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LEAD AND COPPER RULE

Definitions and Federal Reporting for Milestones, Violations and SNCs

Lead and Copper Rule

Definitions and Federal Reporting

for

Milestones, Violations and SNCs



**Office of Ground Water and Drinking Water
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Table of Contents

	<u>Page</u>
FEDERAL REPORTING REQUIREMENTS	1
Milestone Reporting	1
Lead and Copper Exceedances and Lead 90th Percentile Levels	3
Examples	4
Optimal Corrosion Control Study	6
Examples	7
Treatment Designation/Installation	8
Examples	9
Water Quality Parameters (WQPs)	10
Examples	11
Maximum Permissible Levels (MPLs)	11
Examples	12
Lead Service Line Replacement (LSLR)	12
Examples	12
VIOLATIONS	13
Monitoring and Reporting Violations	21
Initial Lead and Copper Tap M/R	21
Examples	22
Follow-up or Routine Lead and Copper Tap M/R	23
Examples	24
Initial WQP M/R	26
Examples	27
Follow-up or Routine Entry Point WQP M/R	28
Examples	29
Follow-up or Routine Tap WQP M/R	32
Examples	33
Lead and Copper Source Water M/R	34
Examples	35
Treatment Technique Violations	37
OCCT Study/Recommendation	37
Examples	39
OCCT Installation/Demonstration	40
Examples	41
Entry Point WQP Noncompliance	42
Examples	43
Tap WQP Noncompliance	44
Examples	45

Table of Contents (Continued)

	<u>Page</u>
SOWT Recommendation	46
Examples	46
SOWT Installation	47
Examples	47
MPLs Noncompliance	48
Examples	49
Lead Service Line Replacement (LSLR)	50
Examples	51
Public Education Requirements	52
Examples	54
Public Notification Requirements	56
Consecutive Systems	56
SIGNIFICANT NONCOMPLIERS	57
Monitoring and Reporting SNC	59
Lead and Copper Initial Tap M/R SNC	59
Examples	61
Treatment Technique SNCs	65
OCCT Installation/Demonstration SNC	66
Examples	66
SOWT Installation SNC	67
Examples	67
Public Education SNC	68
Examples	68

List of Exhibits

Exhibit 1 — FRDS Milestone Identification Codes	3
Exhibit 2 — FRDS Violation Codes	15
Exhibit 3 — FRDS Violation Default Values	16
Exhibit 4 — FRDS Reporting Dates for Violations by System Size	
Listed in Violation Code Sequence	17
Exhibit 5 — Earliest FRDS Reporting Dates for Violations by System Size	
Listed Chronologically	18
Exhibit 6 — Definition of Compliance Achieved by Violation Type	19
Exhibit 7 — SNC Definition Under the Lead and Copper Rule	58

Definitions and Federal Reporting for Milestones, Violations and SNCs

This document contains the requirements for State reporting to EPA and the definitions for violations and significant noncompliers (SNCs) under the Lead and Copper Rule.

FEDERAL REPORTING REQUIREMENTS

This section discusses all Federal reporting requirements that include milestone reporting under Section 142.15 and the reporting to FRDS of violations and PWSs that have returned to compliance. Specific guidance is provided that identifies how to enter these data into FRDS. In addition, examples are provided for each reporting requirement.

Milestone Reporting

Under Section 40 CFR 142.15 of the rule, States are required to report quarterly the name and identification number for each PWS in which certain milestones occur. As a result of comments received at State and Regional workshops, EPA now requires that these milestones be reported to FRDS. A list of these milestones is presented below.

1. Lead and Copper Exceedances and Lead 90th Percentile Levels

- Pb and Cu action level exceedances and the date upon which the exceedances occurred (i.e., the compliance period in which the exceedance occurs)
- All 90th percentile lead levels of large systems
- All 90th percentile lead levels of medium and small systems, once they have an exceedance of the lead action level.

Although Section 142.15 does not require Federal reporting of 90th percentile lead

values that do not exceed the action level, Section 141.90 requires that all 90th percentile values be reported by the systems to the State. EPA is requesting all 90th percentile lead levels be entered into FRDS for large systems and only for those medium and small systems that are triggered into the OCCT requirements (i.e., have exceeded the lead action level). All 90th percentile values are needed for these systems to analyze rule and treatment effectiveness.

Note: States have the option to report the 90th percentile lead values for all systems if this would facilitate reporting.

2. Optimal Corrosion Control Study

- PWSs required to complete corrosion control studies
- Date the State received the results of the study.

Note: To eliminate some of the State's reporting burden, EPA is proposing an amendment to the rule which would no longer require reporting of the corrosion control study milestone. However, this would not eliminate a system's requirement to conduct a study and if the system fails to conduct an adequate study on time, the State must report a corrosion control study violation.

3. Treatment Designation/Installation

- PWSs for which the State has designated OCCT and the date of the State determination
- PWSs that completed installation of OCCT
- PWSs for which the State has required installation of Source Water Treatment (SOWT) and the date of the State determination

- PWSs that completed installation of SOWT.

4. Water Quality Parameters (WQPs)

- PWSs for which the State has designated or approved optimal Water Quality Parameters (WQPs) and the date of the determination.

5. Maximum Permissible Levels (MPLs)

- PWSs for which the State has designated or approved maximum permissible levels (MPLs) for lead and copper in source water.

Note: EPA is proposing an amendment to the rule which would no longer require this milestone to be reported; however, violations associated with this milestone (i.e., failure to monitor and report MPL information and to meet State-specified or approved levels) would remain as required reporting.

6. Lead Service Line Replacement (LSLR)

- PWSs required to begin replacing lead service lines (LSLs)
- PWSs for which the State has established a quicker LSLR schedule (i.e., > 7% per year)
- PWSs in compliance with their replacement schedule.

Note: EPA is proposing, in an amendment to the rule, that States only report the PWSs required to begin replacing LSLs and the date on which systems were required to begin replacement. The States would not report PWSs on faster replacement schedules or those systems in compliance with their schedules. However, violations of the replacement schedule (i.e., failure to review/replace at least 7% of lead service lines per year) would still be reported to FRDS.

Based on input from the State workshops, most States indicated a preference for reporting these milestones to FRDS and that

reporting be phased in over a two-year period, beginning in January 1992, to allow States to incorporate these new reporting requirements into their data systems. The Region should negotiate with the State for the first two years as to who will have responsibility for ensuring that these data are entered into FRDS. After the initial two years, the State will assume responsibility if it has not already done so. Bear in mind that not all these reporting milestones will be relevant for all PWSs or be in effect immediately. Within the first two years, only those milestones related to lead and copper exceedances, other Pb 90th percentile levels, and the requirement to conduct a corrosion control study will be in effect. Further, there will be quarters where the States will not have any milestone data to report.

Note: As stated on page 1, EPA is proposing in its amendment to eliminate the corrosion control study milestone.

All milestones are to be reported into a newly created FRDS database record, C800 PWS-MILESTONE-EVENTS. The next section provides detailed FRDS reporting guidance for all milestones. In addition, examples on how to report these milestones to FRDS including data transfer file (DTF) specifications are included after the discussion of each milestone. FRDS codes associated with each of these milestones are presented in Exhibit 1.

Data Transfer Form C-4 FRDS C800 PWS-MILESTONE-EVENTS Database Record Description		
Data Element Number	Data Element Format*	Data Element Name
C801	C,4	PWS-Milestone-ID
C803	mm/dd/yy	PWS-Milestone-Date
C805	C,4	PWS-Milestone-Code
C813	C,40	PWS-Milestone-Comment
C815	D,7.8	PWS-Milestone-Value (in mg/l)
* C = Character data D = Decimal data		

Exhibit 1

FRDS Milestone Identification Codes

Milestone	Values for Data Element C005 PWS-MILESTONE-CODE	FRDS Milestone Code Description
Pb and Cu 90th Percentile Levels	CU90	Cu action level exceedances
	PB90*	Pb action level exceedances
Optimal Corrosion Control Study	CCSR	Designates systems required to conduct a study
	CCSC	Designates systems that have completed the study
Treatment Designation/Installation	OTDE	Indicates systems in which State has designated or approved optimal corrosion control treatment (OCCT)
	STDE	Indicates systems in which State has designated or approved source water treatment (SOWT)
	OTIN	Indicates systems that have installed OCCT
	STIN	Indicates systems that have installed SOWT
Water Quality Parameters (WQPs)	WQPS	Indicates systems in which State has designated or approved optimal WQPs
Maximum Permissible Levels (MPLs)	MPLS	Indicates systems in which State has designated or approved MPLs for Pb and Cu in source water
Lead Service Line Replacement (LSLR)	LSLR	Designates systems required to conduct LSLR

* All lead 90th percentile levels are required reporting for all large systems and those medium and small systems that are triggered into OCCT requirements. These levels will be reported into the C2100 database record (see page 4 for detailed discussion on the C2100 database record). All lead 90th percentile values also will be reported to the C2100 database record; however, FRDS will post these exceedances to the C800 milestone record. Thus, primacy agencies need not report this milestone. This approach is being followed to eliminate redundant reporting, by the primacy agency, of a lead exceedance to both the C800 and C2100 records. If primacy agencies opt to report this milestone, FRDS will not post a duplicate.

Lead and Copper Exceedances and Lead 90th Percentile Levels

States are required to report to EPA, quarterly, the PWSs that exceed lead or copper action levels. This is a critical event

for any system regulated under this rule because it serves to trigger treatment technique requirements. Reporting of this data will allow EPA to oversee State programs by comparing the completion of reported events to the exceedances reported to FRDS.

Lead 90th percentile data are needed to provide EPA with data to assist in assessing public exposure to lead in drinking water, and the effectiveness of this rule in reducing this contaminant. EPA is therefore requiring all large systems, and those medium and small systems that are triggered into OCCT requirements (i.e., have a lead action level exceedance) be submitted to EPA. Note that EPA is **not** requiring the reporting of copper 90th percentile levels other than those that exceed the action level of 1.3 mg/l.

The lead 90th percentile data are to be reported to EPA utilizing the new C2100 database record (Parametric Data). For large systems, all 90th percentile data must be reported in this manner. For medium and small systems, the 90th percentile lead levels must begin to be reported (as Parametric Data records (C2100)), with the first lead action level exceedance, and forever, thereafter (whether any further exceedances occur or not).

Any 90th percentile value that exceeds the action level (i.e., >0.015 mg/l) also should be reported using the C2100 database record. FRDS will create and post to the database, the C800 milestone record associated with this exceedance. This will provide some relief to the States' reporting burden because the State will not be required to report an exceedance using both the C2100 and C800 database records. However, if a State desires to provide the Milestone record as well as the Parametric Data record, then FRDS **will not** duplicate the State's C800 Milestone record.

As stated earlier, EPA does not need all the copper 90th percentile values. Therefore, only the copper action level

exceedances need to be reported. The exceedance will be reported to the C800 Milestone record. There is no need for the State to report a C2100 Parametric Data record for any copper 90th percentile value.

The C2100 Parametric-Data Database Record for lead 90th percentile values is shown as follows:

Data Transfer File Form #11 FRDS C2100 SAMPLE-DATA Database Record Description		
Data Element Number	Data Element Format	Data Element Name
C2101	C,5	Sample-ID
C2103	mm/dd/yy	Sample-Begin-Date
C2105	mm/dd/yy	Sample-End-Date
C2107	C,4	Sample-Contaminant-Code
C2111	D,7.8	Sample-Analysis-Result
NOTE: C2111 can accommodate a maximum of 7 digits before the decimal point and a maximum of 8 digits after the decimal point (DEC 7.8). However, the State need only enter 3 significant figures for lead (e.g., 0.015). The editing of this data element value is identical to C1123 - VIOLATION-ANALYSIS-RESULT.		

EXAMPLES

EXAMPLE 1 —

On June 30, 1992, a large system (ZT0000001) has completed its first round of monitoring in accordance with Sections 141.86 and 141.89. The 90th percentile values reported by the system to the State were 0.0143 mg/l for lead and 1.07 for copper.

The State should report the lead 90th percentile level although it does not exceed the lead action level of 15 ppb because EPA is requiring the reporting of **ALL** lead 90th percentile levels for all large systems.

By August 15, the State would report the lead 90th percentile value using the C2100 database records as follows:

C101	ZT0000001	PWS-ID
C2101	00001	Parametric ID
C2103	01/01/92	First day of the monitoring period
C2105	06/30/92	Last day of the monitoring period
C2107	PB90	Sample contaminant code for lead
C2111	0.014	90th percentile lead level

The DTF transactions of this record are:

1	3	12	19	27	32
H1ZT000000100001				IC2103010192	
H1ZT000000100001				IC2105063092	
H1ZT000000100001				IC2107PB90	
H1ZT000000100001				IC21110.014	

The State should not report the 90th percentile copper level because it was below the action level. For copper, EPA only is requiring that exceedances be reported for all systems.

EXAMPLE 2 —

Another large system (ZT1000000) also successfully completes its first round of monitoring. The 90th percentile copper and lead levels submitted by the State are 14.7 mg/l and 0.0167 mg/l, respectively.

In this example, the State would report a copper exceedance milestone because the 90th percentile exceeds the action level.

By August 15, 1992 the State would report the copper exceedance to the C800 database record as follows:

C101	ZT1000000	PWS-ID
C801	0001	PWS-Milestone-ID
C803	06/30/92	First day of the monitoring period
C805	CU90	Sample contaminant code for copper
C815	1.5	90th percentile copper level

The DTF transactions for copper are:

1	3	12	19	27	32
C4ZT00000010001				IC803063092	
C4ZT00000010001				IC805CU90	
C4ZT00000010001				IC8151.5	

In addition, the State would report the 90th percentile lead level to the C2100 database record as follows:

C101	ZT1000000	PWS-ID
C2101	00001	Sample ID
C2103	01/01/92	First day of the monitoring period
C2105	06/30/92	Last day of the monitoring period
C2107	PB90	Sample contaminant code for lead
C2111	0.017	90th percentile lead level

The DTF transactions for lead are:

1	3	12	19	27	32
H1ZT000000100001				IC2103010192	
H1ZT000000100001				IC2105063092	
H1ZT000000100001				IC2107PB90	
H1ZT000000100001				IC21110.017	

All 90th percentile lead values are reported using the C2100 database record regardless of whether it exceeds the action level. In this example, the 90th percentile lead level exceeds the action level and, therefore, FRDS will create the C800 database record for lead as follows (The User Need Not Enter this Record):

C101	ZT1000000	PWS-ID
C801	0001	PWS-Milestone-ID
C803	06/30/92	First day of the monitoring period
C805	PB90	Sample contaminant code for lead
C815	0.017	90th percentile lead level

Note: No violation would be reported for the system because an exceedance of an action level is not a violation and

all monitoring and reporting has been completed correctly and on time.

EXAMPLE 3 —

A medium system (NH5432100) completes its first round of sampling by December 31, 1992. The 90th percentile level for lead is 0.014 mg/l and 1.0 mg/l for copper.

The system is not required to report either value because for medium and small systems, the lead 90th percentile values are only reported once the system exceeds the action level. For copper, the system only reports exceedances.

The same system completes its second round of sampling by June 30, 1993. The 90th percentile value for copper remains at 1.0 mg/l but the 90th percentile lead value is 0.016 mg/l.

The system is required to report the 90th percentile value for lead because it now exceeds the action level.

By August 15, 1993 the State would report the lead exceedance as follows:

C101	NH5432100	PWS-ID
C2101	00001	Sample ID
C2103	01/01/93	First day of the monitoring period
C2105	06/30/93	Last day of the monitoring period
C2107	PB90	Sample contaminant code for lead
C2111	0.016	90th percentile lead level

The DTF transaction for the lead exceedance are:

1	3	12	19	27	32
H1NH543210000001				IC2103010193	
H1NH543210000001				IC2105063093	
H1NH543210000001				IC2107PB90	
H1NH543210000001				IC21110.016	

FRDS will create a C800 PWS-Milestone-Events database record for this exceedance. In addition, the system is

triggered into OCCT requirements and must now report all subsequent 90th percentile lead values regardless of whether these values exceed the action level.

EXAMPLE 4 —

A large water system does not collect all the required samples by June 30, 1992; however, it submits 90th percentile values for lead and copper.

The State should not report these values because they are not true 90th percentile values. Instead, the State would submit the 90th percentile value for this system **only after** the required number of samples have been collected and analyzed in accordance with Sections 141.86 and 141.89. In addition, the State would report an Initial Lead and Copper Tap M/R violation to FRDS for this system by August 15, 1992. (*Refer to Examples for Initial Lead and Copper Tap M/R violations on pages 22 and 23 to determine how to report this violation.*)

Optimal Corrosion Control Study

The conduct of a corrosion control study is required for all large systems that have not successfully demonstrated that OCCT is already in place. Medium and small systems are required to perform a study **only** if they exceed the 90th percentile lead or copper action level **and** the State requires that a study be conducted. EPA is proposing, in an amendment to the rule, to no longer require the reporting of this milestone because EPA can monitor progress through the reporting of an optimal corrosion control study violation. However, the reporting of these data is described in the event this proposed change is not adopted.

Currently, the primacy agency is required to report the following data for each PWS required to conduct a study:

FRDS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date State determined that system must conduct study for medium and small systems or the date 1/1/93 for large systems
C805	The code CCSR to indicate a system that is required to conduct a study.

