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From: Speaker's Office <speaker@guamlegislature.org>
Sent: Friday, December 11, 2020 6:11 PM
To: Clerks Office
Cc: Rennae Meno
Subject: Messages and Communications
Attachments: GoG-Public Law No. 35-113.pdf; GoG-Public Law No. 35-114.pdf; GoG-Public Law No. 35-117.pdf; GoG-Public Law No. 35-116.pdf; GoG-Public Law No. 35-115.pdf

12/11/20	5:25 PM	12/11/20	Bill No. 408-35 (COR), signed into law as Public Law No. 35-113.	Office of the Governor of Guam	35GL-20-2496
12/11/20	5:25 PM	12/11/20	Substitute Bill No. 197-35 (LS), signed into law as Public Law No. 35-114	Office of the Governor of Guam	35GL-20-2497
12/11/20	5:25 PM	12/11/20	Substitute Bill No. 283-35 (COR), signed into law as Public Law No. 35-115.	Office of the Governor of Guam	35GL-20-2498
12/11/20	5:25 PM	12/11/20	Bill No. 401-35 (COR), signed into law as Public Law No. 35-116.	Office of the Governor of Guam	35GL-20-2499
12/11/20	5:25 PM	12/11/20	Bill No. 420-35 (LS), signed into law as Public Law No. 35-117.	Office of the Governor of Guam	35GL-20-250

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

December 11, 2020

35GL-20-2498

Speaker Tina Rose Muña Barnes

DEC 11 2020

Time 5:25

Received by:

HONORABLE TINA ROSE MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

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

Dear Madame Speaker:

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

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

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

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

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
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I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 283-35 (COR) "AN ACT TO *REPEAL* AND *REENACT* CHAPTER 53 AND *REPEAL* CHAPTER 53A (THE GUAM LEAD BAN ACT) BOTH OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER ACT; AND TO *REPEAL* AND *REENACT* CHAPTER 6 OF DIVISION 2, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER REGULATIONS,"** was on the 1st day of December 2020, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

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

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 12/11/2020

Public Law No. 35-115

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

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

Bill No. 283-35 (COR)
As amended by the Committee on Environment; Revenue and Taxation; and Procurement; and substituted on the Floor.

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

AN ACT TO *REPEAL* AND *REENACT* CHAPTER 53 AND *REPEAL* CHAPTER 53A (THE GUAM LEAD BAN ACT) BOTH OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER ACT; AND TO *REPEAL* AND *REENACT* CHAPTER 6 OF DIVISION 2, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING THE GUAM SAFE DRINKING WATER REGULATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

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

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

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

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

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

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

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

"CHAPTER 53

SAFE DRINKING WATER ACT

§ 53101. Title.
§ 53102. Definitions.
§ 53103. Statement of Policy.
§ 53104. Drinking Water Standards.
§ 53105. Design and Construction Standards.
§ 53106. Right of Entry and Inspection.
§ 53107. Bottled Water Companies.
§ 53108. Water Vending Machines.
§ 53109. Hauled Water.
§ 53110. Rainwater Catchment Systems.
§ 53111. Sanitary Surveys.

§ 53112. Prohibition on Use, Sale, and Import of Lead Pipes, Solder, and Flux.
§ 53113. Establishment of Interim Action Levels.
§ 53114. Ground Water Disinfection.
§ 53115. Laboratory and Sampler Certification.
§ 53116. Notification Requirements.
§ 53117. Consumer Confidence Reports.
§ 53118. Prohibited Acts.
§ 53119. Security of Water Systems.
§ 53120. Remedies.
§ 53121. Plan for Emergency Provision of Water.
§ 53122. Imminent Hazards.
§ 53123. Administration.
§ 53124. Safe Drinking Water Fund.
§ 53125. Severability.

§ 53101. Title.

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

§ 53102. Definitions.

As used in this Chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(w) *Non-community water system* means a public water system that is not a community water system. A non-community water system is either a "transient non-community water system (TWS)" or a "non-transient non-community water system (NTNCWS)."

