

**§ 141.63**

**40 CFR Ch. I (7–1–22 Edition)**

[56 FR 3594, Jan. 30, 1991, as amended at 56 FR 30280, July 1, 1991; 57 FR 31847, July 17, 1992; 59 FR 34325, July 1, 1994; 60 FR 33932, June 29, 1995; 66 FR 7063, Jan. 22, 2001; 68 FR 14506, Mar. 25, 2003; 69 FR 38855, June 29, 2004]

**§ 141.63 Maximum contaminant levels (MCLs) for microbiological contaminants.**

(a) Until March 31, 2016, the total coliform MCL is based on the presence or absence of total coliforms in a sample, rather than coliform density.

(1) For a system that collects at least 40 samples per month, if no more than 5.0 percent of the samples collected during a month are total coliform-positive, the system is in compliance with the MCL for total coliforms.

(2) For a system that collects fewer than 40 samples per month, if no more than one sample collected during a month is total coliform-positive, the system is in compliance with the MCL for total coliforms.

(b) Until March 31, 2016, any fecal coliform-positive repeat sample or *E. coli*-positive repeat sample, or any total coliform-positive repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample, constitutes a violation of the MCL for total coliforms. For purposes of the public notification requirements in subpart Q of this part, this is a violation that may pose an acute risk to health.

(c) Beginning April 1, 2016, a system is in compliance with the MCL for *E. coli* for samples taken under the provisions of subpart Y of this part unless any of the conditions identified in paragraphs (c)(1) through (c)(4) of this section occur. For purposes of the public notification requirements in subpart Q of this part, violation of the MCL may pose an acute risk to health.

(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.

(d) Until March 31, 2016, a public water system must determine compliance with the MCL for total coliforms in paragraphs (a) and (b) of this section for each month in which it is required to monitor for total coliforms. Beginning April 1, 2016, a public water system must determine compliance with the MCL for *E. coli* in paragraph (c) of this section for each month in which it is required to monitor for total coliforms.

(e) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant level for total coliforms in paragraphs (a) and (b) of this section and for achieving compliance with the maximum contaminant level for *E. coli* in paragraph (c) of this section:

(1) Protection of wells from fecal contamination by appropriate placement and construction;

(2) Maintenance of a disinfectant residual throughout the distribution system;

(3) Proper maintenance of the distribution system including appropriate pipe replacement and repair procedures, main flushing programs, proper operation and maintenance of storage tanks and reservoirs, cross connection control, and continual maintenance of positive water pressure in all parts of the distribution system;

(4) Filtration and/or disinfection of surface water, as described in subparts H, P, T, and W of this part, or disinfection of ground water, as described in subpart S of this part, using strong oxidants such as chlorine, chlorine dioxide, or ozone; and

(5) For systems using ground water, compliance with the requirements of an EPA-approved State Wellhead Protection Program developed and implemented under section 1428 of the SDWA.

(f) The Administrator, pursuant to section 1412 of the Act, hereby identifies the technology, treatment techniques, or other means available identified in paragraph (e) of this section as affordable technology, treatment techniques, or other means available to systems serving 10,000 or fewer people

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for achieving compliance with the maximum contaminant level for total coliforms in paragraphs (a) and (b) of this section and for achieving compliance with the maximum contaminant level for *E. coli* in paragraph (c) of this section.

[78 FR 10347, Feb. 13, 2013]

**§ 141.64 Maximum contaminant levels for disinfection byproducts.**

(a) *Bromate and chlorite.* The maximum contaminant levels (MCLs) for bromate and chlorite are as follows:

| Disinfection byproduct | MCL (mg/L) |
|------------------------|------------|
| Bromate .....          | 0.010      |
| Chlorite .....         | 1.0        |

(1) *Compliance dates for CWSs and NTNCWSs.* Subpart H systems serving 10,000 or more persons must comply with this paragraph (a) beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with this paragraph (a) beginning January 1, 2004.

(2) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for bromate and chlorite identified in this paragraph (a):

| Disinfection byproduct | Best available technology  |
|------------------------|--|
| Bromate ....           | Control of ozone treatment process to reduce production of bromate   |
| Chlorite .....         | Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels |

(b) *TTHM and HAA5.* (1) Subpart L—RAA compliance. (i) Compliance dates. Subpart H systems serving 10,000 or more persons must comply with this paragraph (b)(1) beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with this paragraph (b)(1) beginning January 1, 2004. All systems must comply with these MCLs until the date

specified for subpart V compliance in § 141.620(c).

| Disinfection byproduct               | MCL (mg/L) |
|--------------------------------------|------------|
| Total trihalomethanes (TTHM) .....   | 0.080      |
| Haloacetic acids (five) (HAA5) ..... | 0.060      |

(ii) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this paragraph (b)(1):

| Disinfection byproduct   | Best available technology   |
|--|---|
| Total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5). | Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant |

(2) Subpart V—LRAA compliance. (i) Compliance dates. The subpart V MCLs for TTHM and HAA5 must be complied with as a locational running annual average at each monitoring location beginning the date specified for subpart V compliance in § 141.620(c).

| Disinfection byproduct               | MCL (mg/L) |
|--------------------------------------|------------|
| Total trihalomethanes (TTHM) .....   | 0.080      |
| Haloacetic acids (five) (HAA5) ..... | 0.060      |

(ii) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this paragraph (b)(2) for all systems that disinfect their source water:

| Disinfection byproduct   | Best available technology  |
|--|--|
| Total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5). | Enhanced coagulation or enhanced softening, plus GAC10; or nanofiltration with a molecular weight cutoff ≤1000 Daltons; or GAC20 |

(iii) The Administrator, pursuant to section 1412 of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this paragraph (b)(2) for consecutive