Contaminant	MCLG [1] mg/L	MCL [2] mg/L	Standard health effects language for public notification
*	*	*	* * * * *
E. Synthetic Organic Chemicals (SOCs)			
*	*	*	* * * * *
55. Hazard Index PFAS (HFPO–DA, PFBS, PFHxS, and PFNA).	1 (unitless)	1 (unitless)	Per- and polyfluoroalkyl substances (PFAS) can persist in the human body and exposure may lead to increased risk of adverse health effects. Low levels of multiple PFAS that individually would not likely result in increased risk of adverse health effects may result in adverse health effects when combined in a mixture. Some people who consume drinking water containing mixtures of PFAS in excess of the Hazard Index (HI) MCL may have increased health risks such as liver, immune, and thyroid effects following exposure over many years and developmental and thyroid effects following repeated exposure during pregnancy and/or childhood.
56. HFPO–DA	0.00001	0.00001	Some people who drink water containing HFPO–DA in excess of the MCL over many years may have increased health risks such as immune, liver, and kidney effects. There is also a potential concern for cancer associated with HFPO–DA exposure. In addition, there may be increased risks of developmental effects for people who drink water containing HFPO–DA in excess of the MCL following repeated exposure during pregnancy and/or childhood.
57. PFHxS	0.00001	0.00001	Some people who drink water containing PFHxS in excess of the MCL over many years may have increased health risks such as immune, thyroid, and liver effects. In addition, there may be increased risks of developmental effects for people who drink water containing PFHxS in excess of the MCL following repeated exposure during pregnancy and/or childhood.
58. PFNA	0.00001	0.00001	Some people who drink water containing PFNA in excess of the MCL over many years may have increased health risks such as elevated cholesterol levels, immune effects, and liver effects. In addition, there may be increased risks of developmental effects for people who drink water containing PFNA in excess of the MCL following repeated exposure during pregnancy and/or childhood.
59. PFOA	Zero	0.0000040	Some people who drink water containing PFOA in excess of the MCL over many years may have increased health risks such as cardiovascular, immune, and liver effects, as well as increased incidence of certain types of cancers including kidney and testicular cancer. In addition, there may be increased risks of developmental and immune effects for people who drink water containing PFOA in excess of the MCL following repeated exposure during pregnancy and/or childhood.
60. PFOS	Zero	0.0000040	Some people who drink water containing PFOS in excess of the MCL over many years may have increased health risks such as cardiovascular, immune, and liver effects, as well as increased incidence of certain types of cancers including liver cancer. In addition, there may be increased risks of developmental and immune effects for people who drink water containing PFOS in excess of the MCL following repeated exposure during pregnancy and/or childhood.
*	*	*	* * * * *
*	*	*	* * * * *

[1] MCLG—Maximum contaminant level goal.
[2] MCL—Maximum contaminant level.

* * * * *

■ 14. Amend appendix C to subpart Q by adding entries for the acronyms ''HI'' and ''PFAS'' in alphabetical order to read as follows:

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

* * * * *

HI Hazard Index

* * * * *

PFAS Per- and Polyfluoroalkyl Substances

* * * * *

■ 15. Add subpart Z to read as follows:

Subpart Z—Control of Per- and Polyfluoroalkyl Substances (PFAS)

Sec.

141.900 General requirements.
141.901 Analytical requirements.
141.902 Monitoring requirements.
141.903 Compliance requirements.
141.904 Reporting and recordkeeping requirements.
141.905 Violations.

Subpart Z—Control of Per- and Polyfluoroalkyl Substances (PFAS)

§ 141.900 General requirements.

(a) The requirements of this subpart constitute the national primary drinking water regulations for PFAS. Each community water system (CWS) and non-transient, non-community water system (NTNCWS) must meet the requirements of this subpart including the maximum contaminant levels for the PFAS identified in § 141.61(c).

(b) The deadlines for complying with the provisions of this subpart are as follows:

(1) Each system must meet the analytical requirements in § 141.901 by June 25, 2024.

(2) Each system must report the results of initial monitoring, as described in § 141.902(b)(1), to the State by April 26, 2027.

(3) Each system must meet the compliance monitoring requirements in § 141.902(b)(2) by April 26, 2027.