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

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

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

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

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

(1) applies to public water systems;

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

(3) specifies for each contaminant either:

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

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

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

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

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

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

(1) The term "Public Water System" includes:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 53103. Statement of Policy.

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

§ 53104. Drinking Water Standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 53105. Design and Construction Standards.

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

§ 53106. Right of Entry and Inspection.

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

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

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

§ 53107. Bottled Water Companies.

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

§ 53108. Water Vending Machines.

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

§ 53109. Hauled Water.

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

§ 53110. Rainwater Catchment Systems.

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

§ 53111. Sanitary Surveys.

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

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

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

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

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

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

(a) In General.

(1) Prohibitions.

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

(i) any public water system; or

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

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

(2) Public Notice Requirements.

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

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

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

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

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

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

(ii) potential adverse health effects;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 53113. Establishment of Interim Action Levels.

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

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

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

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

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

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

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

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

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

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

§ 53114. Ground Water Disinfection.

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

§ 53115. Laboratory and Sampler Certification.

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

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

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

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

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

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

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

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

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

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

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

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

§ 53116. Notification Requirements.

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

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

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

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

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

§ 53117. Consumer Confidence Reports.

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

§ 53118. Prohibited Acts.

The following acts are prohibited:

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

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

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

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

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

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

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

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

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

§ 53119. Security of Water Systems.

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

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

§ 53120. Remedies.

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

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

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

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

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

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

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

(b) Civil.

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

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

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

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

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

§ 53121. Plan for Emergency Provision of Water.

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

§ 53122. Imminent Hazards.

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

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

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

§ 53123. Administration.

Guam EPA is herein authorized to:

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

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

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

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

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

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

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

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

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

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

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

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

§ 53124. Safe Drinking Water Fund.

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

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

§ 53125. Severability.

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

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

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

"**CHAPTER 6**
DRINKING WATER REGULATIONS

PART 6141 – GUAM PRIMARY DRINKING WATER REGULATIONS

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SUBPART A – GENERAL

§ 6141.1. Authority.

The Guam Safe Drinking Water Act, codified at 10 GCA Chapter 53, authorizes the Guam Environmental Protection Agency to prescribe rules and regulations as may be necessary to implement the Guam Safe Drinking Water Act.

§ 6141.2. Definitions.

The provisions of 40 Code of Federal Regulations § 141.2, as revised and codified as of July 1, 2019, are hereby adopted by reference.

§ 6141.3. Coverage.

The provisions of 40 Code of Federal Regulations § 141.3, as revised and codified as of July 1, 2019, are hereby adopted by reference.

§ 6141.4. [Reserved].

§ 6141.5. Siting Requirements and Plan Review.

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

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

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

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

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

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

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

(d) The Guam EPA Administrator shall not approve:

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

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

(e) Plan review fees [Reserved].

§ 6141.6. Effective Dates.

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

§ 6141.7 to § 6141.10 inclusive, [Reserved].

SUBPART B - MAXIMUM CONTAMINANT LEVELS

§ 6141.11. Maximum Contaminant Levels for Inorganic Chemicals.

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

§ 6141.12. [Reserved].

§ 6141.13. Maximum Contaminant Levels for Turbidity.

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

§ 6141.14 to § 6141.20 inclusive, [Reserved].

SUBPART C – MONITORING AND ANALYTICAL REQUIREMENTS

§ 6141.21. Coliform Sampling.

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

§ 6141.22. Turbidity Sampling and Analytical Requirements.

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

§ 6141.23. Inorganic Chemical Sampling and Analytical Requirements.

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

§ 6141.24. Organic Chemicals, Sampling and Analytical Requirements.

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

§ 6141.25. Analytical Methods for Radioactivity.

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

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

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

§ 6141.27. Alternate Analytical Techniques.

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

§ 6141.28. Certified Laboratories.

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

§ 6141.29. Monitoring of Consecutive Public Water Systems.