The State is required to report the following data for each PWS that has completed a study:

FRDS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date State received the results of the study
C805	Code CCSC identifying a system that has completed a corrosion control study

EXAMPLES

EXAMPLE 1 —

A medium-sized system (WI0004567) completes its first round of monitoring on December 31, 1992, and reports a lead 90th percentile level of 25 ppb. The system submits its recommendation for optimal corrosion control treatment by June 30, 1993. The State has 12 months to determine whether the system should

conduct a study. On September 10, 1993, the State submits a letter to the system requiring a study.

By November 15, 1993 the State would report:

C101	WI0004567	PWS-ID
C801	0001	PWS-Milestone-ID
C803	09/10/93	Date system required to begin study
C805	CCSR	Code identifying a system that is required to conduct a study

The DTF transactions for this record are:

1	3	12	19	27	32
C4WI00045670001				IC803	091093
C4WI00045670001				IC805	CCSR

EXAMPLE 2 —

The State receives the results of the study on March 9, 1995 (within the 18-month deadline from the date the State determines the system must conduct a study) and the study was conducted in accordance with Section 141.82 (c).

By May 15, 1995, the State would report to the Region:

C101	WI0004567	PWS-ID
C801	0002	PWS-Milestone-ID
C803	03/09/95	Date State received study results
C805	CCSC	Code indicating system that has completed a corrosion control study

The DTF transactions for this record are:

1	3	12	19	27	32
C4WI00045670002				IC803	030995
C4WI00045670002				IC805	CCSC

EXAMPLE 3 —

A system (NY1230000) conducts a study in accordance with Section 141.82 (c) but submits the results on September 10, 1995, six months later than the required deadline.

By November 15, 1995, the State would report the completion of this milestone as follows:

C101	NY1230000	PWS-ID
C801	G001	PWS-Milestone-ID
C803	09/10/95	Date State received study results
C805	CCSC	Code indicating system that has completed a study

The DTF transactions for this record are:

1	3	12	19	27	32
C4NY1230000G001				IC803	091095
C4NY1230000G001				IC805	CCSC
Note: G001 is a Group Generation Code for the PWS-Milestone-ID. It tells FRDS to create an appropriate ID in the database.					

In addition, the State would have submitted a corrosion control study **violation** to the Region on May 15, 1995 for this system because the system failed to submit a study within 18 months (or March 9, 1995, in this example). (*Refer to examples on pages 39 and 40 which explains the reporting of a corrosion control study violation.*)

EXAMPLE 4 —

A medium-sized system (PA1230000) submits the results of the study to the State on March 9, 1995. However, the system only evaluated the effectiveness of one type of corrosion control treatment instead of three. The State should not report a milestone for having received a study because the results were incomplete.

Instead, during its May 15, 1995, submission, the State would report a corrosion control study **violation** for the system. The State only should report the milestone for completing an OCCT study once it receives a complete study from the system.

Treatment Designation/Installation

States are required to report to EPA, quarterly, the systems for which the State has designated the type of Optimal Corrosion Control Treatment (OCCT) and Source Water Treatment (SOWT) and the date(s) the installation of the treatment(s) was (were) completed. The milestone reporting requirements **do not** include the specific details regarding the type of OCCT or SOWT installed or identify the treatment plants in which it has been installed. Consequently, this information will not be available in FRDS and EPA will not require its reporting in the C480 PWS-SE-Treatment-Data record. However, under Section 141.91, this information is required to be retained by water systems.

The following must be reported when the State has designated the type of OCCT or SOWT to be installed:

FRDS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date State determined OCCT or SOWT
C805	The code value OTDE to indicate a system for which the State designated or approved OCCT The code value STDE to indicate a system for which the State designated or approved SOWT

The following must be reported when the State has received proof that the system has installed OCCT or SOWT:

FRDS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date State received proof of the installation of the OCCT or SOWT
C805	The code value OTIN to identify a system that has installed OCCT The code value STIN to identify a system that has installed SOWT

EXAMPLES

EXAMPLE 1 —

A medium-sized system (PA123000) is required to install SOWT. The State submits a letter dated December 1, 1993, designating the type of SOWT to be installed by the system.

By February 15, 1994, the State would report to the Region:

C101	PA1230000	PWS-ID
C801	0010	PWS-Milestone-ID
C803	12/01/93	Date the State determined the type of SOWT to be installed
C805	STDE	Code for SOWT designation

The DTF transactions for this record are:

1	3	12	19	27	32
C4PA12300000010				IC803	120193
C4PA12300000010				IC805	STDE

The same system installs SOWT within the 24-month timeframe (i.e., 12/1/95 in this example). On November 15, 1995 the

State receives a letter from the system certifying it has installed SOWT.

By February 15, 1996, the State would report to the Region:

C101	PA1230000	PWS-ID
C801	0014	PWS-Milestone-ID
C803	11/15/95	Date State received proof of the installation of SOWT
C805	STIN	Code for SOWT installation

The DTF transactions for this record are:

1	3	12	19	27	32
C4PA12300000014				IC803	111595
C4PA12300000014				IC805	STIN

EXAMPLE 2 —

A system (MA0234000) **does not** install SOWT within the 24-month timeframe (i.e., by 12/1/95). Instead the system installs SOWT and sends a letter on March 30, 1996, to the State indicating that SOWT is installed and operating.

The system is in violation for failure to install and certify the treatment on-time. The State would report a SOWT installation violation to FRDS by February 15, 1996. (*Refer to examples on pages 47 and 48 which explain the reporting of a SOWT installation violation.*)

By May 15, 1996, the State would report that the system had installed SOWT as follows:

C101	MA0234000	PWS-ID
C801	0011	PWS-Milestone-ID
C803	03/30/96	Date State received proof of SOWT installation
C805	STIN	Code for SOWT installation

The DTF transactions for this record are:

1	3	12	19	27	32
C4MA02340000011				IC803 033096	
C4MA02340000011				IC805 STIN	

EXAMPLE 3 —

On June 10, 1994, the State sends a letter to a system (UT1034000) designating the type of OCCT to be installed.

By August 15, 1994, the State would report:

C101	UT1034000	PWS-ID
C801	0003	PWS-Milestone-ID
C803	06/10/94	Date the State determined the type of OCCT to be installed
C805	OTDE	Code for OCCT designation

The DTF transactions for this record are:

1	3	12	19	27	32
C4UT103400000003				IC803 061094	
C4UT103400000003				IC805 OTDE	

The system does not install OCCT within the 24-month timeframe (i.e., by 6/10/96). Instead, the State receives a letter from the system on November 2, 1996 that certifies OCCT has been installed.

The system is in violation for failure to install OCCT on time. The State would report an OCCT installation violation by August 15, 1996. (*Refer to examples on pages 41 and 42 to determine how to report an OCCT installation violation.*)

To fulfill the OCCT installation milestone reporting requirements, the State would report by February 15, 1997:

C101	UT1034000	PWS-ID
C801	0006	PWS-Milestone-ID
C803	11/02/96	Date State received proof of the installation of OCCT
C805	OTIN	Code for OCCT installation

The DTF transactions for this record are:

1	3	12	19	27	32
C4UT103400000006				IC803 110296	
C4UT103400000006				IC805 OTIN	

Water Quality Parameters (WQPs)

States are required to report to EPA, quarterly, the PWSs in which the State has designated optimal Water Quality Parameters (WQPs) and the date of determination.

The following must be reported for each system where the State has designated optimal WQPs values or ranges:

PWS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date State designated or approved optimal WQP value or ranges
C805	The code value WQPS indicates a system for which the State has designated or approved WQPs

EXAMPLES

EXAMPLE 1 —

A medium system (CO1004500) installs OCCT on August 10, 1996, and completes follow-up sampling on July 8, 1997. The State sets WQP values and submits a letter to the system on November 19, 1997 that specifies the WQP ranges.

By February 15, 1998, the State would report:

C101	CO1004500	PWS-ID
C801	0016	PWS-Milestone-ID
C803	11/19/97	Date State designated or approved optimal WQP value or ranges
C805	WQPS	Code for WQPs

The DTF transactions for this record are:

1	3	12	19	27	32
C4CO10045000016				IC803	111997
C4CO10045000016				IC805	WQPS

EXAMPLE 2 —

The State does not meet its deadline of July 1, 1998 for setting WQPs for a large system (IA0004500), but instead, submits a letter with its determination on October 10, 1998. The State would not report the deadline date of July 1, 1998 but instead would report the following information to the Region by February 15, 1999:

C101	IA0004500	PWS-ID
C801	0001	PWS-Milestone-ID
C803	10/10/98	Date the State submitted a letter to the system with its WQP approval or designation
C805	WQPS	Code for WQPs

The DTF transactions for this record are:

1	3	12	19	27	32
C4IA00045000001				IC803	101098
C4IA00045000001				IC805	WQPS

Maximum Permissible Levels (MPLs)

States are required to report to EPA, quarterly, the PWSs in which the State has designated or approved maximum permissible levels (MPLs) for lead and copper in source water. EPA is proposing, in its amendment, that this milestone no longer be required because EPA can determine those systems that are required to install SOWT from the reporting of the Treatment Designation/Installation milestone for SOWT. In addition, compliance with MPLs can be assumed if the State does not report a violation for failure to meet these MPLs.

In the event that this amendment is not adopted, the State must report the following for each system in which it has designated or approved MPLs for lead and copper:

FRDS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date State designated or approved MPLs for lead and copper in source water
C805	The code value MPLS to indicate systems for which the State has approved or designated MPLs

EXAMPLES

EXAMPLE 1 —

The reporting of this milestone is similar to that for WQPs. The State should report the date it sent a letter to the system, specifying the MPLs for lead and copper in source water, regardless of whether the State meets its determination deadline.

For example, assume the State is required to set MPLs for lead and copper in source water by June 30, 1993, but does not submit a letter to the system (AK1004500) until November 19, 1993, with this determination.

By February 15, 1994, the State would report:

C101	AK1004500	PWS-ID
C801	0005	PWS-Milestone-ID
C803	11/19/93	Date State designated or approved MPLs
C805	MPLS	Code for MPL designation

The DTF transactions for this record are:

1	3	12	19	27	32
C4AK10045000005				IC803	111993
C4AK10045000005				IC805	MPLS

Lead Service Line Replacement (LSLR)

Currently, States must report quarterly, the PWSs required to replace lead service lines (LSLs), those systems on a faster replacement schedule, and those systems in compliance with the schedule. EPA is proposing, in its amendment, that States only identify those systems required to begin replacing LSLs and the date the system was required to start the

replacement. EPA believes it does not need to know those systems on a quicker replacement schedule for proper oversight and that compliance with the replacement schedule can be determined if the State does not report a LSLR violation.

If the proposed changes to LSLR are not adopted, the State must also report the required annual rate of replacement. The following must be reported for each system where the State has determined that LSLR is necessary:

PRDS Data Element	
Number	Description
C101	PWS-ID
C801	PWS-Milestone-ID
C803	Date system required to initiate LSLR
C805	The code value LSLR indicates systems required to initiate LSLR
C815	LSLR rate. The units must be expressed as a decimal. The editing of this data element value is identical to C1123—VIOLATION—ANALYSIS—RESULT

EXAMPLES

EXAMPLE 1 —

A system (CA0204500) installs OCCT and collects follow-up tap samples during the January 1, 1997 - July 1, 1997 timeframe. The 90th percentile lead level still exceeds the lead action level. The system is now triggered into LSLR. The first year of LSLR begins on the date the system exceeded the lead action level in samples collected after the installation of OCCT or SOWT (whichever is later); in this example, July 1, 1997. The State does not require the system to be on an accelerated schedule (i.e., replace >7% per year).

By November 15, 1997, the State would report the following milestone:

C101	CA0204500	PWS-ID
C801	0035	PWS-Milestone-ID
C803	07/01/97	Date system required to start LSLR
C805	LSLR	Code for LSLR
C815	0.07	LSLR Rate

The DTF transactions for this milestone are:

1	3	12	19	27	32
C4CA02045000035				IC803	070197
C4CA02045000035				IC805	LSLR
C4CA02045000035				IC815	0.07

VIOLATIONS

This section of the guidance provides violation and compliance achieved definitions and reporting requirements for each violation type. Further, examples on how to report, including DTF, are provided after the discussion of each violation type.

Failure to comply with the rule, including requirements established by the State (i.e., WQP values in finished water, lead and copper levels in source water, and faster LSLR schedule) will constitute a violation of the NPDWR for lead and copper. To simplify reporting and analyses, violations are categorized as either monitoring and reporting (M/R) or treatment technique violations as follows:

Monitoring and Reporting Violations

- Initial Lead and Copper Tap Water
- Follow-up and Routine Lead and Copper Tap
- Initial WQP
- Follow-up and Routine Entry Point WQP
- Follow-up and Routine Tap WQP
- Initial, Follow-up, and Routine Source Water

Treatment Technique Violations

- OCCT Study/Recommendation
- OCCT Installation/Demonstration
- WQP Entry Point Noncompliance
- WQP Tap Noncompliance
- SOWT Recommendation
- SOWT Installation
- MPL Noncompliance
- Lead Service Line Replacement (LSLR)
- Public Education

Exhibit 2 lists these 15 violation types and their corresponding FRDS codes.

Violations for this rule are characterized in FRDS in the same manner as for other rules. That is, each violation must have a unique violation ID (element C1101), a code identifying the contaminant or rule for which the violation applies (element C1103), a code describing the type of violation (element C1105), the date range (elements C1107 and C1109) and length of the compliance (or monitoring) period for which the violation occurred (element C1111).

All but one of the violations (maximum permissible level noncompliance of lead and copper in source water) will have the same contaminant code, 5000, representing violations of the Lead and Copper Rule. As a result, for these violations (violation types 51-62, 64, 65) FRDS will provide the value of 5000 for data element C1103 (to allow for simple queries). Some States may choose to include a DTF transaction with this value to maintain consistency with their reporting of other violations from other rules. That will be acceptable as long as the value reported for C1103 is 5000 for violation types 51-62, 64, or 65.

Each violation is defined by a violation type code, C1105. For this rule, there are 15 different violations that can occur. This

data element must be valued for each violation reported.

As in the reporting of violations for other rules, all violations for this rule must identify the time frame for which the PWS is in violation (i.e., out of compliance). In FRDS, this is characterized by the range of dates in which a specific action or set of actions was (is) to take place (e.g., 10 samples were to be taken, treatment was to be installed and in operation), and is defined, in FRDS, by these 3 data elements:

Compliance period begin date (C1107)

Compliance period end date (C1109)

Compliance period in months (C1111)

In general, C1107 must be provided, as well as **either** C1109 **or** C1111. If C1111 is provided, FRDS will calculate the associated value for C1109, and post it to the database. Similarly, if C1109 is provided, FRDS will calculate the associated value for C1111 and post it to the database.

Many of the compliance periods for this rule are of fixed length; that is, compliance or monitoring periods are set at 6 months, 12 months, etc. For these violations, the acceptable values for the compliance periods will be identified in this document. Values provided other than the acceptable values will result in **rejection** of the entire violation. Several of the violations can have only a single compliance or monitoring period (e.g., initial lead and copper tap sampling). For these violations, only the begin date of the compliance period needs to be provided; the end date (C1109) and the compliance period length

(C1111) need **not** be provided. FRDS will provide default values for these data elements, consistent with the values presented in the guidance. Some States may choose to include a DTF transaction with C1109 and/or C1111, valued to maintain consistency with their reporting of other violations from other rules. That will be acceptable as long as the C1109/C1111 combination is reported as the value to which FRDS would default them. If not, the entire violation will be rejected. The violation definitions in this section clearly identify where the defaulting will occur. A summary of the data elements, for which FRDS will provide default values, is provided in Exhibit 3.

Exhibit 4 is a listing of violations in ascending order by FRDS violation codes and the earliest date in which a particular violation may be reported to FRDS, generally one quarter after the violation occurs. These dates are based on a system's:

- a) exceeding the lead or copper action level during the first round of initial monitoring,
- b) conducting a study, and
- c) requiring the full amount of time allowed to complete a particular step. (e.g., 6-month compliance periods for initial monitoring, 24 months for OCCT installation).

Exhibit 5 presents data similar to Exhibit 4 but lists the various violations in the chronological order in which they may be reported to FRDS. Exhibit 6 is a summary of the definitions of compliance achieved for each violation type.