(4) Each system must meet the MCL compliance requirements in § 141.903 by April 26, 2029.

(5) Each system must meet the reporting and recordkeeping requirements in § 141.904 by April 26, 2027.

(6) Violations described in § 141.905 include monitoring and reporting violations and violations of MCLs. Monitoring and reporting violations may be assessed beginning on April 26, 2027. MCL violations may be assessed beginning on April 26, 2029.

§ 141.901 Analytical requirements.

(a) *General.* (1) Systems must use only the analytical methods specified in this section to demonstrate compliance with the requirements of this subpart.

(2) The following documents are incorporated by reference with the approval of the Director of the **Federal Register** in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This material is available for inspection at the EPA and at the National Archives and Records Administration (NARA). Contact the EPA's Drinking Water Docket at: 1301 Constitution Avenue NW., EPA West, Room 3334, Washington, DC 20460; phone: 202–566–2426. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations*. The material may be obtained from the EPA at 1301 Constitution Avenue NW, the EPA West, Room 3334, Washington, DC 20460; phone: 202–566–2426; website: *https://www.epa.gov/pfas/epa-pfas-drinking-water-laboratory-methods*.

(i) EPA Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry, 815–B–19–020, November 2019.

(ii) Method 537.1, Version 2.0: Determination of Selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS), EPA/600/R–20/006, March 2020.

(b) *PFAS*–(1) *Analytical methods.* Systems must measure regulated PFAS by the methods listed in the following table:

TABLE 1 TO PARAGRAPH (b)(1)—ANALYTICAL METHODS FOR PFAS CONTAMINANTS

Contaminant	Methodology	EPA method (incorporated by reference, see paragraph (a) of this section)
Perfluorobutane Sulfonate (PFBS)	SPE LC–MS/MS	533, 537.1, version 2.0.
Perfluorohexane Sulfonate (PFHxS)	SPE LC–MS/MS	533, 537.1, version 2.0.
Perfluorononanoate (PFNA)	SPE LC–MS/MS	533, 537.1, version 2.0.
Perfluorooctanesulfonic Acid (PFOS)	SPE LC–MS/MS	533, 537.1, version 2.0.
Perfluorooctanoic Acid (PFOA)	SPE LC–MS/MS	533, 537.1, version 2.0.
2,3,3,3-Tetrafluoro-2-(heptafluoropropoxy)propanoate (HFPO–DA or GenX Chemicals).	SPE LC–MS/MS	533, 537.1, version 2.0.

(2) *Laboratory certification.* Analyses under this section for regulated PFAS must only be conducted by laboratories that have been certified by EPA or the State. To receive certification to conduct analyses for the regulated PFAS, the laboratory must:

(i) Analyze Performance Evaluation (PE) samples that are acceptable to the State at least once during each consecutive 12-month period by each method for which the laboratory desires certification.

(ii) Beginning June 25, 2024, achieve quantitative results on the PE sample analyses that are within the following acceptance limits:

TABLE 2 TO PARAGRAPH (b)(2)(ii)—ACCEPTANCE LIMITS FOR PFAS PERFORMANCE EVALUATION SAMPLES

Contaminant	Acceptance limits (percent of true value)
Perfluorobutane Sulfonate (PFBS)	70–130
Perfluorohexane Sulfonate (PFHxS)	70–130
Perfluorononanoate (PFNA)	70–130
Perfluorooctanesulfonic Acid (PFOS)	70–130
Perfluorooctanoic Acid (PFOA)	70–130
2,3,3,3-Tetrafluoro-2-(heptafluoropropoxy)propanoate (HFPO–DA or GenX Chemicals)	70–130

(iii) For all samples analyzed for regulated PFAS in compliance with § 141.902, beginning June 25, 2024, report data for concentrations as low as the trigger levels as defined in § 141.902(a)(5).

§ 141.902 Monitoring requirements.

(a) *General requirements.* (1) Systems must take all samples during normal operating conditions at all entry points to the distribution system.

(2) If the system draws water from more than one source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of representative operating conditions.

(3) Systems must use only data collected under the provisions of this subpart to qualify for reduced monitoring.