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

§ 6141.30. [Reserved].

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

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

SUBPART D – REPORTING AND RECORDKEEPING

§ 6141.31. Reporting Requirements.

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

§ 6141.32. [Reserved].

§ 6141.33. Record Maintenance.

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

§ 6141.34. [Reserved].

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

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

§ 6141.36 to § 6141.39 inclusive, [Reserved].

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

§ 6141.40. Monitoring Requirements for Unregulated Contaminants.

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

§ 6141.41. Special monitoring for sodium.

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

§ 6141.42. Special monitoring for corrosivity characteristics.

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

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

(a) [Reserved].

(b) Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) original product packaging is submitted and/or on-product marking is verified by Guam EPA staff as required under Subsection (e)(2), for every pipe, pipe fitting, plumbing fitting, or fixture upstream of and including the endpoint device for all endpoint devices for which sample results exceeded 0.015 mg/L.

(h) Sampling and inspection fees. Applicants for occupancy permit clearance shall pay a fee for sampling and/or inspection conducted by Guam EPA personnel for the purposes of compliance with this subpart:

(1) Sampling and inspection services conducted by Guam EPA personnel shall be charged at a total rate of thirty-five dollars ($35.00) per hour.

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

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

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

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

(i) Lead Sampler Certification – RESERVED.

§ 6141.44 to § 6141.49 inclusive, [Reserved].

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

§ 6141.50. Maximum contaminant level goals for organic contaminants.

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

§ 6141.51. Maximum contaminant level goals for inorganic contaminants.

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

§ 6141.52. Maximum contaminant level goals for microbiological contaminants.

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

§ 6141.53. Maximum contaminant level goals for disinfection byproducts.

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

§ 6141.54. Maximum residual disinfectant level goals for disinfectants.

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

§ 6141.55. Maximum contaminant level goals for radionuclides.

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

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

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

§ 6141.60. Effective dates.

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

§ 6141.61. Maximum contaminant levels for organic contaminants.

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

§ 6141.62. Maximum contaminant levels for inorganic contaminants.

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

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

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

§ 6141.64. Maximum contaminant levels for disinfection byproducts.

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

§ 6141.65. Maximum residual disinfectant levels.

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

§ 6141.66. Maximum contaminant levels for radionuclides.

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

§ 6141.67 to § 6141.69 inclusive, [Reserved].

SUBPART H—FILTRATION AND DISINFECTION

§ 6141.70. General requirements.

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

§ 6141.71. Criteria for avoiding filtration.

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

§ 6141.72. Disinfection.

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

§ 6141.73. Filtration.

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

§ 6141.74. Analytical and monitoring requirements.

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

§ 6141.75. Reporting and recordkeeping requirements.

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

§ 6141.76. Recycle provisions.

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

§ 6141.77 to § 6141.79 inclusive, [Reserved].

SUBPART I—CONTROL OF LEAD AND COPPER

§ 6141.80. General Requirements.

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

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

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

§ 6141.82. Description of corrosion control treatment requirements.

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

§ 6141.83. Source water treatment requirements.

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

§ 6141.84. Lead service line replacement requirements.

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

§ 6141.85. Public education and supplemental monitoring requirements.

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

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

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

§ 6141.87. Monitoring requirements for water quality parameters.

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

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

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

§ 6141.89. Analytical methods.

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

§ 6141.90. Reporting requirements.

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

§ 6141.91. Recordkeeping requirements.

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

§ 6141.92 to § 6141.99 inclusive, [Reserved].

SUBPART J—USE OF NON-CENTRALIZED TREATMENT DEVICES

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

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

§ 6141.101. Use of bottled water.

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

§ 6141.102 to § 6141.109 inclusive, [Reserved].

SUBPART K—TREATMENT TECHNIQUES

§ 6141.110. General requirements.

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

§ 6141.111. Treatment techniques for acrylamide and epichlorohydrin.

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

§ 6141.112 to § 6141.129 inclusive, [Reserved].

