

**§ 141.860**

**40 CFR Ch. I (7-1-13 Edition)**

system must notify the State when each scheduled corrective action is completed.

(d) *Consultation.* At any time during the assessment or corrective action phase, either the water system or the State may request a consultation with the other party to determine the appropriate actions to be taken. The system may consult with the State on all relevant information that may impact on its ability to comply with a requirement of this subpart, including the method of accomplishment, an appropriate timeframe, and other relevant information.

**§ 141.860 Violations.**

(a) *E. coli MCL Violation.* A system is in violation of the MCL for *E. coli* when any of the conditions identified in paragraphs (a)(1) through (a)(4) of this section occur.

(1) The system has an *E. coli*-positive repeat sample following a total coliform-positive routine sample.

(2) The system has a total coliform-positive repeat sample following an *E. coli*-positive routine sample.

(3) The system fails to take all required repeat samples following an *E. coli*-positive routine sample.

(4) The system fails to test for *E. coli* when any repeat sample tests positive for total coliform.

(b) *Treatment technique violation.* (1) A treatment technique violation occurs when a system exceeds a treatment technique trigger specified in §141.859(a) and then fails to conduct the required assessment or corrective actions within the timeframe specified in §141.859(b) and (c).

(2) A treatment technique violation occurs when a seasonal system fails to complete a State-approved start-up procedure prior to serving water to the public.

(c) *Monitoring violations.* (1) Failure to take every required routine or additional routine sample in a compliance period is a monitoring violation.

(2) Failure to analyze for *E. coli* following a total coliform-positive routine sample is a monitoring violation.

(d) *Reporting violations.* (1) Failure to submit a monitoring report or completed assessment form after a system properly conducts monitoring or as-

essment in a timely manner is a reporting violation.

(2) Failure to notify the State following an *E. coli*-positive sample as required by §141.858(b)(1) in a timely manner is a reporting violation.

(3) Failure to submit certification of completion of State-approved start-up procedure by a seasonal system is a reporting violation.

**§ 141.861 Reporting and record-keeping.**

(a) *Reporting.* (1) *E. coli.*—(i) A system must notify the State by the end of the day when the system learns of an *E. coli* MCL violation, unless the system learns of the violation after the State office is closed and the State does not have either an after-hours phone line or an alternative notification procedure, in which case the system must notify the State before the end of the next business day, and notify the public in accordance with subpart Q of this part.

(ii) A system must notify the State by the end of the day when the system is notified of an *E. coli*-positive routine sample, unless the system is notified of the result after the State office is closed and the State does not have either an after-hours phone line or an alternative notification procedure, in which case the system must notify the State before the end of the next business day.

(2) A system that has violated the treatment technique for coliforms in §141.859 must report the violation to the State no later than the end of the next business day after it learns of the violation, and notify the public in accordance with subpart Q of this part.

(3) A system required to conduct an assessment under the provisions of §141.859 of this part must submit the assessment report within 30 days. The system must notify the State in accordance with §141.859(c) when each scheduled corrective action is completed for corrections not completed by the time of submission of the assessment form.

(4) A system that has failed to comply with a coliform monitoring requirement must report the monitoring violation to the State within 10 days