Exhibit 2
FRDS Violation Codes

Violation Type	Violation Code
Initial Lead and Copper Tap M/R	51
Follow-up or Routine Lead and Copper Tap M/R	52
Initial WQP M/R	53
Follow-up or Routine Entry Point WQP M/R	54
Follow-up or Routine Tap WQP M/R	55
Initial, Follow-up, or Routine Source Water M/R	56
OCCT Study/Recommendation	57
OCCT Installation/Demonstration	58
WQP Entry Point Noncompliance	59
WQP Tap Noncompliance	60
SOWT Recommendation	61
SOWT Installation	62
MPL Noncompliance	63
Lead Service Line Replacement	64
Public Education	65

Exhibit 3

FRDS Violation Default Values

Violation Type	Data Element	Default Value
51	C1103	5000
	C1109	6 months later than C1107
	C1111	6 months
52	C1103	5000
53	C1103	5000
	C1109	6 months later than C1107
	C1111	6 months
54	C1103	5000
	C1109	3 months later than C1107
	C1111	3 months
55	C1103	5000
56	C1103	5000
57	C1103	5000
58	C1103	5000
	C1109	24 months later than C1107
	C1111	24 months
59	C1103	5000
	C1109	3 months later than C1107
	C1111	3 months
60	C1103	5000
61	C1103	5000
	C1109	6 months later than C1107
	C1111	6 months
62	C1103	5000
	C1109	24 months later than C1107
	C1111	24 months
63	NO DATA ELEMENT DEFAULTING FOR THIS VIOLATION TYPE	
64	C1103	5000
	C1109	12 months later than C1107
	C1111	12 months
65	C1103	5000

Exhibit 4
FRDS Reporting Dates for Violations by System Size
Listed in Violation Code Sequence*

Violation Type	Violation Code	System Size		
		Large	Medium	Small
Initial Pb/Cu Tap M/R	51	9/1/92	3/1/93	3/1/94
Follow-up Pb/Cu Tap M/R	52	9/1/97	9/1/98	9/1/99
Routine Pb/Cu Tap M/R	52	3/1/99	3/1/00	3/1/01
Initial WQP M/R	53	9/1/92	3/1/93	3/1/94
Follow-up Entry Point WQP M/R	54	6/1/97	6/1/98	6/1/99
Routine Entry Point WQP M/R	54	12/1/98	12/1/99	12/1/00
Follow-up Tap WQP M/R	55	9/1/97	9/1/98	9/1/99
Routine Tap WQP M/R	55	3/1/99	3/1/00	3/1/01
Initial Source Water M/R	56	3/1/93	9/1/93	9/1/94
Follow-up Source Water M/R	56	3/1/96	9/1/96	9/1/97
Routine Source Water M/R				
groundwater	56	3/1/99	3/1/99	3/1/99
surface water	56	3/1/98	9/1/98	9/1/99
OCCT Study/Recommendation	57	9/1/94	9/1/95	9/1/96
OCCT Installation/Demonstration	58	3/1/97	3/1/98	3/1/99
WQP Entry Point Noncompliance	59	12/1/98	12/1/99	12/1/00
WQP Tap Noncompliance	60	3/1/99	3/1/00	3/1/01
SOWT Recommendation	61	3/1/93	9/1/93	9/1/94
SOWT Installation	62	9/1/95	3/1/96	3/1/97
MPL Noncompliance				
groundwater	63	3/1/99	3/1/99	3/1/99
surface water	63	3/1/98	9/1/98	9/1/99
Lead Service Line Replacement	64	9/1/98	9/1/99	9/1/00
Public Education	65	3/1/94	3/1/94	3/1/95

* Assumes an action level exceedance during the 1st 6-month initial tap monitoring period and that the system conducts an OCCT study.

Exhibit 5
Earliest FRDS Reporting Dates for Violations
by System Size Listed Chronologically*

Violation Type	Violation Code	System Size		
		Large	Medium	Small
Initial Pb/Cu Tap M/R	51	9/1/92	3/1/93	3/1/94
Initial WQP M/R	53	9/1/92	3/1/93	3/1/94
Public Education	65	3/1/94	3/1/94	3/1/95
Initial Source Water M/R	56	3/1/93	9/1/93	9/1/94
SOWT Recommendation	61	3/1/93	9/1/93	9/1/94
OCCT Study/Recommendation	57	9/1/94	9/1/95	9/1/96
SOWT Installation	62	9/1/95	3/1/96	3/1/97
Follow-up Source Water M/R	56	3/1/96	9/1/96	9/1/97
OCCT Installation/Demonstration	58	3/1/97	3/1/98	3/1/99
Follow-up Entry Point WQP M/R	54	6/1/97	6/1/98	6/1/99
Follow-up Pb/Cu Tap M/R	52	9/1/97	9/1/98	9/1/99
Follow-up Tap WQP M/R	55	9/1/97	9/1/98	9/1/99
Routine Source Water M/R groundwater	56	3/1/99	3/1/99	3/1/99
MPL Noncompliance groundwater	63	3/1/99	3/1/99	3/1/99
Routine Entry Point WQP M/R	54	12/1/98	12/1/99	12/1/00
WQP Entry Point Noncompliance	59	12/1/98	12/1/99	12/1/00
Lead Service Line Replacement	64	9/1/98	9/1/99	9/1/00
Routine Source Water M/R surface water	56	3/1/98	9/1/98	9/1/99
MPL Noncompliance surface water	63	3/1/98	9/1/98	9/1/99
Routine Tap Pb/Cu M/R	52	3/1/99	3/1/00	3/1/01
Routine Tap WQP M/R	55	3/1/99	3/1/00	3/1/01
WQP Tap Noncompliance	60	3/1/99	3/1/00	3/1/01

* Assumes an action level exceedance during the 1st 6-month initial tap monitoring period and that the system conducts an OCCT study.

Exhibit 6

Definition of Compliance Achieved by Violation Type

Initial Pb and Cu Tap M/R**	System meets M/R requirements, during subsequent compliance period(s), for each 6-month compliance period in which samples were not properly collected [§§ 141.86(a)-(d)(1)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(a)].
Follow-up Pb and Cu Tap M/R	System meets M/R requirements, during subsequent compliance period(s), for each 6-month compliance period in which samples were not properly collected [§§ 141.86(a)-(c) and (d)(2)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(a)].
Routine Pb and Cu Tap M/R	System meets M/R requirements, during one subsequent compliance period, for one 6-, 12-, or 36-month compliance period (whichever was in effect at the time of the violation) that includes proper sample collection [§§ 141.86(a)-(c) and (d)(3) or (4)], analysis [§ 141.89(a)], and reporting to the State [§ 141.90(a)].
Initial Tap & Entry Point WQP M/R	System meets M/R requirements, during subsequent compliance period(s), for each 6-month compliance period in which samples were not properly collected [§§ 141.87(a)(1),(2) & (b)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(a)].
Follow-up Entry Point WQP M/R	System meets M/R requirements, during subsequent compliance period(s), for any of the four quarters in which samples were not properly collected [§§ 141.87(a)(1),(2) & (c)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(a)].
Routine Entry Point WQP M/R	System meets M/R requirements, during one subsequent quarter, that includes proper sample collection [§§ 141.87(a)(1),(2), (d) and (e)], analysis [§ 141.89(a)], and reporting to the State [§ 141.90(a)].
Follow-up Tap WQP M/R	System meets M/R requirements, during subsequent compliance period(s), for each 6-month compliance period in which samples were not properly collected [§§ 141.87(a)(1),(2) and (c)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(a)].
Routine Tap WQP M/R	System meets M/R requirements, during a subsequent compliance period, for one 6- or 12-month compliance period (whichever is in effect at the time of the violation) that includes proper sample collection [§§ 141.87(a)(1),(2), (d) and (e), analysis [§ 141.89(a)], and reporting to the State [§ 141.90(a)].
Initial Source Water M/R	System meets M/R requirements, during a subsequent compliance period, for the 6-month compliance period in which samples were not properly collected [§§ 141.88(a)(1) & (2) and (b)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(b)].
Follow-up Source Water M/R	System meets M/R requirements, during a subsequent compliance period, for each 6-month compliance period in which samples were not properly collected [§§ 141.88(a)(1) & (2) and (c)-(e)], analyzed [§ 141.89(a)], or for which required information was not reported to the State [§ 141.90(b)].

Exhibit 6

Definition of Compliance Achieved by Violation Type **(Continued)**

Routine Source Water M/R	System meets M/R requirements, during a subsequent compliance period, for one 1-, 3, or 9-year compliance period (whichever is in effect at the time of the violation) that includes proper sample collection [§§ 141.88(a)(1) & (2) and (d) or (e)], analysis [§ 141.89(a)], and reporting to the State [§ 141.90(b)].
OCCT Study/ Recommendation	System submits, during a subsequent compliance period, the OCCT recommendation [§§ 141.82(a) & 141.90(c)(2)], completes and submits the OCCT study to the State [§§ 141.82(c) & 141.90(c)(3)], and provides any additional information to the State that is needed to make an OCCT decision [§ 141.82(d)(2)].
OCCT Installation/ Demonstration	System properly installs and operates treatment [§ 141.82(e)], submits certification of proper installation and operation [§ 141.90(c)(4)], or demonstrates that OCCT already is in place [§§ 141.81(b)(1)-(3) and 141.90(c)(1)].
Entry Point WQP Noncompliance	System meets State designated or approved WQP values or ranges for one subsequent quarter [§ 141.82(g)].
Tap WQP Noncompliance	System meets State designated or approved WQP values or ranges for one subsequent 6-month compliance period [§ 141.82(g)].
SOWT Recommendation	System submits SOWT recommendation to the State [§§ 141.83(a)(1) & (b)(1) and 141.90(d)(1)].
SOWT Installation	System properly installs and operates SOWT [§§ 141.83(b)(3) & (5)] and/or submits certification of proper installation and operation [§ 141.90(d)(2)].
Source Water MPL Noncompliance	System meets State designated or approved MPL values, during a subsequent compliance period, for one 1-, 3-, or 9-year compliance period (whichever is in effect at the time of the violation) [§ 141.83(b)(5)].
Lead Service Line Replacement	System meets the 7% replacement rate (or higher if required by the State) by any one or a combination of: <ul style="list-style-type: none"> • demonstrates replaced line under its limited control [§§ 141.84(e) and 141.90(e)(4)] • replaces entire line [§§ 141.84(a) & (b)] • shows the lead service line contributes < 15 ppb of lead [§ 141.84(c), and Reports all required information to the State [§ 141.90(e)].
Public Education	System delivers one round of public education [§§ 141.85(a)-(c)], and submits a letter to the State that demonstrates measures taken to meet these public education requirements [§ 141.90(f)].

* The actions needed to achieve compliance are not meant to replace other activities that are required to be conducted under the rule for that time frame nor are they meant to indicate that a violation did not occur for the system. Instead, they indicate that this violation no longer continues and should no longer be reported for the system. Should the system again fails to meet subsequent requirements of the rule, another violation must be reported.

** The violations in italics can result in a system's becoming a SNC.

Monitoring and Reporting Violations

Monitoring and Reporting (M/R) violations fall into 3 major categories:

- M/R for lead and copper at the customers' taps
- M/R for WQPs at entry points and taps to the distribution system
- M/R for lead and copper in source water.

Within each of the three categories, initial, follow-up, and routine monitoring violations may be incurred. To simplify definitions and reporting requirements, EPA has combined several of the violations where appropriate. A total of 6 types of M/R violations are possible. A detailed discussion of each violation is provided, including the definition for the violation and instructions on how this violation should be reported to FRDS. In addition, examples are provided after the discussion of each violation, including sample DTF transactions.

Initial Lead and Copper Tap M/R

Initial tap sampling for lead and copper is required for all CWSs and NTNCWSs, regardless of size. Initial monitoring for large systems must be completed in two six-month compliance periods. Sampling during the second six-month period for medium and small systems is optional if the system exceeds the lead or copper action level in the first six-month compliance period because the system is immediately triggered into OCCT requirements. If the medium or small system does not exceed the lead or copper action level during the first six-month period, the system must sample during a second six-month monitoring period

before being eligible for reduced monitoring.

Initial tap sampling for lead and copper begins:

- Jan. 1, 1992 - large systems
- July 1, 1992 - medium systems
- July 1, 1993 - small systems

An initial lead and copper tap M/R violation must be reported for any system that **fails** to complete **ANY** of the following activities, during either six-month compliance period:

- Using the appropriate sampling procedures in accordance with Sections 141.86(a) and (b)
- Collecting the required number of samples during the specified time frame, in accordance with Sections 141.86(c) and (d)(1)
- Ensuring samples are analyzed properly in accordance with Section 141.89(a)
- Submitting all required monitoring information on-time in accordance with Section 141.90(a).

A system that incurs an initial lead and copper tap M/R violation will become a significant noncomplier (SNC) if the system does not return to compliance within 3 months for a large system, 6 months for a medium system, and 12 months for a small system. A discussion on SNCs is presented in greater detail in the last section of this document that begins on page 57.

Note: If applicable, systems are required to submit, at the start of the monitoring period, a justification for the use of non-Tier 1 sampling sites or for sampling <50% of lead service lines. If a system fails to submit these justifications and samples at Tier 2 or 3 sites or from <50% of lead service lines, the system

would incur a violation at the end of the 6-month compliance period.

The primacy agency **must** report the following data for each Initial Lead and Copper Tap M/R violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 51
C1107	Compliance Period Begin Date = the first day of the 6-month compliance period

FRDS will default the following data elements for this violation type (these may be optionally reported, but should be consistent with the other data elements for this violation).

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 6 months later than C1107
C1111	Compliance period in months = 6 months

The earliest date a violation of this type could be reported to EPA is indicated below by system size for both initial six-month monitoring periods.

System Size	1st 6-month Compliance Period	2nd 6-month Compliance Period
Large	9/1/92	3/1/93
Medium	3/1/93	9/1/93*
Small	3/1/94	9/1/94*

* Additional monitoring is optional if an exceedance of an action level occurs in the first 6-month monitoring period.

EXAMPLES

EXAMPLE 1 —

A large system (TX1230567) does not complete the first round of initial monitoring by June 30, 1992, but instead completes the monitoring and submits all required information to the State on August 29, 1992.

By August 15, 1992, the State will report an Initial Lead and Copper Tap M/R violation as follows:

C101	TX1230567	PWS-ID
C1101	9200001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	51	Violation Type Code
C1107	01/01/92	Compliance period begin date
C1109	06/30/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

NOTE: C1103, C1109, and C1111 will be defaulted by FRDS to 5000, 063092, and 006, respectively and, thus, need not be entered by the State.

The DTF transactions for this record are:

1	3	12	19	27	32
D1TX12305679200001				IC110551	
D1TX12305679200001				IC1107010192	

EXAMPLE 2 —

A medium or small system exceeds the lead action level during the first six-month compliance period and does not collect any samples during the next six months.

The system would not be in violation because the second six-month monitoring period is optional for medium and small

systems if they exceed an action level during the first monitoring period because they are immediately triggered into OCCT.

Because an initial lead and copper M/R violation may lead to a system's becoming a SNC, additional examples related to the reporting of this violation, including how to report compliance achieved, can be found after the discussion of an initial lead and copper M/R SNC on pages 61-65.

Follow-up or Routine Lead and Copper Tap M/R

Follow-up monitoring for lead and copper refers to the tap samples collected during two consecutive six-month periods **AFTER OCCT** has been installed. These results and the results of water quality parameter (WQP) monitoring are used by the State to set WQP values that reflect OCCT.

Routine monitoring is conducted:

- During six-month periods **AFTER WQPs** have been set, **or**
- By those systems not having to install OCCT.

The results are used by the State to determine if the system qualifies for reduced monitoring.

A follow-up or routine lead and copper tap M/R violation is defined similarly to the initial violation. A State must report a violation for a PWS that fails to complete **ANY** of the following activities, for each compliance period in which the violation occurs:

- Using the appropriate sampling procedures in accordance with Sections 141.86(a) and (b)
- Collecting the required number of samples during the required time frames in accordance with Sections 141.86(c) and (d)

- Ensuring samples are analyzed properly in accordance with Section 141.89(a)
- Submitting all required monitoring information on-time in accordance with Section 141.90(a).

The same violation type code (i.e., 52) will be used for the reporting of follow-up and routine tap M/R violations.

The primacy agency **must** report the following data for each Follow-up or Routine Lead and Copper Tap M/R violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 52
C1107	Compliance Period Begin Date = the first day of the compliance period
C1109	Compliance period end date: <ul style="list-style-type: none"> • 6 months later than C1107 for follow-up monitoring • 6, 12 or 36 months later than C1107 for routine monitoring
or	
C1111	Compliance period in months <ul style="list-style-type: none"> • 6 months for follow-up monitoring • 6, 12 or 36 months for routine monitoring

FRDS will default the following data element:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violations = 5000

Assuming the system exceeds an action level during the first six-month monitoring period, the earliest dates a follow-up M/R violation or routine M/R violation could appear in FRDS are as follows:

FOLLOW-UP M/R

System Size	Without OCCT Study	
	1st Compliance Period	2nd Compliance Period
Large	N/A	N/A
Medium	3/1/97	9/1/97
Small	9/1/98	3/1/99

System Size	With OCCT Study	
	1st Compliance Period	2nd Compliance Period
Large	9/1/97	3/1/98
Medium	9/1/98	3/1/99
Small	9/1/99	3/1/00

ROUTINE M/R

System Size	Without OCCT Study	With OCCT Study
Large	N/A	3/1/99
Medium	9/1/98	3/1/00
Small	3/1/00	3/1/01

A system on reduced monitoring that incurs an M/R violation would not be required to return to semiannual monitoring nor to collect the original number of samples. Instead, the system only would be required to collect the original or standard number of tap samples if it exceeds the lead or copper action level or to return to semiannual monitoring if it fails to operate within the range of values for WQPs.

EXAMPLES

EXAMPLE 1 —

A large system (NC0234567) completes the requirements for the installation of OCCT on December 31, 1997. The system does not collect any follow-up samples for either six-month compliance period (i.e.,

from January 1 - June 30, 1998 or July 1 - December 31, 1998). By August 15, 1998, the State would report the following:

C101	NC0234567	PWS-ID
C1101	9800001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	52	Violation Type Code
C1107	01/01/98	Compliance period begin date
C1109	06/30/98	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1NC02345679800001				IC110552	
D1NC02345679800001				IC1107010198	
D1NC02345679800001				IC1111006	

By February 15, 1999, the State would report a second violation:

C101	NC0234567	PWS-ID
C1101	9900001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	52	Violation Type Code
C1107	07/01/98	Compliance period begin date
C1109	12/31/98	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1NC02345679900001				IC110552	
D1NC02345679900001				IC1107070198	
D1NC02345679900001				IC1111006	

EXAMPLE 2 —

A medium system (FL0123456) completes the first round of follow-up sampling on-time (e.g., 6/30/98). The 90th percentile lead and copper concentrations are below the action levels. The system does not collect a second round of samples during the compliance period July 1 - December 31, 1998.