(4) All new systems that begin operation after, or systems that use a new source of water after April 26, 2027, must demonstrate compliance with the MCLs within a period of time specified by the State. A system must also comply with initial sampling frequencies required by the State to ensure that the system can demonstrate compliance with the MCLs. Compliance monitoring frequencies must be conducted in accordance with the requirements in this section.

(5) For purposes of this section, the trigger levels are defined as shown in the following table.

TABLE 1 TO PARAGRAPH (a)(5)—TRIGGER LEVELS FOR PFAS CONTAMINANTS

Contaminant	Trigger level
Hazard Index PFAS (HFPO–DA, PFBS, PFHxS, PFNA).	0.5 (unitless).
HFPO–DA	5 nanograms per liter (ng/l).
PFHxS	5 ng/l.
PFNA	5 ng/l.
PFOA	2.0 ng/l.
PFOS	2.0 ng/l.

(6) Based on initial monitoring results, for each sampling point at which a regulated PFAS listed in § 141.61(c) is detected at a level greater than or equal to the trigger level, the system must monitor quarterly for all regulated PFAS beginning April 26, 2027, in accordance with paragraph (b)(2) of this section.

(7) For purposes of this section, each water system must ensure that all results provided by a laboratory are reported to the State and used for determining the required sampling frequencies. This includes values below the practical quantitation levels defined in § 141.903(f)(1)(iv); zero must not be used in place of reported values.

(b) *Monitoring requirements for PFAS*—(1) *Initial monitoring.* (i) Groundwater CWS and NTNCWS serving greater than 10,000 persons and all surface water CWS and NTNCWS must take four consecutive samples 2 to 4 months apart within a 12-month period (quarterly samples) for each regulated PFAS listed in § 141.61(c).

(ii) All groundwater CWS and NTNCWS serving 10,000 or fewer persons must take two samples for each regulated PFAS listed in § 141.61(c) five to seven months apart within a 12-month period.

(iii) All groundwater under the direct influence of surface water (GWUDI) CWS and NTNCWS must follow the surface water CWS and NTNCWS monitoring schedule in paragraph (b)(1)(i) of this section.

(iv) All systems that use both surface water and groundwater must apply the requirements in paragraphs (b)(1)(i) through (iii) of this section depending on the source(s) of water provided at a given entry point to the distribution system (EPTDS). If the EPTDS provides surface water, the requirements for a surface water CWS/NTNCWS apply. If the EPTDS provides groundwater, the requirements for a groundwater CWS/NTNCWS apply, based on system size. If an EPTDS provides a blend of surface water and groundwater, the requirements for a surface water system apply. For systems that change the source water type at an EPTDS during the initial monitoring period (*i.e.,* one part of the year it is surface water and the remaining part of the year it is groundwater), the sampling requirements for a surface water system apply.

(v) Systems must monitor at a frequency indicated in the following table, though a State may require more frequent monitoring on a system-specific basis:

TABLE 2 TO PARAGRAPH (b)(1)(v)—INITIAL MONITORING REQUIREMENTS

Type of system	Minimum monitoring frequency	Sample location
Groundwater CWS and NTNCWS serving greater than 10,000 persons, all surface water CWS and NTNCWS, and all GWUDI systems.	Four consecutive quarters of samples per entry point to the distribution system (EPTDS) within a 12-month period, unless the exception in paragraph (b)(1)(viii) of this section applies. Samples must be taken two to four months apart..	Sampling point for EPTDS.
Groundwater CWS and NTNCWS serving 10,000 or fewer persons.	Two consecutive samples per EPTDS within a 12-month period, unless the exception in paragraph (b)(1)(viii) of this section applies. Samples must be taken five to seven months apart..	Sampling point for EPTDS.

(vi) A State may accept data that has been previously acquired by a water system to count toward the initial monitoring requirements if the data meet the requirements of § 141.901(b)(1), samples were collected starting on or after January 1, 2019, and otherwise meet the timing requirements specified in table 2 to paragraph (b)(1)(v) of this section. For the purposes of satisfying initial monitoring requirements, acceptable data may be reported to a concentration no greater than the MCLs. However, a system is only eligible for triennial monitoring at the start of the compliance monitoring period if the system demonstrates that concentrations in all samples it uses to satisfy the initial monitoring requirements are below the trigger levels as defined in paragraph (a)(5) of this section.