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

§ 6141.130. General requirements.

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

§ 6141.131. Analytical requirements.

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

§ 6141.132. Monitoring requirements.

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

§ 6141.133. Compliance requirements.

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

§ 6141.134. Reporting and recordkeeping requirements.

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

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

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

§ 6141.136 to § 6141.150 inclusive, [Reserved].

SUBPART M – RESERVED

SUBPART N - RESERVED

SUBPART O—CONSUMER CONFIDENCE REPORTS

§ 6141.151. Purpose and applicability of this subpart.

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

§ 6141.152. Effective dates.

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

§ 6141.153. Content of the reports.

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

§ 6141.154. Required additional health information.

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

§ 6141.155. Report delivery and recordkeeping.

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

Appendix A to Subpart O - Regulated Contaminants.

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

§ 6141.156 to § 6141.169 inclusive, [Reserved].

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

§ 6141.170. General requirements.

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

§ 6141.171. Criteria for avoiding filtration.

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

§ 6141.172. Disinfection profiling and benchmarking.

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

§ 6141.173. Filtration.

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

§ 6141.174. Filtration sampling requirements.

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

§ 6141.175. Reporting and recordkeeping requirements.

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

§ 6141.176 to § 6141.200 inclusive, [Reserved].

SUBPART Q—PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS

§ 6141.201. General public notification requirements.

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

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

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

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

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

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

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

§ 6141.205. Content of the public notice.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 6141.212 to § 6141.299 inclusive, [Reserved].

SUBPART R – [RESERVED]

§ 6141.300 to § 6141.399 inclusive, [Reserved].

SUBPART S – GROUND WATER RULE

§ 6141.400. General requirements and applicability.

The provisions of 40 Code of Federal Regulations § 141.400, as revised and codified as of July 1, 2019, are hereby adopted by reference.

§ 6141.401. Sanitary surveys for ground water systems.

The provisions of 40 Code of Federal Regulations § 141.401, as revised and codified as of July 1, 2019, are hereby adopted by reference.

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

The provisions of 40 Code of Federal Regulations § 141.402, as revised and codified as of July 1, 2019, are hereby adopted by reference.

§ 6141.403. Treatment technique requirements for ground water systems.

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

§ 6141.404. Treatment technique violations for ground water systems.

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

§ 6141.405. Reporting and recordkeeping for ground water systems.

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

§ 6141.406 to § 6141.499 inclusive, [Reserved].

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

GENERAL REQUIREMENTS

§ 6141.500. General Requirements.

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

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

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

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

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

§ 6141.503. What does subpart T require?

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

§ 6141.504 to § 6141.509 inclusive, [Reserved].

FINISHED WATER RESERVOIRS

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

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

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

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

§ 6141.512 to § 6141.519 inclusive, [Reserved].

ADDITIONAL WATERSHED CONTROL REQUIREMENTS FOR UNFILTERED SYSTEMS

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

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

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

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

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

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

§ 6141.523 to § 6141.529 inclusive, [Reserved].

DISINFECTION PROFILE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 6141.537 to § 6141.539 inclusive, [Reserved].

DISINFECTION BENCHMARK

§ 6141.540. Who has to develop disinfection benchmark.

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

§ 6141.541. What are significant changes to disinfection practice?

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

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

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

§ 6141.543. How is the disinfection benchmark calculated?

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

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

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

§ 6141.545 to § 6141.549 inclusive, [Reserved].

COMBINED FILTER EFFLUENT REQUIREMENTS

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

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

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

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

§ 6141.552. My system consists of "alternative filtration" and is required to conduct a demonstration—what is required of my system and how does the State establish my turbidity limits?

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

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

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

§ 6141.554 to § 6141.559 inclusive, [Reserved].

INDIVIDUAL FILTER TURBIDITY REQUIREMENTS

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

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

§ 6141.561. What happens if my system's turbidity monitoring equipment fails?

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

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

The provisions of 40 Code of Federal Regulations § 141.562, as revised and codified as of July 1, 2019, are hereby adopted by reference.