A medium or small system may discontinue the steps of the OCCT process whenever the system meets both action levels in **two** consecutive monitoring periods. In this example, the system has met both action levels in only one monitoring period and therefore has not qualified to discontinue OCCT requirements. The system would be required to collect a second round of samples and therefore would be in violation on January 1, 1999 for failure to complete the second round of follow-up sampling.

The State would report the following to the Region by February 15, 1999:

C101	FL0123456	PWS-ID
C1101	9900001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	52	Violation Type Code
C1107	07/01/98	Compliance period begin date
C1109	12/31/98	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1FL01234569900001				IC110552	
D1FL01234569900001				IC1107070198	
D1FL01234569900001				IC1109123198	

EXAMPLE 3 —

The State designates WQPs on July 1, 1998 but the system (GA9123456) does not collect all required samples during its first six-month compliance period for routine monitoring of lead and copper at the tap (i.e., July 1 - December 31, 1998).

The State will report a violation by February 15, 1999, as follows:

C101	GA9123456	PWS-ID
C1101	9900001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	52	Violation Type Code
C1107	07/01/98	Compliance period begin date
C1109	12/31/98	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1GA91234569900001				IC110552	
D1GA91234569900001				IC1107070198	
D1GA91234569900001				IC1111006	

EXAMPLE 4 —

A large system (AL6123456) was eligible for reduced monitoring on July 1, 1999 but did not collect all of its samples during the compliance period July 1, 1999 - June 30, 2000.

The State would report a violation by August 15, 2000, as follows:

C101	AL6123456	PWS-ID
C1101	0000001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	52	Violation Type Code
C1107	07/01/99	Compliance period begin date
C1109	06/30/00	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1AL61234560000001				IC110552	
D1AL61234560000001				IC1107070199	
D1AL61234560000001				IC1111012	

Note: A system on reduced monitoring would not be required to return to original monitoring for incurring an M/R violation. A system's reduced monitoring only can be affected if:

1. The system exceeds the lead or copper action level. The system then would be required to collect and analyze the original or "standard" number of samples; or
2. The system fails to operate within the State-specified or approved ranges or values for WQPs. The system would be required to return to semiannual monitoring.

Initial WQP M/R

Initial tap and entry point sampling for WQPs is conducted by all large PWSs, during the same sampling periods as initial tap sampling for lead and copper. For medium and small PWSs, it is performed during each of the initial six-month monitoring periods in which the lead or copper action levels are exceeded.

A violation of initial tap and entry point WQP M/R requirements must be reported for any system that fails to complete **ANY** of the following activities, for either compliance period in which the violation occurs:

- Using the appropriate sampling procedures in accordance with Sections 141.87(a)(1) and (b)
- Collecting the required number of samples in accordance with Section 141.87(a)(2)
- Ensuring samples are analyzed properly in accordance with Section 141.89(a)
- Submitting all required monitoring information on-time in accordance with Section 141.90(a).

The primary agency **must** report the following data for each Initial WQP M/R violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 53
C1107	Compliance Period Begin Date = the first day of the compliance period

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 6 months later than C1107
C1111	Compliance period in months = 6 months

The FRDS reporting dates for this violation are the same as those for initial tap monitoring for lead and copper as follows:

System Size	1st 6-month Compliance Period	2nd 6-month Compliance Period
Large	9/1/92	3/1/93
Medium	3/1/93	9/1/93*
Small	3/1/94	9/1/94*

* A second round of samples is optional for medium and small systems if the action level is exceeded.

EXAMPLES

EXAMPLE 1 —

A large system (LA1123456) collects its initial round of lead and copper tap samples and does not exceed either action level. However, the system does not collect any WQPs during this six-month compliance period (i.e., from January 1 - June 30, 1992).

Unlike medium or small systems, large systems are required to collect WQPs regardless of whether they exceed the lead or copper action level. A large system is required to install OCCT, independent of its 90th percentile lead and copper values. The initial WQP data is needed for establishing treatment operating parameters.

By August 15, 1992, the State would report an Initial WQP M/R violation as follows:

C101	LA1123456	PWS-ID
C1101	9200001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	53	Violation Type Code
C1107	01/01/92	Compliance period begin date
C1109	06/30/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1LA11234569200001				IC110553	
D1LA11234569200001				IC1107010192	

A large system is required to meet WQP M/R requirements for two six-month compliance periods in order to have achieved compliance for this requirement.

EXAMPLE 2 —

A medium system completes the first round of initial monitoring by December 31, 1992 and **does not exceed** the lead or copper action level. The system **does not** collect WQP samples during this sampling period.

Unlike large systems, medium and small systems only are required to conduct WQP testing in those compliance periods in which they exceed the lead or copper action level. In this example, the system has not incurred an Initial WQP violation because it did not exceed an action level and therefore was not required to test for WQPs.

EXAMPLE 3 —

A medium system (AX0003456) completes initial lead and copper tap sampling by December 31, 1992 and exceeds the copper action level. On January 1, 1993, the system begins collecting WQPs and the State receives these results on April 1, 1993.

The system is in violation because it is required to complete the monitoring during the same compliance period as lead and copper tap monitoring (i.e., in this example, from July 1 - December 31, 1992). Medium and small systems should complete tap sampling early enough in the compliance period to allow them to conduct WQP monitoring and reporting in the event they exceed an action level.

By February 15, 1993, the State would report:

C101	AX0003456	PWS-ID
C1101	9300011	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	53	Violation Type Code
C1107	07/01/92	Compliance period begin date
C1109	12/31/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1AX00034569300011			IC110553		
D1AX00034569300011			IC1107070192		

Follow-up or Routine Entry Point WQP M/R

Follow-up or routine WQP monitoring must occur at each entry point to the distribution system and at selected taps. The compliance periods for each of these varies significantly; entry point monitoring must always be conducted biweekly, whereas tap monitoring is conducted either semiannually or annually. In order to allow clear identification of the violations in FRDS, entry point and tap sampling M/R violations have been defined as separate violations.

Follow-up entry point monitoring of WQPs is conducted **AFTER** the installation of OCCT by all large systems and by those medium and small systems during monitoring periods in which they exceed the lead or copper action level. These data are used by the State to review the performance of treatment and to modify the treatment or WQPs levels, as needed. Routine monitoring is performed after the State has finalized the WQPs.

Follow-up and routine entry point samples must **always** be collected biweekly and reduced monitoring is not allowed for this type of sampling. To eliminate some of the reporting and tracking burden associated with a violation that could occur every 2 weeks, all entry point violations that occur in a given quarter will be reported as one WQP entry point violation.

A **single** violation will be reported for a system that fails to complete **ANY** of the following during a **quarter**:

- Using the appropriate sampling procedures in accordance with Sections 141.87(a)(1), (c)-(e)
- Collecting the required number of samples in accordance with Sections 141.87(a)(2) and (e)

- Ensuring samples are analyzed properly in accordance with Section 141.89(a)
- Submitting all required monitoring information on-time in accordance with Section 141.90(a).

Therefore, if a system does not meet the above requirements for any of the biweekly monitoring periods, it is in violation. However, for reporting purposes only, all violations will be aggregated and a single violation will be reported for the quarter.

The same violation type code (i.e., 54) is used for **either** the reporting of follow-up or routine entry point WQP M/R violations.

The State must report the following data for each Follow-up or Routine Entry Point WQP M/R violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 54
C1107	Compliance Period Begin Date = the first day of the compliance period

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 3 months later than C1107
C1111	Compliance period in months = 3 months

The earliest dates follow-up entry point M/R violations would be reported to FRDS are shown below for each quarter of follow-up monitoring for systems not conducting and conducting studies. In addition, reporting dates are shown for the first quarter of routine monitoring.

FOLLOW-UP M/R

System Size	Without OCCT Study			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Large	N/A	N/A	N/A	N/A
Medium	12/1/96	3/1/97	6/1/97	9/1/97
Small	6/1/98	9/1/98	12/1/98	3/1/99

System Size	With OCCT Study			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Large	6/1/97	9/1/97	12/1/97	3/1/98
Medium	6/1/98	9/1/98	12/1/98	3/1/99
Small	6/1/99	9/1/99	12/1/99	3/1/00

ROUTINE M/R

System Size	Without OCCT Study	With OCCT Study
Large	N/A	12/1/98
Medium	6/1/98	12/1/99
Small	12/1/99	12/1/00

EXAMPLES

EXAMPLE 1 —

A system (MS0003456) fails to collect any follow-up entry point samples from January 1 - May 31, 1997.

Follow-up and routine entry point samples are conducted every two weeks, but a violation is incurred for a quarter. A single violation is reported for each quarter in which one or more biweekly sampling events were not conducted in accordance with Sections 141.87, 141.89, and 141.90. In this example, the system failed to meet any of the biweekly sampling requirements during the quarter from January 1 - March 31, 1997. In addition, the system did not collect any of the biweekly samples during April and May. Because violations are aggregated

for a quarter, the State would report one violation for the time period January - March and a second for the quarter, April - June as follows:

For the violation incurred during January - March, the State would report a violation by May 15, 1997, as follows:

C101	MS0003456	PWS-ID
C1101	9700002	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	54	Violation Type Code
C1107	01/01/97	Compliance period begin date
C1109	03/31/97	Compliance period end date (Defaulted by FRDS)
C1111	003	Compliance period in months (Defaulted by FRDS)

The DTF transactions for the first violation are:

1	3	12	19	27	32
D1MS00034569700002			IC110554		
D1MS00034569700002			IC1107010197		

For the violation incurred during April - June, the State would report the following by August 15, 1997:

C101	MS0003456	PWS-ID
C1101	9700003	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	54	Violation Type Code
C1107	04/01/97	Compliance period begin date
C1109	06/30/97	Compliance period end date (Defaulted by FRDS)
C1111	003	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this second violation are:

1	3	12	19	27	32
D1MS00034569700003			IC110554		
D1MS00034569700003			IC1107040197		

Further, the system is required to sample for an additional 5 months to provide 12 months' worth of WQP data on which the State can make a decision regarding optimal WQP values or ranges. An exception to this requirement would be a small or medium system that is no longer required to install OCCT because it meets the lead and copper action levels for two consecutive compliance periods.

EXAMPLE 2 —

A large system (MA0003456) fails to collect any routine entry point samples during July and August 1998.

A routine entry point sample would be reported similarly to that of a follow-up sample and would have the same violation code. In this example, the system would incur a violation for the quarter, July 1 - September 30, 1998, and the State would report a violation by November 15, 1998 as follows:

C101	MA0003456	PWS-ID
C1101	9800001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	54	Violation Type Code
C1107	07/01/98	Compliance period begin date
C1109	09/30/98	Compliance period end date (Defaulted by FRDS)
C1111	003	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this record are:

1	3	12	19	27	32
D1MA00034569800001			IC110554		
D1MA00034569800001			IC1107070198		

For large systems, routine WQP monitoring occurs for the lifetime of the system. Unlike initial and follow-up sampling that occur for a limited period of 12 months each, a system cannot make up the 2 months of missed samples for routine entry point WQP monitoring. Therefore, a system will achieve compliance for routine entry point WQP monitoring if it successfully monitors and reports for the entire next quarter.

EXAMPLE 3 —

A medium system (VT1003356) conducts routine lead and copper tap sampling and exceeds the lead action level for the compliance period July 1 - December 31, 1999. The system does not collect any entry point WQP samples during this compliance period. The system completes the next round of lead and copper tap sampling from January 1 - June 30, 2000 and no longer exceeds the lead action level.

Medium and small systems only are required to collect WQP samples in the same compliance period(s) in which they exceed an action level. In this example, the system should have been collecting biweekly samples during July 1 - December 31, 1999. Because an entry point violation is reported quarterly, the State would report two routine entry point WQP violations; one for the compliance period July 1 - September 30, 1999 and a second for the compliance period October 1 - December 31, 1999.

For the violation occurring during the compliance period July - September, 1999, the State would report by November 15, 1999:

C101	VT1003356	PWS-ID
C1101	00G0001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	54	Violation Type Code
C1107	07/01/99	Compliance period begin date
C1109	09/30/99	Compliance period end date (Defaulted by FRDS)
C1111	003	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this record are:

1	3	12	19	27	32
D1VT100335600G0001			IC110554		
D1VT100335600G0001			IC1107070199		

For the violation occurring during the compliance period October - December, 1999, the State would report by February 15, 2000:

C101	VT1003356	PWS-ID
C1101	00G0002	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	54	Violation Type Code
C1107	10/01/99	Compliance period begin date
C1109	12/31/99	Compliance period end date (Defaulted by FRDS)
C1111	003	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this second violation are:

1	3	12	19	27	32
DIVT100335600G0002				IC110554	
DIVT100335600G0002				IC1107100199	

The system is not in violation for failure to collect WQP samples during January 1 - June 30, 2000, because it did not exceed either action level. On the other hand, a system must bear in mind that if it does not start WQP sampling at the beginning of the lead and copper tap monitoring period, but waits instead for the lead and copper monitoring results, it risks missing some of the required biweekly monitoring if the lead or copper tap samples show an exceedance of the action level. If the system believes it will not exceed the action levels (for example, due to the installation of OCCT or past lead and copper monitoring), it could chance not collecting entry point WQP samples, knowing that it will incur an entry point WQP violation if the 90th percentile level exceeds the action level.

For a medium or small system, the system is considered to have returned to compliance if either:

- it successfully monitors and reports for one quarter, or
- its 90th percentile monitoring results for lead and copper no longer show an exceedance of either action level.

Follow-up or Routine Tap WQP M/R

In addition to WQP testing at entry points, follow-up monitoring is conducted after the installation of OCCT at taps in the distribution system by all large systems and those medium and small systems that exceed the lead or copper action level. These taps are not required to be the ones targeted for lead and copper monitoring. Instead, the system may find

it convenient to sample at the same sites used for coliform testing under the Total Coliform Rule.

Routine monitoring is performed after the State has finalized the WQPs. The schedule for WQP monitoring at taps is less frequent than at entry points. Samples are collected every six months and then annually if the system qualifies for reduced monitoring.

A system is in violation if it fails to complete **any** of the following:

- Using the appropriate sampling procedures in accordance with Sections 141.87(a)(1), (c) - (e)
- Collecting the required number of samples in accordance with Sections 141.87(a)(2) and (e)
- Ensuring samples are analyzed properly in accordance with Section 141.89(a)
- Submitting all required monitoring information on-time in accordance with Section 141.90(a).

To simplify reporting, a single violation will be reported for each **6-month** or **12-month** compliance period in which the system is in violation. The same violation type code (i.e., 55) is used for the reporting of follow-up and routine tap WQP M/R violations.

The State **must** report the following data for each Follow-up/Routine Tap Sampling for WQP violation:

PWS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 55
C1107	Compliance Period Begin Date = the first day of the compliance period
C1109	Compliance period end date = 6 or 12 months later than C1107
or	
C1111	Compliance period in months = 6 or 12 months

FRDS will default the following data element:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000

The earliest FRDS reporting dates for each six-month compliance period of a follow-up tap WQP violation for systems not conducting a study and conducting a study are as follows:

FOLLOW-UP M/R

System Size	Without OCCT Study	
	1st Compliance Period	2nd Compliance Period
Large	N/A	N/A
Medium	3/1/97	9/1/97
Small	9/1/98	3/1/99
System Size	With OCCT Study	
	1st Compliance Period	2nd Compliance Period
Large	9/1/97	3/1/98
Medium	9/1/98	3/1/99
Small	9/1/99	3/1/00

The earliest date for reporting routine WQP M/R violations to FRDS are shown for systems not conducting a study and those required to conduct a study.

ROUTINE M/R

System Size	Without OCCT Study	With OCCT Study
Large	N/A	3/1/99
Medium	9/1/98	3/1/00
Small	3/1/00	3/1/01

Note: A system can incur both entry point and tap WQP M/R violations in the same compliance period. In addition, as will be discussed in the description of an

entry point and tap WQP noncompliance violation, these violations also can be incurred during the same compliance period as the WQP M/R violations.

EXAMPLES

EXAMPLE 1 —

A system, (NH6003356) that is not on a reduced monitoring schedule for tap WQP M/R, does not collect any entry point or tap WQP from July 1 - December 31, 1998.

Tap WQP M/R violations are reported separately from entry point WQP violations. Entry point violations are reported quarterly; therefore, the system would incur two entry point violations, one for the period July 1 - September 31, 1998 and another for the period October 1 - December 31, 1998. (See examples on follow-up or routine entry point WQP M/R violations on pages 29-32.)

Routine tap WQP M/R violations have a compliance period of six months (or 12 months if on reduced monitoring). In this example, the system missed the sampling requirements for one compliance period (July 1 - December 31, 1998) and a single tap WQP M/R violation would be reported.

By February 15, 1999, the State would report:

C101	NH6003356	PWS-ID
C1101	99G0007	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	55	Violation Type Code
C1107	07/01/98	Compliance period begin date
C1109	12/31/98	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1NH600335699G0007				IC110555	
D1NH600335699G0007				IC1107070198	
D1NH600335699G0007				IC1109123198	

EXAMPLE 2 —

A system (TN1103356) on reduced monitoring fails to collect WQP tap samples during July 1, 2003 - June 30, 2004.

