arsenic set forth in §§141.23(i)(4), 141.23(k)(3) introductory text, 141.23(k)(3)(ii), 141.62(b), 141.62(b)(16), 141.62(c), 141.62(d), and 142.62(b) revisions in Appendix A of subpart O for the consumer confidence rule, and Appendices A and B of subpart Q for the public notification rule are effective for the purpose of compliance on January 23, 2006. However, the consumer confidence rule reporting requirements relating to arsenic listed in §141.154(b) and (f) are effective for the purpose of compliance on February 22, 2002.

(k) Regulations set forth in §§141.23(i)(1), 141.23(i)(2), 141.24(f)(15), 141.24(f)(23), 141.16(e), 142.16(d), and 142.16(e) are effective for the purpose of compliance on January 22, 2004.


§ 141.12 [Reserved]

§ 141.13 Maximum contaminant levels for turbidity.

The maximum contaminant levels for turbidity are applicable to both community water systems and non-community water systems using surface water sources in whole or in part. The maximum contaminant levels for turbidity in drinking water, measured at a representative entry point(s) to the distribution system, are:

EDITORIAL NOTE: At 54 FR 27527, June 29, 1989, §141.13 was amended by adding introductory text, effective December 31, 1990. However, introductory text already exists. The added text follows.

The requirements in this section apply to unfiltered systems until December 30, 1991, unless the State has determined prior to that date, in writing pursuant to §141.2(b)(7)(iv)(C)(ii), that filtration is required. The requirements in this section apply to filtered systems until June 29, 1993. The requirements in this section apply to unfiltered systems that the State has determined, in writing pursuant to §141.2(b)(7)(iv)(C)(ii), must install filtration, until June 29, 1993, or until filtration is installed, whichever is later.

(a) One turbidity unit (TU), as determined by a monthly average pursuant to §141.22, except that five or fewer turbidity units may be allowed if the supplier of water can demonstrate to the State that the higher turbidity does not do any of the following:

(1) Interfere with disinfection;
(2) Prevent maintenance of an effective disinfectant agent throughout the distribution system; or
(3) Interfere with microbiological determinations.

(b) The maximum contaminant level for arsenic is 0.05 milligrams per liter for community water systems until January 23, 2006.

(c) [Reserved]

(d) At the discretion of the State, nitrate levels not to exceed 10 mg/l and the potential health effects of exposure; and

(3) Local and State public health authorities will be notified annually of nitrate levels that exceed 10 mg/l; and

(4) No adverse health effects shall result.