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

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

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

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

§ 6141.565 to § 6141.569 inclusive, [Reserved].

REPORTING AND RECORDKEEPING

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

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

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

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

§ 6141.572 to § 6141.599 inclusive, [Reserved].

SUBPART U—INITIAL DISTRIBUTION SYSTEM EVALUATIONS

§ 6141.600. General requirements.

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

§ 6141.601. Standard monitoring.

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

§ 6141.602. System specific studies.

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

§ 6141.603. 40/30 certification.

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

§ 6141.604. Very small system waivers.

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

§ 6141.605. Subpart V compliance monitoring location recommendations.

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

§ 6141.606 to § 6141.619 inclusive, [Reserved].

SUBPART V—STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

§ 6141.620. General requirements.

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

§ 6141.621. Routine monitoring.

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

§ 6141.622. Subpart V monitoring plan.

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

§ 6141.623. Reduced monitoring.

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

§ 6141.624. Additional requirements for consecutive systems.

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

§ 6141.625. Conditions requiring increased monitoring.

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

§ 6141.626. Operational evaluation levels.

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

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

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

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

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

§ 6141.629. Reporting and recordkeeping requirements.

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

§ 6141.630 to § 6141.699 inclusive, [Reserved].

SUBPART W – ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

GENERAL REQUIREMENTS

§ 6141.700. General requirements.

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

SOURCE WATER MONITORING REQUIREMENTS

§ 6141.701. Source water monitoring requirements.

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

§ 6141.702. Sampling schedules.

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

§ 6141.703. Sampling locations.

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

§ 6141.704. Analytical methods.

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

§ 6141.705. Approved laboratories.

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

§ 6141.706. Reporting source water monitoring results.

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

§ 6141.707. Grandfathering previously collected data.

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

DISINFECTION PROFILING AND BENCHMARKING REQUIREMENTS

§ 6141.708. Disinfection profiling and benchmarking.

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

§ 6141.709. Developing the disinfection profile and benchmark.

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

TREATMENT TECHNIQUE REQUIREMENTS

§ 6141.710. Bin classification for filtered systems.

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

§ 6141.711. Filtered system additional Cryptosporidium treatment requirements.

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

§ 6141.712. Unfiltered system Cryptosporidium treatment requirements.

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

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

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

§ 6141.714. Requirements for uncovered finished water storage facilities.

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

REQUIREMENTS FOR MICROBIAL TOOLBOX COMPONENTS

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

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

§ 6141.716. Source toolbox components.

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

§ 6141.717. Pre-filtration treatment toolbox components.

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

§ 6141.718. Treatment performance toolbox components.

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

§ 6141.719. Additional filtration toolbox components.

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

§ 6141.720. Inactivation toolbox components.

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

§ 6141.721. Reporting requirements.

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

§ 6141.722. Recordkeeping requirements.

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

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

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

SUBPART Y – REVISED TOTAL COLIFORM RULE

§ 6141.851. General.

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

§ 6141.852. Analytical methods and laboratory certification.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 6141.860. Violations.

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

§ 6141.861. Reporting and recordkeeping.

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

§ 6141.862 to § 6141.870, inclusive [Reserved].

PART 6142 – GUAM PRIMARY DRINKING WATER REGULATIONS IMPLEMENTATION

SUBPART A – [RESERVED]

SUBPART B – SANITARY SURVEYS

§ 6142.16. Sanitary surveys.

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

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

PART 6143 – GUAM SECONDARY DRINKING WATER STANDARDS

SUBPART A – GUAM SECONDARY DRINKING WATER STANDARDS

§ 6143.1. Purpose.

§ 6143.2. Definitions.

§ 6143.3. Secondary maximum contaminant levels.

§ 6143.4. Monitoring.

§ 6143.1. Purpose.

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

§ 6143.2. Definitions.

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

§ 6143.3. Secondary maximum contaminant levels.

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

§ 6143.4. Monitoring.

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

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

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