By August 15, 2004, the State would report:

C101	TN1103356	PWS-ID
C1101	0400001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	55	Violation Type Code
C1107	07/01/03	Compliance period begin date
C1109	06/30/04	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1TN11033560400001				IC110555	
D1TN11033560400001				IC1107070103	
D1TN11033560400001				IC1109063004	

The system would not be required to change from the reduced monitoring schedule for incurring a routine WQP M/R violation. The system only would be required to collect WQP samples semi-annually at the original number of samples if it no longer meets the State-specified or approved WQP values or ranges.

Lead and Copper Source Water M/R

Any system that exceeds the lead or copper action level must perform source water monitoring within six months of the exceedance at all entry points to the distribution system to determine if source water concentrations of lead or copper contributed to the exceedance, and thus, source water treatment (SOWT) is needed.

- **Initial** monitoring is conducted at each entry point to the distribution system within six months after the action level is exceeded.
- **Follow-up** monitoring is performed after installation and operation of SOWT, at each entry point to the distribution system, for **two** consecutive six-month monitoring periods.
- **Routine** monitoring is performed after the State specifies maximum permissible source water levels (MPLS) for lead and copper or determines that SOWT is unnecessary.

Routine monitoring may be conducted on a 1, 3, or 9-year frequency depending on the source (ground water or surface water) and whether the system qualifies to sample at a reduced monitoring frequency.

Initial, follow-up, or routine source water sampling for lead and copper violations must be reported for each PWS that fails to complete the following activities, for each compliance period in which the violation occurs:

- Using the appropriate sampling procedures in accordance with Sections 141.88(a)(1) and (2)

- Collecting the required number of source water samples in accordance with Sections 141.88(a)(1) - (e)
- Ensuring samples are analyzed properly in accordance with Section 141.89(a)
- Submitting all required sampling information on-time in accordance with Section 141.90(b).

The same violation type code is used (i.e., 56) for the reporting of initial, follow-up, and routine source water sampling violations.

The State **must** report the following data for each Source Water Sampling violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 56
C1107	Compliance Period Begin Date = the first day of the compliance period
C1109	Compliance period end date = 6 months or 12, 36, or 108 months later than C1107
or	
C1111	Compliance period in months = 6, 12, 36, or 108 months

FRDS will default the following data element:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000

The earliest FRDS reporting dates for these violation are as follows:

System Size	Initial Monitoring	Follow-up Monitoring	
		1st Compliance Period	2nd Compliance Period
Large	3/1/93	3/1/96	9/1/96
Medium	9/1/93	9/1/96	3/1/97
Small	9/1/94	9/1/97	3/1/98

System Size	Routine Monitoring	
	Ground	Surface
Large	3/1/98	3/1/99
Medium	9/1/98	3/1/99
Small	9/1/99	3/1/99

EXAMPLES

EXAMPLE 1 —

A large system (PA1103666) exceeds the copper action level during its first round of initial lead and copper tap monitoring (i.e., January 1 - June 30, 1992) and fails to collect source water samples within six months of exceeding an action level or by December 31, 1992 in this example.

By February 15, 1993, the State would report the following:

C101	PA1103666	PWS-ID
C1101	9300001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	56	Violation Type Code
C1107	07/01/92	Compliance period begin date
C1109	12/31/92	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1PA11036669300001				IC110556	
D1PA11036669300001				IC1107070192	
D1PA11036669300001				IC1111006	

To achieve compliance, the system must fulfill the monitoring and reporting requirements in accordance with Sections 141.88(a)(1), 141.89, and 141.90(b) for one six-month compliance period.

EXAMPLE 2 —

A system (MD0103666) installs SOWT on June 30, 1995 and collects the first round of follow-up source water samples but does not collect the second round of source water samples.

All systems, required to install SOWT, must collect follow-up source water samples during two consecutive six-month compliance periods to provide data on which State can set MPLs for lead and copper in source water. In this example, the system is in violation for failure to collect follow-up samples during the compliance period January 1 - June 30, 1996.

By August 15, 1996, the State would report the following:

C101	MD0103666	PWS-ID
C1101	9600002	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	56	Violation Type Code
C1107	01/01/96	Compliance period begin date
C1109	06/30/96	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1MD01036669600002				IC110556	
D1MD01036669600002				IC1107010196	
D1MD01036669600002				IC1111006	

To achieve compliance, the system must collect an additional round of source water samples.

EXAMPLE 3 —

A ground water system (DE0103666), on a nine-year monitoring cycle, does not collect any source water samples for the compliance period January 1, 2001 - December 31, 2009.

Once a system installs SOWT, it is required to collect source water samples for lead and/or copper, **only** if the system has failed to meet the action level for lead or copper in tap water samples during any compliance period within the entire source water sampling period in effect (in this example from January 1, 2001 - December 31, 2009). Assume the system exceeded the copper action level during the tap sampling compliance period, January 1, 2003 - December 31, 2005. The copper action level exceedance occurs during the source water compliance period; therefore, the system would be in violation for failure to sample for copper in source water.

By February 15, 2010, the State would report:

C101	DE0103666	PWS-ID
C1101	1000001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	56	Violation Type Code
C1107	01/01/01	Compliance period begin date
C1109	12/31/09	Compliance period end date
or		
C1111	108	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1DE01036661000001				IC110556	
D1DE01036661000001				IC1107010101	
D1DE01036661000001				IC1111108	

If the system had exceeded both the lead and copper action level, it would be required to sample for both contaminants in source water. Failure to conduct source water sampling in this case would not be treated as two violations but as a **single** violation.

Note: Unlike tap monitoring for lead, copper or WQPs, a system on **source water** reduced monitoring is never required to return to its original monitoring schedule, regardless of whether it properly monitors and reports or meets State-specified or approved MPLs.

EXAMPLE 4 —

Another ground water system, on nine-year monitoring, does not collect any source water samples for the compliance period, January 1, 2001 - December 31, 2009. The system is on a three-year schedule for lead and copper tap monitoring. During the compliance period, January 1, 2009 - December 31, 2011, the system exceeds the copper action level.

If the system sampled during the first year of the compliance period (i.e., 2009), it would be in violation for failure to collect copper source water samples. On the other hand, if the system completed its tap monitoring during the second or third year of the compliance period (i.e., 2010 or 2011), the system would be required to

collect copper source water samples during the compliance period January 1, 2010 - December 31, 2018. Therefore, under this second scenario, the system would not have a source water M/R violation for the compliance period January 1, 2001 - December 31, 2009.

Treatment Technique Violations

Treatment technique violations can be incurred for failure to meet the requirements for OCCT, SOWT, Public Education, and LSLR. A total of 9 treatment technique violations are possible as follows:

- OCCT Study/Recommendation
- OCCT Installation/Demonstration
- WPQ Entry Point Noncompliance
- WQP Tap Noncompliance
- SOWT Recommendation
- SOWT Installation
- MPL Noncompliance
- LSLR
- Public Education

Definitions for each treatment technique violation and discussions of how to report the violation to FRDS are provided. In addition, examples of how to report each of these violations is provided at the end of this document, including sample DTF transactions.

OCCT Study/Recommendation

All large systems must conduct corrosion control evaluations or studies, beginning January 1, 1993 (except those successfully

demonstrating that optimal corrosion control exists), and at the completion of the study (i.e., 6/30/94), make a recommendation on the OCCT to be installed. At a minimum, medium and small systems exceeding the lead or copper action levels must make a recommendation, regarding the treatment to be installed, within six months after the action level exceedance (if they have not successfully demonstrated that optimal corrosion control already exists). In addition, the State may require medium and small systems to conduct corrosion control studies.

An OCCT Study/Recommendation violation must be reported for a system that fails to provide or complete the following:

- Submit an OCCT recommendation on time in accordance with Sections 141.82(a) and 141.90(c)(2),
or
- Submit an "acceptable" study on time in accordance with Sections 141.82(c) and 141.90(c)(3),
or
- Provide information needed by the State to make an OCCT determination in accordance with Section 141.82(d)(2).

NOTE: An "acceptable" study meets the requirements of Section 141.82(c) and needs only minor clarification(s), if any, to be useful to the State in making its OCCT determination. This term will be better defined in forthcoming corrosion control treatment guidance.

The State **must** report the following for each OCCT Study/Recommendation violation:

FRDS Data Element	
Number	Description
C101 C1101 C1105 C1107	PWS-ID Violation ID Violation Type Code = 57 Compliance Period Begin Date for: <ul style="list-style-type: none"> • OCCT Recommendation (only reported for those systems not required to conduct a study and failing to make a recommendation) <ul style="list-style-type: none"> - Large systems = Not Applicable - Medium/Small systems = 1st - day after the end of the compliance period in which the Pb or Cu action level was exceeded • OCCT Study <ul style="list-style-type: none"> - Large systems = 1/1/93 - Medium/Small systems = date of State letter to system requiring a study be conducted.
C1109	Compliance period end date for: <ul style="list-style-type: none"> • OCCT Recommendation for Medium/Small systems = 6 months later than C1107 • OCCT Study <ul style="list-style-type: none"> - Large systems = 6/30/94 - Medium/Small systems = 18 months later than C1107
or C1111	Compliance period in months: <ul style="list-style-type: none"> • OCCT Recommendation for Medium/Small systems = 6 months • OCCT Study for All systems = 18 months

FRDS will default the following data element:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000

Assuming a medium or small system exceeds an action level during the first six-month compliance period, the FRDS reporting date for failure to make a recommendation or conduct a study on-time are:

System Size	Recommendation	Study
Large	N/A	9/1/94
Medium	9/1/93*	9/1/95
Small	9/1/94*	9/1/96

* Assumes that the system was not required to conduct a study. For those systems that must conduct a study, the recommendation is a required component of the study and would not be reported as a separate violation.

EXAMPLES

EXAMPLE 1 —

The State notifies a system (RI0103644) in a letter dated September 10, 1993 that it is required to conduct an OCCT study. The system conducts the study in accordance with Section 141.82(c) but does not submit the results within the required 18 months, by March 9, 1995 in this example. The State receives the study from the PWS on September 10, 1995, 6 months later.

By May 15, 1995, the State would report an OCCT Study/Recommendation Violation for the system as follows:

C101	RI0103644	PWS-ID
C1101	9500001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	57	Violation Type Code
C1107	09/10/93	Compliance period begin date
C1109	03/09/95	Compliance period end date
or		
C1111	018	Compliance period in months

The DTF transactions for this record are:

1	3	12	19	27	32
DIRI01036449500001				IC110557	
D1RI01036449500001				IC1107091093	
D1RI01036449500001				IC1111018	

In addition, the system's completion of the study currently is required to be reported as a milestone. (*Refer to examples for the Corrosion Control Study milestone reporting on pages 7 and 8.*)

Note: A system that is required to conduct a study, but fails to complete the study or make an OCCT recommendation, would not incur a separate OCCT recommendation violation because the recommendation is a required component of the study.

EXAMPLE 2 —

A medium-sized system submits the results of the study to the State within the required 18-month period or by June 9, 1995 in this example. However the system evaluated the effectiveness of only one of the three types of corrosion control treatments required to be evaluated.

The State should not at this time report a milestone for having received a study because the results were incomplete. Instead, as part of its August 15, 1995 submission, the State would report a corrosion control study **violation** for the system similar to the one shown in Example 1. The State only should report the C800 milestone record once it receives a complete study.

EXAMPLE 3 —

A medium system (WV0163644) exceeds the lead action level during the compliance period July 1 - December 31, 1992. The State does not require the system to conduct a study and the system does not submit an OCCT recommendation to the State by June 30, 1993 as required (i.e.,

within six months of exceeding an action level).

The system would incur a violation because it must recommend OCCT to the State, even if it is not required to conduct a study.

By August 15, 1993, the State would report:

C101	WV0163644	PWS-ID
C1101	9300001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	57	Violation Type Code
C1107	01/01/93	Compliance period begin date
C1109	06/30/93	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1WV01636449300001				IC110557	
D1WV01636449300001				IC1107010193	
D1WV01636449300001				IC1109063093	

OCCT Installation/ Demonstration

Each system requiring OCCT must install treatment, have it operating, and submit a certification to the State that this treatment is properly installed and operating within 24 months. In addition, any PWS may be deemed to have optimized corrosion control by the State, if the system meets the requirements specified in Sections 141.81(b)(2) and (3).

An OCCT Installation/Demonstration violation must be reported for a system that fails to complete the following on time:

- Have the State-designated treatment properly installed and operating in accordance with Section 141.82(e), AND
- Submit a certification of proper installation and operation in accordance with Section 141.90(c)(4), OR
- Demonstrate that OCCT already exists in accordance with Sections 141.81(b)(1)-(3) and 141.90(c)(1).

The State **must** report the following data for each OCCT Installation/Demonstration violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 58
C1107	Compliance Period Begin Date for: <ul style="list-style-type: none"> • Large systems = 1/1/95 • Medium and Small systems = date of State letter to system specifying OCCT to be installed.

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 24 months later than C1107
C1111	Compliance period in months = 24 months

The earliest FRDS reporting dates for this violation are as follows:

System Size	Without OCCT Study	With OCCT Study
Large	N/A	3/1/97
Medium	9/1/96	3/1/98
Small	3/1/98	3/1/99

A system will become a SNC for incurring this violation if it has a 90th percentile lead level of 30 ppb or above in samples collected during the **most recent** compliance period. SNCs are discussed in greater detail in the last section of this document.

EXAMPLES

EXAMPLE 1 —

A system (WA8976541) does not install OCCT within the 24-month time frame, in this example by June 29, 1996. Instead, the State receives a letter on November 19, 1996, that certifies OCCT has been installed. Further, the most recent 90th percentile level was 18 ppb.

By August 15, 1996, the State would report an OCCT Installation violation as follows:

C101	WA8976541	PWS-ID
C1101	9600003	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	58	Violation Type Code
C1107	06/30/94	Compliance period begin date
C1109	06/29/96	Compliance period end date (Defaulted by FRDS)
or		
C1111	024	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1WA89765419600003				IC110558	
D1WA89765419600003				IC1107063094	

The system's most recent 90th percentile lead level in tap samples was <30 ppb. Therefore, the system would not meet the definition of SNC.

To fulfill the milestone reporting requirement, the State would report the following by February 15, 1997:

C101	WA8976541	PWS-ID
C801	0006	PWS-Milestone-ID
C803	11/19/96	Date State received proof of the installation of OCCT
C805	OTIN	Code for OCCT installation

The DTF transactions for this milestone are:

1	3	12	19	27	32
C4WA8976541	0006			IC803	111996
C4WA8976541	0006			IC805	OTIN

EXAMPLE 2 —

A system installs OCCT within the 24-month timeframe but does not report it to the State.

As part of the requirement for installing OCCT, the system must certify to the State that OCCT has been properly installed and is operating. If however, the State learns this information through an on-site visit prior to the 24-month deadline, it should not issue a violation to the system. While on-site, the State should get the system to certify the proper installation and operation. Further, if the State learns of the installation and operation through a

phone conversation with the system prior to the 24-month deadline, the State may elect not to issue a violation if the system submits a certification within a short, specified amount of time. Ultimately, the State must obtain some official correspondence documenting the installation and operation of OCCT and maintain it in its official files.

Note: Additional reporting examples for this violation are presented after the discussion of an OCCT Installation/Demonstration SNC on pages 66 and 67.

Entry Point WQP Noncompliance

States will use data from lead and copper tap and WQP samples, both before (i.e., initial monitoring) and after installation of OCCT (i.e., follow-up monitoring), to set or approve values for WQPs to reflect OCCT for the system. During routine monitoring, all systems must maintain WQPs at or above minimum values or within designated or approved ranges. Medium or small systems only are required to collect WQP samples during each monitoring period in which the lead or copper action level is exceeded.

Follow-up or routine WQP monitoring must occur at entry points to the distribution system as well as at selected taps. The compliance periods for each of these varies significantly; entry point monitoring must always be conducted biweekly, whereas tap monitoring is conducted either semiannually or annually. In order to allow clear identification of WQP noncompliance in FRDS, entry point and tap WQP noncompliance have been defined as separate violations.

An **entry point WQP violation** must be reported for:

- Any system in which the WQP values of **any** sample are below the minimum value or outside the range established by the State in accordance with Section 141.82(g).

To simplify reporting, **any** combination of exceedances during a quarter will be reported as a **single** violation for that quarter. The severity of the violation is not a factor in determining whether it is to be reported, nor is the severity to be reported. Therefore, the State would report a single violation for a system that fails to meet more than one WQP value for more than one biweekly sampling period in a quarter as it would for a system that does not meet the value for a single WQP during a single biweekly sampling period. In addition, unlike lead and copper tap samples that require all samples be collected to determine if an exceedance of an action level has occurred, a violation for failure to meet entry point values can be incurred even if the system has not collected all the required samples. For example, if a system collects entry point samples at three out of four entry points and any of the WQPs fail to meet the State-designated or approved ranges, the system would incur an entry point noncompliance violation as well as an entry point M/R violation for the same compliance period.