(vii) If systems have multiple years of data, the most recent data must be used.

(viii) For systems using previously acquired data that have fewer than the number of samples required in a continuous 12-month period for initial monitoring as listed in table 2 to paragraph (b)(1)(v) of this section: All surface water systems, GWUDI systems, and groundwater systems serving greater than 10,000 persons must collect in a calendar year one sample in each quarter that was not represented, two to four months apart from the months with available data; All groundwater systems serving 10,000 or fewer persons must collect one sample in the month that is five to seven months apart from the month in which the previous sample was taken.

(ix) In determining the most recent data to report, a system must include all results provided by a laboratory whether above or below the practical quantitation levels. These results must be used for the purposes of determining the frequency with which a system must monitor at that sampling point at the start of the compliance monitoring period.

(x) States may delete results of obvious sampling errors. If the State deletes a result because of an obvious sampling error and the system fails to collect another sample this is a monitoring violation as described in § 141.905(c).

(xi) Initial monitoring requirements, including reporting results to the State, must be completed by April 26, 2027.

(2) *Compliance monitoring.* (i) Based on initial monitoring results, at the start of the monitoring period that begins on April 26, 2027, systems may reduce monitoring at each sampling point at which all reported sample concentrations were below all trigger levels defined in paragraph (a)(5) of this section, unless otherwise provided for by the State. At eligible sampling points,

each water system must analyze one sample for all regulated PFAS during each three-year monitoring period, at a time specified by the State, in the quarter in which the highest analytical result was detected during the most recent round of quarterly or semi-annual monitoring. If a sampling point is not eligible for triennial monitoring, then the water system must monitor quarterly at the start of the compliance monitoring period.

(ii) If, during the compliance monitoring period, a system is monitoring triennially and a PFAS listed in § 141.61(c) is detected at a level equal to or exceeding the trigger levels defined in paragraph (a)(5) of this section in any sample, then the system must monitor quarterly for all regulated PFAS beginning in the next quarter at the sampling point. The triggering sample must be used as the first quarter of monitoring for the running annual average calculation.

(iii) For all source water types, a State may determine that all regulated PFAS at a sampling point are reliably and consistently below the MCL after considering, at a minimum, four consecutive quarterly samples collected during the compliance monitoring period. A sampling point that a State has determined to be reliably and consistently below the MCL is required to collect annual samples for at least the first three years after that determination is made. Annual samples must be collected in the quarter in which detected concentrations were highest during the most recent year of quarterly monitoring. If, after three consecutive years, annual samples all contain results that are below the trigger levels defined in paragraph (a)(5) of this section, the State may allow a system to begin triennial monitoring at the sampling point. The water system must collect triennial samples in the quarter with the highest concentrations during the most recent round of quarterly sampling. If an annual sample meets or exceeds an MCL or the State determines that the result is not reliably and consistently below the MCL for all regulated PFAS, then the system must monitor quarterly for all regulated PFAS beginning in the next quarter at the sampling point.

(iv) The three different compliance monitoring sampling schedules that may be assigned and the criteria for each are summarized in the following table:

Table 3 to paragraph (b)(2)(iv)—Compliance Monitoring Schedules and Requirements

Sampling frequency	Eligibility requirements [1]	Sample timing requirements
Triennial	At an individual sampling point, either: (1) All initial monitoring results demonstrate concentrations of all regulated PFAS below trigger levels;. (2) The most recent three consecutive annual monitoring results all demonstrated concentrations of all regulated PFAS below trigger levels; or. (3) The previous triennial sample demonstrated all regulated PFAS concentrations below trigger levels.. **Note:** After beginning compliance monitoring, a system may not transition directly from quarterly monitoring to triennial monitoring..	Sample must be collected at a time within the three-year period designated by the State, in the quarter that yielded the highest analytical result during the most recent round of quarterly sampling (or the most recent semi-annual sampling, if no quarterly sampling has occurred).
Annual	A State makes a determination that all regulated PFAS concentrations at the sampling point are reliably and consistently below PFAS MCLs, after considering, at a minimum, 4 consecutive quarterly samples collected during the compliance monitoring period..	Sample must be collected at a time designated by the State, within the quarter that yielded the highest analytical result during the most recent round of quarterly sampling.
Quarterly	At an individual sampling point, either: (1) Any regulated PFAS concentration meets or exceeds a trigger level during initial monitoring;. (2) Sampling is occurring quarterly during compliance monitoring and a State has not made a determination that all levels of regulated PFAS at the sampling point are reliably and consistently below the regulated PFAS MCLs; or. (3) A sample collected by a system required to conduct triennial monitoring contains regulated PFAS concentrations that meet or exceed trigger levels. The first of these samples meeting or exceeding the trigger level is considered the first quarterly sample.. (4) A sample collected by a system required to conduct annual monitoring contains regulated PFAS concentrations that meet or exceed an MCL. The first of these samples meeting or exceeding the MCL is considered the first quarterly sample..	Samples must be collected in four consecutive quarters, on dates designated by the State.