During the State Lead and Copper Rule workshops, concern was raised that failure to meet one WQP during any biweekly sampling event was too stringent a definition and did not account for unusual events. A preferred definition was one in which a system would not incur a violation unless it failed to meet the value or range

for a given WQP for a minimum of two biweekly monitoring periods during the quarter. The language in the rule is very specific and states that a violation occurs whenever "any sample is below the minimum value or outside the range designated by the State." Therefore, the violation definition remains as a single noncompliance event constituting a violation. Systems are allowed, under Section 141.87(d), to take a confirmation sample for any WQP within 3 days after the first sample. The results must be averaged with the first sampling result and the average must be used to determine whether the system is in compliance with the State-designated value or range. The State also has discretion to delete results of obvious sampling errors from this calculation.

Systems that collect entry point WQPs at a greater frequency than biweekly should report the average of the samples collected over the two-week period for each WQP.

The State **must** report the following data for each Entry Point WQP Noncompliance violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 59
C1107	Compliance Period Begin Date = the first day of the quarter in which the violation was determined.

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 3 months later than C1107
C1111	Compliance period in months = 3 months

The earliest FRDS reporting dates for this violation are as follows:

System Size	Without Study	With Study
Large	N/A	12/1/98
Medium	6/1/98	12/1/99
Small	12/1/99	12/1/00

EXAMPLES

EXAMPLE 1 —

A system (VA9163644) only collects WQP samples at three out of four entry points. The analyses of the samples indicated that the system did not meet the WQP ranges for pH or alkalinity in two of the three entry point samples.

In this example, the system would incur a violation for WQP Entry Point Noncompliance because it did not meet all WQP values or ranges during all biweekly sampling periods in a quarter. Although the system did not meet two WQPs in two samples, the violations are aggregated into a single violation for the quarter.

Assuming the system incurred the violation during the quarter January 1, 1997 - March 31, 1997, the State would report by May 15, 1997:

C101	VA9163644	PWS-ID
C1101	9700001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	59	Violation Type Code
C1107	01/01/97	Compliance period begin date
C1109	03/31/97	Compliance period end date (Defaulted by FRDS)
C1111	003	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1VA91636449700001	IC110559				
D1VA91636449700001	IC1107010197				

Note: A system may take confirmation samples for any WQP sample within 3 days of taking the original sample. The results will be averaged to determine compliance with State designated or approved WQP values or ranges.

This system also failed to meet all its WQP entry point sampling requirements (i.e., monitored at three and not all four entry points) and therefore would incur a WQP entry point M/R violation for the same quarter. (*Refer to examples for entry point WQP M/R violations on pages 29-32.*)

EXAMPLE 2 —

A large system (CA1111421) collects entry point samples on a daily basis. The State has designated a range of 7.0-8.5 for the pH. During the period of January 1,

- January 14, 1997, the pH readings were as follows:

Day 1	7.8	Day 8	8.2
Day 2	7.4	Day 9	7.9
Day 3	7.2	Day 10	8.6
Day 4	7.0	Day 11	8.3
Day 5	7.5	Day 12	7.8
Day 6	7.3	Day 13	7.5
Day 7	7.7	Day 14	7.6

The system would report the average over the 14-day period or 7.7 in this example. The system is within the designated range set by the State and would not incur a violation for entry point noncompliance unless it failed to meet State-designated values or ranges for the other WQPs.

Tap WQP Noncompliance

Tap sampling to determine compliance with State-designated or approved WQP values or ranges occurs every six months or annually if a system qualifies for reduced monitoring.

The method for determining and reporting tap WQP Noncompliance is the same as that for entry point sampling, with the exception that a single violation will be reported on a semiannual or annual basis. As is true with entry point WQP Noncompliance, tap WQP Noncompliance can occur even if the system does not conduct all the required sampling. In such a case, a system can incur both tap WQP M/R and tap WQP Noncompliance violations. In the event that a WQP fails to meet State-specified ranges or values, the system may collect a confirmation sample within 3 days. The average of the two samples would be used for the compliance determination.

The State **must** report the following data for each Tap WQP Noncompliance violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 60
C1107	Compliance Period Begin Date = the first day of the compliance in which the violation was determined.
C1109	Compliance period end date = 6 or 12 months later than C1107
C1111	Compliance period in months = 6 or 12 months

FRDS will default the following data element:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000

The earliest FRDS reporting dates for this violation are as follows:

System Size	Without Study	With Study
Large	N/A	3/1/99
Medium	9/1/98	3/1/00
Small	3/1/00	3/1/01

EXAMPLES

EXAMPLE 1 —

A system (TX9163633) collects some but not all required WQP tap samples during

the compliance period and does not meet all the required WQP ranges in the samples taken.

The reporting of this violation is similar to that of an entry point WQP noncompliance except the compliance period for tap WQP noncompliance is 6 months (or 12 months if the system is on reduced monitoring).

Assuming the compliance period for this violation is January 1 - June 30, 1997, the State would report by August 15, 1997:

C101	TX9163633	PWS-ID
C1101	9700002	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	60	Violation Type Code
C1107	01/01/97	Compliance period begin date
C1109	06/30/97	Compliance period end date
or		
C1111	006	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1TX91636339700002				IC110560	
D1TX91636339700002				IC1107010197	
D1TX91636339700002				IC1109063097	

In addition, the system would incur a WQP tap M/R violation during the compliance period January 1 - June 30, 1997. (Refer to examples on routine tap WQP M/R violations on pages 33 and 34.)

EXAMPLE 2 —

A system (AZ3363633) on reduced monitoring fails to meet the range of one of the WQP values during the compliance period July 1, 2003 - June 30, 2004.

By August 15, 2004, the State would report:

C101	AZ3363633	PWS-ID
C1101	0400001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	60	Violation Type Code
C1107	07/01/03	Compliance period begin date
C1109	06/30/04	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1AZ33636330400001				IC110560	
D1AZ33636330400001				IC1107070103	
D1AZ33636330400001				IC1109063004	

In addition, because the system did not meet the State-specified or approved WQP range, the system would no longer qualify to sample at a reduced frequency but would be required to collect samples semi-annually. The system would not have to collect the original number of samples unless it exceeded the lead or copper action level.

SOWT Recommendation

Any system exceeding the lead or copper action level must complete source water monitoring and make a treatment recommendation to the State within six months after exceeding the action level in accordance with Sections 141.83(a)(1) and (b)(1), and 141.90(d)(1).

A SOWT recommendation violation must be reported for any system that fails to

submit a SOWT recommendation to the State on-time.

The State **must** report the following data for each SOWT Recommendation violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 61
C1107	Compliance Period Begin Date = the date the exceedance was determined

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 6 months later than C1107
C1111	Compliance period in months = 6 months

The earliest FRDS reporting dates for this violation are as follows:

Large	3/1/93
Medium	9/1/93
Small	9/1/94

EXAMPLES

EXAMPLE 1 —

A system (AZ0063633) exceeds the copper action level during the compliance period January 1 - June 30, 1992. By December 31, 1992, the system completes initial source water monitoring but does not make a SOWT recommendation to the State.

By February 15, 1993, the State would report:

C101	AZ0063633	PWS-ID
C1101	9300001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	61	Violation Type Code
C1107	07/01/92	Compliance period begin date
C1109	12/31/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1AZ00636339300001			IC110561		
D1AZ00636339300001			IC1107070192		

SOWT Installation

If a State requires installation of SOWT, the system must install the treatment within 24 months after the State's determination.

A SOWT installation violation must be reported, within 24 months of the State's determination of the type of SOWT to be installed, if a system fails to:

- Properly install and operate SOWT in accordance with Sections 141.83(b)(3) and (5), AND
- Submit certification to the State of proper SOWT installation and operation, in accordance with Section 141.90(d)(2).

Any system that has a 90th percentile lead level of 30 ppb or greater in its **most recent** tap samples will become a SNC

if it incurs a SOWT installation violation. SNCs are discussed in more detail in the last section of this document.

The State **must** report the following data for each SOWT Installation violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 62
C1107	Compliance Period Begin Date = the date of the State's determination

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 24 months later than C1107
C1111	Compliance period in months = 24 months

The earliest FRDS reporting dates for this violation are as follows:

Large	9/1/95
Medium	3/1/96
Small	3/1/97

EXAMPLES

EXAMPLE 1 —

A system (KS0003456) is required to install SOWT by December 31, 1995. The system does not install the treatment. In addition, its most recent 90th percentile value for lead was 18 ppb.

The system is in violation for failure to install the treatment. By February 15, 1996, the State would report:

C101	KS0003456	PWS-ID
C1101	9600001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	62	Violation Type Code
C1107	01/01/94	Compliance period begin date
C1109	12/31/95	Compliance period end date (Defaulted by FRDS)
C1111	024	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1KS00034569600001			IC110562		
D1KS00034569600001			IC1107010194		

Because its most recent lead 90th percentile value is <30 ppb, the system would not become a SNC for this violation. If the system continues to incur this violation and has collected more recent lead tap samples that result in a 90th percentile level of ≥ 30 ppb, the system would become a SNC.

NOTE: The installation of SOWT is a milestone reporting requirement. The State must report the date it received proof of the installation of SOWT, regardless of how untimely the system installs the treatment. (*Refer to pages 9 and 10 for examples on how to report this milestone.*)

Additional examples for this violation are presented at the end of the discussion of SOWT Installation SNCs on pages 67 and 68.

MPLs Noncompliance

After SOWT is installed, the State will evaluate data representing source water quality before and after treatment is installed. Based on these data, the State will designate or approve maximum permissible levels (MPLs) for lead and copper for finished water entering the distribution system.

MPL Noncompliance must be reported for a system that fails to meet either State-designated or approved MPL in accordance with Section 141.83(b)(5).

A system can incur separate violations for exceeding the lead MPL and copper MPL. However, to simplify reporting, if a system exceeds the MPL for only lead or copper in more than one source water sample, the State would report a **single** violation for that period. Therefore, if the lead MPL is exceeded in one or more source water samples, the State would report **one** lead MPL violation. On the other hand, if the system exceeds the MPL for copper, as well as for lead, the State would report **two** violations.

Compliance with MPLs is based on the samples collected. Therefore, if a system fails to collect source water samples at all entry points to the distribution system and exceeds one or both MPLs in the samples collected, the system would incur a source water M/R violation as well as a MPL violation for each contaminant that was in exceedance of the MPL.

A system could potentially incur three source water violations in the same compliance period:

- (1) Lead MPL violation,
- (2) Copper MPL violation, and
- (3) Source water M/R violation.

The State **must** report the following data for each MPLs Noncompliance violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1103	Contaminant code • Lead - 1030 • Copper - 1022
C1105	Violation Type Code = 63
C1107	Compliance Period Begin Date = the first date of the 1, 3, 9-year monitoring period
C1109	Compliance period end date = 1, 3, or 9 years later than C1107
or	
C1111	Compliance period in months = 12, 36, or 108 months

MPL Noncompliance may be reported to FRDS as early as:

System Size	Surface Water	Groundwater
Large	3/1/98	3/1/99
Medium	9/1/98	3/1/99
Small	9/1/99	3/1/99

EXAMPLES

EXAMPLE 1 —

A system (NV0163600) collects source water samples at all entry points to the distribution system. In one source water sample, it fails to meet the MPL for lead and in two source water samples it does not meet the MPL for copper.

Separate violations are reported for each contaminant but violations of the same contaminant are aggregated into a single violation. In this example, a lead MPL

violation would be reported as well as a separate copper MPL violation. However, only **one** violation would be reported for copper although the system did not meet the MPL for this contaminant in two samples.

Assuming the compliance period for this violation was January 1 - December 31, 1997, the State would report by February 15, 1998:

For noncompliance with the lead MPL:

C101	NV0163600	PWS-ID
C1101	9800001	Violation ID
C1103	1030	Contaminant Code for lead
C1105	63	Violation Type Code
C1107	01/01/97	Compliance period begin date
C1109	12/31/97	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1NV01636009800001				IC11031030	
D1NV01636009800001				IC110563	
D1NV01636009800001				IC1107010197	
D1NV01636009800001				IC1111012	

For noncompliance with the copper MPL:

C101	NV0163600	PWS-ID
C1101	9800002	Violation ID
C1103	1022	Contaminant Code for copper
C1105	63	Violation Type Code
C1107	01/01/97	Compliance period begin date
C1109	12/31/97	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1NV01636009800002				IC11031022	
D1NV01636009800002				IC110563	
D1NV01636009800002				IC1107010197	
D1NV01636009800002				IC1111012	

Note: Once a system is on reduced monitoring for source water, it does not go off reduced monitoring regardless of whether it incurs an M/R or MPL noncompliance violation.

EXAMPLE 2 —

A system on annual monitoring does not collect all the required samples during January 1 - December 31, 1997. In those samples it does collect, it exceeds the copper MPL.

A MPL violation can be incurred if the system exceeds either MPL in any sample collected. Therefore, the State would report a MPL violation for copper, as shown in Example 1, even though the system failed to collect all the required samples. In addition, the system would incur a source water M/R violation for the January 1 - December 31, 1997 timeframe. (Refer to examples for Source Water M/R violations on pages 35-37.)

Lead Service Line Replacement (LSLR)

Systems that fail to meet the lead action level after installing OCCT and/or SOWT must replace lead service lines (LSLs) at the rate of 7% annually. In addition, systems must replace LSLs at an accelerated rate (i.e., > 7% per year) where the State finds this feasible. A system may count any LSL, with lead concentrations of <0.015 mg/l in all samples, as being replaced.

Under Section 141.90(e)(1), the PWS must provide the following information to the State within 12 months after the

exceedance of the lead action level for the first year of LSL replacement only:

- Certification of a materials evaluation to identify LSLs
- A LSLR schedule for replacing annually at least 7% of the initial number of LSLs

In addition, in accordance with Section 141.90(e)(2), the system must report in writing to the State within 12 months after the exceedance of the lead action level and annually thereafter that:

- 7% of the LSLs have been replaced (or greater if required by the State), and/or
- sampling demonstrates a lead concentration < 0.015 mg/l exists in all LSL samples for an individual line not replaced.

Further, the system must submit an annual letter to the State, in accordance with Section 141.90(e)(3) that contains the following:

- The number of LSLs that were scheduled to be replaced for the year,
- The location of each LSL that was replaced that year, and
- If measured, water lead concentration and the location of each LSL sampled, sampling method, and the sampling date.

Lastly, if a system wishes to refute partial or full ownership of a LSL, it must submit a letter identifying that the system has limited control over LSLs to be replaced, within three months of the exceedance (Sections 141.84(e) and 141.90(e)(4)).

A LSLR violation must be reported for each system that **fails** to complete the following activities, for each compliance period in which the violation occurs:

- Replace the required number of LSLs by the annual deadline, in accordance with Sections 141.84(a) and (b), and/or

- Demonstrate the LSL(s) lead concentration is <0.015 mg/l in all lead samples, in accordance with Section 141.84(c), and
- Report the required LSL information on-time, in accordance with Section 141.90(e).

The State **must** report the following data for each LSLR violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 64
C1107	Compliance Period Begin Date = first day after Pb action level is exceeded in samples taken after OCCT and/or SOWT has been installed (whichever is later)

FRDS will default the following data elements:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000
C1109	Compliance period end date = 1 year later than C1107
C1111	Compliance period in months = 12 months

The FRDS reporting dates for this violation are as follows:

System Size	Without Study	With Study
Large	N/A	9/1/98
Medium	3/1/98	9/1/99
Small	9/1/99	9/1/00

EXAMPLES

EXAMPLE 1 —

A system (CA0223600) exceeds the lead action level on June 30, 1997 after installing OCCT. The system is now required to begin LSLR, starting June 30, 1997. By June 30, 1998, the system has not submitted any of the required LSLR information to the State. On July 1, 1998, the State contacts the system to determine the LSLR status and finds out that the system only has replaced 5% of its LSLs.

The system is in violation because it failed to replace or show that LSLs contributed <15 ppb in at least 7% of its LSLs and because it did not submit any of the required information to the State.

Note: A system that must begin LSLR is a milestone reporting requirement. *(Refer to pages 12 and 13 for examples on how to report this milestone.)*

The State would report a **single** LSLR violation by August 15, 1998:

C101	CA0223600	PWS-ID
C1101	9800001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	64	Violation Type Code
C1107	06/30/97	Compliance period begin date
C1109	06/30/98	Compliance period end date (Defaulted by FRDS)
C1111	012	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1CA02236009800001			IC110564		
D1CA02236009800001			IC1107063097		

EXAMPLE 2 —

A system claims to have replaced 7% of its LSLs but has only replaced limited portions of the lines. The system never submitted a letter to the State, refuting control of the entire line.

In this example, the system is in violation because it has failed to replace 7% of its LSLs. The system is required to replace the entire LSL, unless it submits proof of its limited control of a LSL to the State within three months of exceeding the lead action level and the State is in agreement that the system has limited control.

EXAMPLE 3 —

A system replaces 7% of its LSLs, however, the State had required the system to replace 10% of its lines.

Similar to noncompliance with State-designated or approved WQP ranges or MPLs, noncompliance with the LSLR schedule set by the State is a Federal violation and must be reported to FRDS.

EXAMPLE 4 —

A system does not replace any LSLs during July 1, 1998 - June 30, 1999. During that same time period, the system does not exceed the lead action level for the second consecutive six-month compliance period.

A system may discontinue replacing LSLs whenever it no longer exceeds the lead action level for two consecutive monitoring periods. In this example, the system would not be in violation of the LSLR requirements. A system should be

aware that by not replacing any lines prior to knowing the 90th percentile values for lead, it is taking a chance that it will be able to replace enough LSLs in time to prevent incurring a LSLR violation.

EXAMPLE 5 —

A system replaces 5% of its lines and reports to the State the results of LSL monitoring indicating that 2% of its lines contribute <15 ppb lead.

The PWSs may count LSLs that contribute <15 ppb toward its annual replacement rate. In this example, this system would be considered to have met its annual 7 percent requirement and is in compliance.

EXAMPLE 6 —

A system is required to replace 7% of its LSLs. The first year it replaces 15% of its lines and the second year it replaces none.

A system may find it easier to replace all the LSLs in a given area and may result in the systems replacing > 7% of its lines. The State should inform the system up-front that it can replace >7% of its LSLs but it will be the responsibility of the system and not the State to keep track of the extra lines replaced, and that the State expects the system to report that at least 7% of the LSLs have been replaced each year.

Public Education Requirements

A system that exceeds the lead action level must conduct a public education program and must demonstrate to the State it has properly delivered the public education materials. Public education program elements differ for CWSs and NTNCWSs.

A public education requirements violation must be reported for a system that **fails** to meet **any** of the requirements as follows:

- At a minimum, include the mandatory language in all written materials, as specified in Section 141.85(a), or
- Include the mandatory information in all public service announcements, in accordance with Section 141.85(b), or
- Deliver all public education materials:
 - in all appropriate languages,
 - at the required frequencies,
 - as defined by Section 141.85(c),or
- Provide a letter to the State by the end of the calendar year that demonstrates that the system properly delivered the public education materials, as specified in the reporting requirement, under Section 141.90(f).

A system must complete initial public education requirements within 60 days of exceeding the lead action level. In addition to the 60-day requirement, a CWS has semiannual and annual requirements; a NTNCWS has annual requirements. CWSs and NTNCWSs must continue to deliver public education for as long as the system exceeds the lead action level. A CWS could conceivably be in violation for the 60-day, semiannual, and annual requirements. However, typically a State will not learn about a public education violation until the end of each calendar year when a system is required to submit a letter which demonstrates that the system properly delivered the public education materials.

The State would determine from the system's annual letter (or lack of one) whether the system met its public

education requirements. If the system failed to meet any portion of its 60-day, semiannual (if applicable) or annual requirements, the State would report a **single** public education violation for that calendar year (i.e., by February 15 of the next year). The State should **not** report separate 60-day, semiannual, and annual violations.

The State is not required to report a public education violation for any system that has achieved compliance by the end of the calendar year. EPA is more concerned with those public education violations that have not been resolved and believes that requiring the State to report both a violation and compliance achieved in the same quarter is an unnecessary reporting burden.

Note: EPA is drafting an amendment to the rule, proposing that when a water system delivers its public education materials, it notify the State immediately by sending copies of the materials to the State. This change in system reporting requirements, if adopted, will facilitate a State's knowing whether a system has fulfilled all its public education requirements.

EPA encourages States to determine, prior to the end of the calendar year, whether systems with 90th percentile lead level of 30 ppb or above are properly conducting public education. Systems with 90th percentile lead levels of ≥ 30 ppb will become SNCs if they have not delivered all the required program elements and submitted the annual letter to the State by December 31. If the State identifies the violation early enough, it can inform the system of the steps needed to achieve compliance before the end of the calendar year to avoid becoming a SNC.

A system is considered to have achieved compliance, if by the end of the calendar year, it delivers **one round** of public education as follows:

- For CWSs, informing the following, using the mandatory language, in all appropriate languages:
 - consumers via notices
 - facilities/organizations in contact with sensitive populations via pamphlets and brochures
 - consumers via major newspapers, television, and radio, or
- For NTNCWSs, informing consumers, using the mandatory language through:
 - posting
 - distribution of brochures, and
- For both CWSs and NTNCWSs, submitting a letter that identifies the measures taken to meet their public education obligations.

A more detailed discussion of SNCs is contained in the last section of the document.

The State **must** report the following data for each Public Education violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1105	Violation Type Code = 65
C1107	Compliance Period Begin Date = the first day after the compliance period in which the lead action level was exceeded
C1109	Compliance period end date = the last day of the calendar year (12/31/XX)
or	
C1111	Compliance period in months = 6 or 12 months

FRDS will default the following data element:

FRDS Data Element	
Number	Description
C1103	Contaminant code for lead and copper violation = 5000

If a system exceeds the lead action level during the first initial monitoring period and the State does not learn of the violation until the end of the calendar year, the FRDS reporting dates for this violation would be as follows:

Large	3/1/94
Medium	3/1/94
Small	3/1/95

EXAMPLES

EXAMPLE 1 —

A community water system (MN0212600) collects tap samples during the compliance period ending December 31, 1992. The results of the samples indicate a 90th percentile lead level of 20 ppb. The system is required to complete its initial public education requirements by March 1, 1993 (i.e., within 60 days) and to submit an annual letter by December 31, 1993 that demonstrates measures taken to comply with the public education requirements. The system submits a letter to the State by December 31, 1993, but the letter indicates that the system only has delivered public education to its customers and has not submitted the public education information to major newspapers, facilities and organizations, and to radio and television stations that serve the community.

The CWS is in violation of the public education requirements for failure to deliver the public education requirements in accordance with Section 141.85 (c).

By February 15, 1994, the State would report:

C101	MN0212600	PWS-ID
C1101	94G0001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	65	Violation Type Code
C1107	01/01/93	Compliance period begin date
C1109	12/31/93	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1MN021260094G0001				IC110565	
D1MN021260094G0001				IC1107010193	
D1MN021260094G0001				IC1109123193	

Because the 90th percentile level is <30 ppb, the system will not become a SNC for incurring this violation. To achieve compliance for this violation, the system must deliver public education to all the appropriate entities and submit a letter that demonstrates that fact.

EXAMPLE 2 —

A system exceeds the copper action level during the compliance period ending December 31, 1992 and does not conduct any public education.

The system is not in violation of the public education requirements because these requirements **only** are triggered by an exceedance of the lead action level, not of the copper action level.

EXAMPLE 3 —

A system exceeds the lead action level during the compliance period January 1 — June 30, 1993. During the second compliance period, July 1, 1993 — December 31, 1993, it no longer exceeds the lead action level. The system does not conduct any public education during the entire calendar year.

Although a system may cease delivering public education materials whenever it meets the lead action level, the system is in violation for failure to deliver its public education requirements for the first period. To correct the violation, the system must still conduct one round of public education, in accordance with Sections 141.85(a)-(c) and submit a letter to the State that outlines what the system has done to meet its public education requirements. The system will not be required to conduct additional public education, unless its 90th percentile Pb level exceeds the action level.

EXAMPLE 4 —

A small system conducts all the required public education requirements with the exception that it only has one radio and television station that serve the community and therefore does not submit a public service announcement to five radio and television stations as required by the rule.

The State can use its discretion in determining whether smaller systems have met their public education requirements. For systems serving small communities, these systems may not have five radio or television stations that serve the community. If the system has submitted the required public service message to all those stations serving the community, the system should not receive a violation. Similarly, a system may not have all the

facilities or organizations listed in Section 141.86(c)(2)(iii). If in the State's opinion the system has sent brochures and pamphlets to all those organizations that serve high risk populations in the community, the system would not be in violation. (*Refer to EPA guidance on public education for suggestions on delivery.*)

Public Notification Requirements

A PWS that incurs any lead and copper rule violation must meet the public notification requirements contained in Section 141.32.

A public notification violation must be issued to a PWS that fails to meet the requirements of Section 141.32.

The State **must** report the following data for each violation:

FRDS Data Element	
Number	Description
C101	PWS-ID
C1101	Violation ID
C1103	Contamination code for lead and copper violation = 5000 (will not be defaulted by FRDS)
C1105	Violation Type Code = 06
C1107	Compliance Period Begin date
C1109	Compliance Period End date
or	
C1111	Compliance period in months

Consecutive Systems

A consecutive system is one which purchases water from another public water system. The nature of consecutive systems varies greatly and can involve a single consecutive system that delivers the water without further treatment or a more

complex arrangement involving several systems, some of which may further treat the water before delivering it to their customers.

Several States and public water systems have proposed consolidation of lead and copper tap sampling, and water quality parameter sampling, in consecutive water systems. EPA's position on the consolidation of sampling requirements under the Lead and Copper Rule was stated in a January 10, 1992 memorandum, entitled Consecutive Systems Regulated under the National Primary Drinking Water Regulations for Lead and Copper. Highlights and excerpts from this memorandum are presented below.

After a review of many proposals that were submitted by several States and water systems, EPA believes it is reasonable to reduce monitoring in consecutive systems if the systems can demonstrate they are interconnected in a manner that justifies treating them as a single system, in accordance with Section 141.29.

Prior to allowing consecutive systems to consolidate their sampling, the State must submit to its EPA Regional office, a written explanation of how the monitoring, treatment, and reporting requirements will be administered and enforced in consecutive systems that consolidate their operations for lead and copper. These proposals should clearly identify which systems will be held accountable for violations of any of the rule's requirements. Should enforcement actions ever become necessary, it is vital that the party responsible for monitoring, or, if needed, subsequent treatment (including public education and lead service line replacement) be clearly identified and accept responsibility for any rule violations.

The key elements that should be contained in the proposal are:

1. Rationale for reduced monitoring
2. Explanations of the responsibilities among systems involved including which water system(s) is (are) responsible for:
 - collecting and reporting to the State the results of the lead and copper tap monitoring and all WQPs monitoring;
 - completing corrosion control requirements under Sections 141.81 and 141.82; and
 - lead service line replacement

Note: EPA expects that the parent supply will take responsibility for corrosion control throughout the entire area served. Depending on contractual agreements, the size and configuration of the satellite system(s), and the distance from the parent treatment facility, individual corrosion control treatment may need to be installed at a point or points other than the parent plant.

3. How the following provisions will be modified:
 - determination of 90th percentile lead and copper concentrations in the consolidated system
 - WQP monitoring to determine baseline values and insure that OCCT is properly installed and maintained
4. If applicable, how the responsibility for public education, source water monitoring, and SOWT will differ from the responsibilities as assigned in the preamble.

Note: In the preamble to the final rule, EPA has stated that responsibility

for public education delivery resides with the retailer (i.e., the consecutive or "satellite" system) and responsibility for source water monitoring and treatment resides with the wholesaler (or "parent" system).

Once the State has approved this proposal, it should use this document to identify the system(s) for which it should report a particular milestone or violation.

SIGNIFICANT NONCOMPLIERS

The development of a SNC definition under this rule was quite challenging due to the many unique aspects of the rule which include:

- A treatment technique in lieu of an MCL (only the Surface Water Treatment Rule is similar in this respect)
- The requirements of the rule are dependent on the 90th percentile lead and copper levels in tap water and, in part, on a system's size
- Many deadlines for actions taken by the system are based on the date a State makes a determination
- Several requirements are one-time occurrences
- Several requirements will not be in effect for several years.

A SNC definition was finalized after EPA received input from States and its EPA Regional offices via workshops, national meetings, and a telephone conference. The premise for the SNC definition is the same as all the SNC definition for all other rules; the designation of SNC is reserved for those systems that are considered to pose the most serious threats to public health. EPA and States agreed that four

of the violations (1 M/R and 3 treatment technique violations) could be incurred within the next few years and would present the most significant threat. These four violations are:

- Lead and Copper Initial Tap M/R
- OCCT Installation/Demonstration
- SOWT Installation
- Public Education

In addition, EPA discussed the development of SNC definitions for WQP Noncompliance, MPL Noncompliance, and LSLR violations. Because none of these violations will occur for several years, EPA decided to defer developing a SNC

definition for these violations for another two to three years until it has more experience with the implementation of the Lead and Copper Rule.

The remainder of this section provides the rationale behind the selection of the four violations for the current lead and copper SNC definition, a detailed SNC definition for each of these violations, and definitions for achieving compliance for each violation. In addition, Exhibit 6 summarizes the SNC definition under the Lead and Copper Rule. Further, examples of how a system would become a SNC for each of these violations are presented at the end of this document.

Exhibit 7

SNC Definition Under the Lead and Copper Rule

SNC Type	Systems Affected	Definition
<u>Monitoring/Reporting</u>		
Initial Pb/Cu Tap M/R	All System Sizes	System that does not correct a violation within: <ul style="list-style-type: none"> • 3 months for large systems • 6 months for medium systems • 12 months for small systems
<u>Treatment Technique</u>		
OCCT Installation	Only systems with 90th percentile Pb levels of ≥ 30 ppb	System with this violation & 90th percentile Pb level of ≥ 30 ppb in most recent monitoring period
SOWT Installation	Only systems with 90th percentile Pb levels of ≥ 30 ppb	System with this violation & 90th percentile Pb level of ≥ 30 ppb in most recent monitoring period
Public Education	Only systems with 90th percentile Pb levels of ≥ 30 ppb	System with this violation & 90th percentile Pb level of ≥ 30 ppb in most recent monitoring period

Monitoring and Reporting SNC

Lead and Copper Initial Tap M/R SNC

A violation of the requirements for initial lead and copper tap sampling was determined to be a significant violation because the results from this sampling event serve as the cornerstone to the rule. For medium and small systems, OCCT requirements only are triggered by an exceedance of the lead or copper action level. Although OCCT requirements apply to large systems regardless of their 90th percentile lead and copper values, failure to collect lead and copper tap water samples prevents a PWS from meeting the first milestone in the OCCT schedule and will inevitably make more difficult the task of completing each successive milestone on time. EPA believes this increases the likelihood that a PWS will incur a series of OCCT-related violations for that system. Finally, initial monitoring results are critical for all systems because they determine whether a system is required to conduct source water sampling and public education.

The SNC definition for an initial lead and copper M/R violation is dependent on the length of time a PWS remains "out of compliance". EPA wants to focus attention on those systems that present the most significant health threats and not to make all systems that do not complete initial monitoring on time to immediately become a SNC. This approach is taken to separate those systems needing additional time to complete monitoring from those that have serious problems in their monitoring program.

EPA also considered other SNC definitions for this violation including a

definition where a system would become a SNC if it failed to meet the requirements for two consecutive periods. The problem with this definition is that it would exclude some medium and small systems because these smaller systems are not required to complete a second round of sampling if they exceed the lead or copper action level in the first six-month monitoring period. EPA also considered the use of a major or minor distinction but rejected this based on Regional feedback that this method would be too cumbersome to determine and track.

An initial lead and copper M/R SNC is defined as failure to correct a violation within:

- *3 months for large systems*
- *6 months for medium systems*
- *12 months for small systems.*

A tighter schedule is established for large systems for several reasons. First, large systems have established deadlines for each step of OCCT. If the system does not complete both rounds of initial monitoring shortly after January 1, 1993, it may be unable to meet the OCCT study deadline of July 1, 1994 and, in addition, fail to meet the deadlines of the subsequent OCCT requirements. Second, large systems are the first group of systems required to conduct initial monitoring. Through this staggered implementation of the rule, EPA hopes that medium and small systems can build on the knowledge gained by large systems and, ultimately that smaller systems may have to expend fewer resources to implement the rule. Therefore, larger systems' meeting their OCCT deadlines are of importance not only to those systems but to medium and small systems as well.

A system will incur a violation but will not become a SNC if it returns to compliance within the 3-, 6- or 12-month time

frame. A system is considered to have returned to compliance (RTC) for an Initial Lead and Copper Tap M/R violation if:

- The required number of samples have been properly collected and analyzed in accordance with Sections 141.86(a)-(c) and 141.89

AND

- All required monitoring information has been reported in accordance with Section 141.90(a) as follows:
 - Lead and copper results including the location of each site and the criteria for its selection
 - Certification of proper sample collection
 - 90% lead and copper levels, **and if applicable**,
 - certification regarding customer-collected samples
 - justification of non-Tier 1 sampling sites (**Note:** This information is submitted prior to the start of initial monitoring, but a violation for failure to submit this information would not be

incurred until the end of the six-month compliance period.)

- justification of sampling < 50% of lead service line sites (**Note:** this information is submitted prior to the start of initial monitoring, but a violation for failure to submit this information would not be incurred until the end of the six-month compliance period.)
- identification of sites not previously sampled and reason for change.

If a system meets the above criteria for having RTC, the States or EPA must indicate **Compliance Achieved** in the follow-up action record and successfully link this action to the violation. FRDS will compute SNCs based on the date posted for the violation and for **Compliance Achieved** in the follow-up action record (i.e., C1200).

The following dates must appear in the **Compliance Achieved** record **AND** be linked to the violation or FRDS will identify the system as a SNC:

System Size	FRDS Violation Reporting Dates		Time Provided to RTC Before Becoming a SNC	Compliance Achieved Date Needed to Avoid Becoming a SNC	
	1st Sampling Period	2nd Sampling Period		1st Sampling Period	2nd Sampling Period
Large	9/1/92	3/1/93	3 months	No later than 9/30/92	No later than 3/31/93
Medium	3/1/93	9/1/93*	6 months	No later than 9/30/93	No later than 3/31/94
Small	3/1/94	9/1/94*	12 months	No later than 3/31/95	No later than 9/30/95

* Optional. If the system is triggered into OCCT requirements during the first sampling period, a second round of monitoring is not required.