[1] The monitoring frequency at a sampling point must be the same for all regulated PFAS and is determined based on the most frequent sampling required for any regulated PFAS detected at a level at or exceeding the trigger level.

(v) The State may require a confirmation sample for any sampling result. If a confirmation sample is required by the State, the system must average the result with the first sampling result and the average must be used for the determination of compliance with MCLs as specified by § 141.903. A State may delete results of obvious sampling errors from the MCL compliance calculations described in § 141.903. If the State deletes a result because of an obvious sampling error and the system fails to collect another sample this is a monitoring violation as described in § 141.905(c).

(vi) The State may increase the required monitoring frequency, where necessary, to detect variations within the system (*e.g.,* fluctuations in concentration due to seasonal use, changes in water source).

(vii) Each public water system must monitor at the time designated by the State within each monitoring period.

(viii) When a system reduces its sampling frequency to annual or triennial sampling, the next compliance sample must be collected in the monitoring period that begins the calendar year following State approval of a reduction in monitoring frequency.

§ 141.903 Compliance requirements.

(a) Compliance with MCLs for regulated PFAS in § 141.61(c) must be determined based on the analytical results obtained at each sampling point.

(b) For systems monitoring quarterly, compliance with the MCL is determined by the running annual average at each sampling point.

(c) If a system fails to collect the required number of samples specified in § 141.902, this is a monitoring violation as described in § 141.905(c), and compliance calculations must be based on the total number of samples collected.

(d) Systems monitoring triennially whose sample result equals or exceeds the trigger level of 2.0 ng/l for either PFOS or PFOA, 5 ng/l for HFPO–DA, PFHxS, or PFNA, or a Hazard Index of 0.5 for the Hazard Index PFAS, must begin quarterly sampling for all regulated PFAS in the next quarter at the sampling point. Systems monitoring annually whose sample result equals or exceeds the MCL of 4.0 ng/l for either PFOS or PFOA, 10 ng/l for HFPO–DA, PFHxS, or PFNA, or a Hazard Index of 1 for the Hazard Index PFAS, must begin quarterly sampling for all regulated PFAS in the next quarter at the sampling point.

(e) Except as provided in this paragraph (e), if a sample result exceeds an MCL, the system will not be considered in violation of the MCL until it has completed one year of quarterly sampling at the sampling point with the triggering sample used as the first quarter of monitoring for the running annual average calculation. However, whenever a sample result in any quarter (or quarterly average, if more than one compliance sample is available in a quarter because a confirmation sample was required by the State) causes the running annual average to exceed the MCL at a sampling point regardless of the subsequent quarterly monitoring results required to complete a full year of monitoring (*e.g.,* the results from a single sample are more than 4 times the MCL), the system is out of compliance with the MCL immediately.

(f) Systems must calculate compliance using the following method to determine MCL compliance at each sampling point:

(1) For each PFAS regulated by an individual MCL:

(i) For systems monitoring quarterly, divide the sum of the measured quarterly concentrations for each analyte by the number of quarters samples were collected for that analyte during the consecutive quarters included in the calculation. If more than one compliance sample for that analyte is available in a quarter because a confirmation sample was required by the State, systems must average all the results in a quarter then average the quarterly averages. Rounding does not occur until the end of the calculation. If the running annual average exceeds the MCL, the system is not in compliance with the MCL requirements.

(ii) For systems monitoring annually, if the concentration measured is equal to or exceeds an MCL for regulated PFAS, the system is required to initiate quarterly monitoring for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring for the running annual average calculation.