At the State implementation workshops, EPA Headquarters presented the concept of reporting in real-time for large systems for this violation only. (*Note: For all other FRDS reporting, a one-quarter (i.e., 3 months) lag exists between the time the event is generally known to the State and the time the State reports it to FRDS. For large systems, the posting of the RTC follow-up action record must occur in the same quarter in which the system has achieved compliance. This is referred to as real-time reporting.*)

EPA believes that real-time reporting is important for large systems in order to quickly identify which systems are having difficulty implementing the rule. Further, EPA believes this reporting burden to be minimal because of the relatively low number of large systems serving greater than 50,000 people and the even lower number of large systems that are expected to be in violation of the initial lead and copper tap M/R requirements. Real-time reporting requires States and/or Regions to determine at the end of a quarter, which of these systems have returned to compliance. Therefore, a **Compliance Achieved** record **must** be reported to FRDS **before** that quarter's SNCs are determined or the system will be identified as a SNC.

EXAMPLES

EXAMPLE 1 —

A large system (TX1230567) does not complete the first round of initial

monitoring by June 30, 1992 but instead completes the monitoring and submits all required reporting information to the State on August 29, 1992 (i.e., within 3 months of incurring the violation).

By August 15, the State will report an Initial Lead and Copper Tap M/R violation as follows:

C101	TX1230567	PWS-ID
C1101	9200001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	51	Violation Type Code
C1107	01/01/92	Compliance period begin date
C1109	06/30/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1TX12305679200001				IC110551	
D1TX12305679200001				IC1107010192	

In addition, because this violation may lead to a system's becoming a SNC, the State must report that the system has achieved compliance to prevent the system from becoming a SNC. Further, in this example the State is required to report this follow-up action (i.e., compliance achieved) in real time. As mentioned previously, real-time reporting is required only for large systems incurring an initial Lead and Copper Tap M/R violation.

Therefore, by September 30, 1992, the State or Region must indicate in FRDS, that the system has achieved compliance and link it to the violation as follows:

C101	TX1230567	PWS-ID
C1201	9200001	Enforcement ID
C1203	08/29/92	Date system achieved compliance
C1205	SOX	Follow-up enforcement action code, SOX = Compliance Achieved
C1215		Comment Field, optional reporting
Y5000	9200001	Y5000 serves as a mechanism for linking the follow-up action to the violation

The DTF transactions for this record are:

1	3	12	19	27	32
E1TX12305679200001				IC1203082992	
E1TX12305679200001				IC1205SOX	
E1TX12305679200001				IX50009200001	

There are several alternative methods to link the follow-up action to the violation, only one of which can be used at a time. The Y5000 (Associated Violation IDs) is displayed in the example. If the primacy agency does not supply its own record IDs (i.e., uses group generation codes) for the violation ID, one of the following alternatives must be used:

The first alternative would be the Z5000 method (Associated Violation Contaminant Groups). The Z5000 transaction would be

1	3	12	19	27	32
E1TX12305679200001				IC1203082992	
E1TX12305679200001				IC1205SOX	
E1TX12305679200001				IZ5000515000010192	

providing the substantive violation information of violation type 51, and compliance period begin date of 01/01/92. FRDS would then link the enforcement to this specific violation.

The second alternative would be the X5000 (Associated Violation Range). The X5000 transaction would be:

1	3	12	19	27	32
E1TX12305679200001				IC1203082992	
E1TX12305679200001				IC1205SOX	
E1TX12305679200001				IX500010192010292	

providing the date range 01/01/92 to 01/02/92. However, any other violation for this PWS which has a compliance period begin or end date within the dates provided (01/01/92 - 01/02/92 in this confusing example) would be linked to this enforcement. Therefore, care must be used with this option. For more detailed information on these enforcement-violation linking methods, please consult the FRDS Data Entry Instructions.

EXAMPLE 2 —

A medium system (OK0230567) does not complete its initial monitoring by December 31, 1992. Instead it completes monitoring and submits all required information by April 15, 1993 (i.e., within 6 months).

The State would report an initial lead and copper tap M/R violation by February 15, 1993 as follows:

C101	OK0230567	PWS-ID
C1101	93G0001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	51	Violation Type Code
C1107	07/01/92	Compliance period begin date
C1109	12/31/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this record are:

1	3	12	19	27	32
D1OK023056793G0001	IC110551				
D1OK023056793G0001	IC1107070192				

In addition, because this system achieved compliance within six months of incurring the violation, the State would report compliance achieved for this system to prevent the system from becoming a SNC. Real time reporting is not required for medium and small systems.

Therefore, by August 15, 1993, the State would report:

C101	OK0230567	PWS-ID
C1201	93G0001	Enforcement ID
C1203	04/15/93	Date system achieved compliance
C1205	SOX	Follow-up enforcement action code, SOX = Compliance Achieved
C1215		Comment Field, optional reporting
Z5000	515000070192	Follow-up action to violation link

The DTF transactions for this record are:

1	3	12	19	27	32
E1OK023056793G0001	IC1203041593				
E1OK023056793G0001	IC1205SOX				
E1OK023056793G0001	IZ5000515000070192				

EXAMPLE 3 —

A large system (PR2230567) does not complete its first six-month period of initial monitoring by June 30, 1992 but completes the monitoring and reports all required information by November 19, 1992.

As was the case in Example 1, the State would report a violation for the system by August 15, 1992. However, the system did not return to compliance within 3 months

and therefore would meet the definition of SNC for this violation. On October 1, 1992, FRDS would determine that the system was a SNC. Because reporting of follow-up actions are required Federal reporting, the State still would report that the system had achieved compliance although it would be reported too late to prevent the system from becoming a SNC.

By August 15, 1992, the State would report a violation as follows:

C101	PR2230567	PWS-ID
C1101	92G0001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	51	Violation Type Code
C1107	01/01/92	Compliance period begin date
C1109	06/30/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for reporting this violation are as follows:

1	3	12	19	27	32
D1PR223056792G0001	IC110551				
D1PR223056792G0001	IC1107010192				

By February 15, 1993, the State would report compliance achieved and link it to the violation as follows:

C101	PR2230567	PWS-ID
C1201	9300001	Enforcement ID
C1203	11/19/92	Date system achieved compliance
C1205	SOX	Follow-up enforcement code, SOX = compliance achieved
C1215		Comment Field, optional reporting
Z5000	515000010192	Follow-up action to violation link

The DTF transactions for reporting a follow-up action or compliance achieved in this example are as follows:

1	3	12	19	27	32
E1PR223056793G0001			IC1203111992		
E1PR223056793G0001			IC120590X		
E1PR223056793G0001			IZ5000515000010192		

EXAMPLE 4 —

A large system (NJ1234567) does not collect any samples during the January 1 - June 30, 1992 timeframe. Instead, the system conducts monitoring during the July 1 - December 31, 1992 timeframe and submits all required monitoring information to the State by December 24, 1992.

Large systems are required to conduct monitoring for two six-month compliance periods. This example can be viewed two ways.

- The system has satisfied the requirements for the second round of sampling and therefore is in violation for the first six-month monitoring period.
- The system has completed the first round of sampling, albeit late and must complete a second round of sampling.

EPA's interpretation is that **b.** should be used because the system is less likely to become an exception. Under the first scenario, where the system has satisfied the requirements for the second round of sampling but not the first, the system would become a SNC on October 1, 1992. If the system did not correct a violation or a timely and appropriate action had not been taken by March 31, 1993, the system would become an exception on April 1, 1993.

Under the second scenario, the system would still become a SNC on October 1, 1992 but would achieve compliance on December 24, 1992, thereby preventing the system from becoming an exception on April 1, 1993. However, the system would incur a second violation on December 31, 1992 for failure to complete the second round of sampling. If the system does not complete the required monitoring by March 31, 1993, the system would again become a SNC on April 1, 1993. If the system did not achieve compliance or the State or EPA had not taken a timely and appropriate enforcement action against the system, it would become an exception on October 1, 1993. The reporting for this example would be as follows:

By August 15, 1992, the State would report a violation for the first six-month compliance period as follows:

C101	NJ1234567	PWS-ID
C1101	9212345	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	51	Violation Type Code
C1107	01/01/92	Compliance period begin date
C1109	06/30/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1NJ12345679212345			IC110551		
D1NJ12345679212345			IC1107010192		

By February 15, 1993, the State would report that the system had returned to compliance as follows:

C101	NJ1234567	PWS-ID
C1201	9300001	Enforcement ID
C1203	12/24/92	Date system achieved compliance
C1205	SOX	Compliance Achieved code
C1215		Comment Field, optional reporting
Y5000	9212345	Follow-up action to violation link

The DTF transactions for this enforcement action are:

1	3	12	19	27	32
E1NJ12345679300001				IC1203122492	
E1NJ12345679300001				IC1205SOX	
E1NJ12345679300001				IC1215	
(Applies to first round of monitoring)					
E1NJ12345679300001				IY50009212345	

In addition, by February 15, 1993, the State would report a violation for failure to complete the second round of sampling by December 31, 1992 as follows:

C101	NJ1234567	PWS-ID
C1101	9300045	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	51	Violation Type Code
C1107	07/01/92	Compliance period begin date
C1109	12/31/92	Compliance period end date (Defaulted by FRDS)
C1111	006	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this second violation are:

1	3	12	19	27	32
D1NJ12345679300045				IC110551	
D1NJ12345679300045				IC1107070192	

Treatment Technique SNCs

Three treatment technique violations were identified as having potential significant health impact. These violations are:

- OCCT Installation/Demonstration
- SOWT Installation
- Public Education

OCCT Installation/Demonstration was selected because OCCT is the major mechanism for reducing exposure to lead and copper in drinking water by minimizing the amount of lead and copper that leaches from pipes in the distribution system and from consumers' plumbing.

Although few systems are expected to need SOWT, this treatment is important in reducing the concentration of lead in drinking water where high lead and copper concentrations exist in source water.

Public education also was considered to be of great significance because it informs the consumers of the health effects of lead and the simple measures that they can take to reduce their exposure while water systems are completing treatment requirements.

The SNC definition proposed at the workshops for these violations was similar to that originally proposed for the initial lead and copper Tap M/R violation, in that the system would have 3 or 6 months to return to compliance, depending on the system size. In further considering this definition, EPA determined that too much time might elapse before enforcement attention might be drawn to a system. This is especially true for public education violations because, as the rule is currently written, a system is only required to report to the State at the end of the calendar year on measures taken to meet its public education requirements. Therefore, the

State may not be aware of the violation until the end of each calendar year.

EPA instead has modified the SNC definition for these three treatment technique violations in two ways:

1. To focus attention only on those systems with 90th percentile lead levels of ≥ 30 ppb in their most recent tap samples.
2. To no longer provide a period of time before the system becomes a SNC but instead to make the system a SNC in the same quarter that it incurs the violation as shown in the chart below.

The dates presented in this chart assume the system exceeds the lead action level during the first six-month compliance period for initial monitoring and that prior to installing OCCT, the system conduct an OCCT study.

SNC Type	Date Violation is Due in FRDS	Date System Becomes a SNC in FRDS
<u>OCCT Installation</u>		
Large	3/1/97	4/1/97
Medium	3/1/98	4/1/98
Small	3/1/99	4/1/99
<u>SOWT Installation</u>		
Large	9/1/95	10/1/95
Medium	3/1/96	10/1/96
Small	3/1/97	10/1/97
<u>Public Education</u>		
Large	3/1/94	4/1/94
Medium	3/1/94	4/1/94
Small	3/1/95	4/1/95

Although a system that incurs one of these treatment technique violations is not provided 3, 6 or 12 months to correct a violation to avoid becoming a SNC, the question of how a system achieves compliance is important for two reasons:

1. It prevents a system from becoming an exception

2. For a public education violation, the system will not become a SNC if it meets the definition of compliance achieved before the end of the calendar year, when the system must submit a letter to the State identifying measures taken to meet the public education requirements. **SNCs for public education are based on a system's missing the December 31 deadline for delivering all the required public education components or submitting a letter to the State.** The only time a system will be identified as a SNC for a public education violation will be on April 1st of the following year. If a public education violation has not RTC by April 1 (via a follow-up action linked to the violation), the system will be identified as a SNC.

The definition of return to compliance for these three SNCs is discussed in greater detail below.

OCCT Installation/ Demonstration SNC

A system that becomes an OCCT Installation/Demonstration SNC is considered to have returned to compliance if it:

- Installs State-designated treatment, AND
- Submits proof of proper installation and operation, OR
- Demonstrates that OCCT already exists.

EXAMPLES

EXAMPLE 1 —

A system (WY1163644) does not install OCCT within the 24-month timeframe, in this example by June 10, 1996. Instead

the State receives a letter from the system on November 2, 1997, that certifies OCCT has been installed.

By August 15, 1996, the State would report an OCCT Installation violation as follows:

C101	WY1163644	PWS-ID
C1101	9600001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	58	Violation Type Code
C1107	06/11/94	Compliance period begin date
C1109	06/10/96	Compliance period end date (Defaulted by FRDS)
C1111	024	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1WY11636449600001				IC110538	
D1WY11636449600001				IC1107061194	

If the system's most recent 90th percentile lead level in tap samples were 30 ppb or greater, FRDS would determine that this system was a SNC on September 1, 1996. EPA strongly suggests that the State track the progress of systems with 90th percentile lead of ≥ 30 ppb to help ensure that systems are on schedule and will not incur a violation and become a SNC.

Note: The date that a system installs OCCT is a milestone reporting requirement. (Refer to examples of the Treatment Installation / Designation milestone on page 10 to determine how to report this milestone.)

SOWT Installation SNC

A SOWT Installation SNC is considered to have returned to compliance if it:

- Installs State-designated treatment, and
- Submits proof of proper installation and operation.

EXAMPLES

EXAMPLE 1 —

A system (HI0063600) is required to install SOWT and certify SOWT installation by June 30, 1995. Instead, the State receives a letter from the system on January 1, 1996, certifying that SOWT has been properly installed and operating.

By August 15, 1995, the State would report the following:

C101	HI0063600	PWS-ID
C1101	9500001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	62	Violation Type Code
C1107	07/01/93	Compliance period begin date
C1109	06/30/95	Compliance period end date (Defaulted by FRDS)
C1111	024	Compliance period in months (Defaulted by FRDS)

The DTF transactions for this violation are:

1	3	12	19	27	32
D1HI00636009500001				IC110562	
D1HI00636009500001				IC1107070193	

The most recent 90th percentile lead value for this system was 35 ppb. Therefore, on October 1, 1995, the system will become a SNC. EPA also would recommend that States closely track the progress of SOWT installation for systems with 90th percentile lead of ≥ 30 ppb to help ensure that systems are on schedule and will not incur a violation and become SNCs.

Like OCCT installation, EPA will allow a State to determine whether SOWT has been properly installed and is operating, through mechanisms other than receiving a certification through the mail within the 24-month timeframe. The State can determine compliance with SOWT installation requirements, through on-site visits or phone calls, if the State documents compliance in the files and obtains a certification from the State within a short period after the 24-month deadline.

Note: The installation of SOWT is a milestone reporting requirement. In this example, C803 (i.e., the date the State received proof of the installation of SOWT) would be 01/01/96. *(For more details on the reporting of SOWT installation, refer to the examples for Treatment Designation/Installation on pages 9 and 10.)*

Public Education SNC

A Public Education SNC is considered to have returned to compliance if it submits a letter to the State by the end of the calendar year that demonstrates that the required program elements have been completed:

- For CWSs, informing the following, using the mandatory language, in all appropriate languages:
 - consumers via notices
 - facilities/organizations in contact with sensitive populations via pamphlets and brochures
 - consumers via major newspapers, television, and radio
- For NTNCWSs, informing consumers, using the mandatory language, through:
 - posting
 - distribution of pamphlets and brochures.

EXAMPLES

EXAMPLE 1 —

A CWS (ME3456699) conducts lead and copper tap monitoring during the compliance period July 1 - December 31, 1992. The lead 90th percentile level is 35 ppb. In addition, the system does not conduct any public education during January 1 - December 31, 1993.

By February 15, 1994 the system would report a violation as follows:

C101	ME3456699	PWS-ID
C1101	9400001	Violation ID
C1103	5000	Contaminant Code (Defaulted by FRDS)
C1105	65	Violation Type Code
C1107	01/01/93	Compliance period begin date
C1109	12/31/93	Compliance period end date
or		
C1111	012	Compliance period in months

The DTF transactions for this violation are:

1	3	12	19	27	32
D1ME34566999400001				IC110565	
D1ME34566999400001				IC1107010193	
D1ME34566999400001				IC1111012	

In addition, because this system has a 90th percentile lead level that is ≥ 30 ppb and did not deliver public education to all the media or to facilities/organizations, the system meets the definition of SNC for public education. On April 1, 1994, FRDS would determine that this system is a SNC.

EXAMPLE 2 —

Another CWS exceeds the lead action level during the compliance period July 1 - December 31, 1992. Its lead 90th percentile value is 35 ppb. The State contacts the system on March 1 to determine whether the system has met

its 60-day requirements. The system has not conducted any public education. The State informs the system that it must deliver at least one round of public education materials to all the required individuals, organizations, and media as specified in Section 141.85(c) and indicate these actions in an annual letter by December 31, 1993 or the system will become a SNC on April 1, 1994. On November 21, 1993, the State receives a letter that demonstrates that the system has properly delivered its public education.

Under this scenario, the system has achieved compliance and would not become a SNC on April 1, 1994. Further, the State would not be required to report the violation and compliance achieved to FRDS as EPA is more concerned with unresolved violations and believes that reporting a violation and compliance achieved for the same quarter is an unnecessary reporting burden.