(iii) For systems monitoring triennially, if the concentration measured is equal to or exceeds the trigger level, the system is required to initiate quarterly monitoring for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring for the running annual average calculation.

(iv) For the purpose of calculating MCL compliance, if a sample result is less than the practical quantitation level (PQL) for a regulated PFAS, in accordance with the following table, zero is used for that analyte solely to calculate the running annual average.

TABLE 1 TO PARAGRAPH (f)(1)(iv)—PRACTICAL QUANTITATION LEVELS (PQLS) FOR PFAS CONTAMINANTS

Contaminant	PQL (in parts per trillion)
HFPO–DA	5.0
PFBS	3.0
PFHxS	3.0
PFNA	4.0
PFOA	4.0
PFOS	4.0

(2) For each PFAS regulated under the Hazard Index MCL:

(i) For systems monitoring quarterly, divide the observed sample analytical result for each analyte included in the Hazard Index by the corresponding HBWC listed in § 141.61(c) to obtain a hazard quotient for each analyte for each sampling event at each sampling point. Sum the resulting hazard quotients together to determine the Hazard Index for the quarter. If the State requires a confirmation sample for an analyte in the quarter, systems must average these results for each analyte in that quarter and then determine the hazard quotient(s) from those average values, then sum the hazard quotients. Once the Hazard Indices for the individual quarters are calculated, they are averaged to determine a running annual average. If the running annual average Hazard Index exceeds the MCL and two or more Hazard Index analytes had an observed sample analytical result at or above the PQL in any of the quarterly samples collected to determine the running annual average, the system is in violation of the Hazard Index MCL. No rounding occurs until after the running annual average Hazard Index is calculated.

(ii) If the Hazard Index calculated using the results of an annual sample equals or exceeds the Hazard Index MCL, the system must initiate quarterly sampling for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring.

(iii) If the Hazard Index calculated using the results of a triennial sample equals or exceeds the Hazard Index trigger level, the system must initiate quarterly sampling for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring.

(iv) If a sample result is less than the practical quantitation level for a regulated PFAS, in accordance with the table 1 to paragraph (f)(1)(iv) of this section, zero is used for that analyte solely to calculate the running annual average.

§ 141.904 Reporting and recordkeeping requirements.

Systems required to sample must report to the State according to the timeframes and provisions of § 141.31 and retain records according to the provisions in § 141.33.

(a) Systems must report the information from initial monitoring specified in the following table:

TABLE 1 TO PARAGRAPH (a)—DATA TO REPORT FROM INITIAL MONITORING

If you are a . . .	You must report . . .
System monitoring for regulated PFAS under the requirements of § 141.902(b)(1) on a quarterly basis.	1. All sample results, including the locations, number of samples taken at each location, dates, and concentrations reported. 2. Whether a trigger level, defined in § 141.902(a)(5), was met or exceeded in any samples.
System monitoring for regulated PFAS under the requirements of § 141.902(b)(1) less frequently than quarterly.	1. All sample results, including the locations, number of samples taken at each location, dates, and concentrations reported. 2. Whether a trigger level, defined in § 141.902(a)(5), was met or exceeded in any samples.

(b) Systems must report the information collected during the compliance monitoring period specified in the following table:

TABLE 2 TO PARAGRAPH (b)—DATA TO REPORT FROM COMPLIANCE MONITORING

If you are a . . .	You must report . . .
System monitoring for regulated PFAS under the requirements of § 141.902(b)(2) on a quarterly basis.	1. All sample results, including the locations, number of samples taken at each location, dates, and concentrations during the previous quarter. 2. The running annual average at each sampling point of all compliance samples. 3. Whether a trigger level, defined in § 141.902(a)(5), was met or exceeded in any samples. 4. Whether an MCL for a regulated PFAS in § 141.61(c) was met or exceeded in any samples. 5. Whether, based on § 141.903, an MCL was violated.
System monitoring for regulated PFAS under the requirements of § 141.902(b)(2) less frequently than quarterly.	1. All sample results, including the locations, number of samples taken at each location, dates, and concentrations during the previous monitoring period. 2. Whether a trigger level, defined in § 141.902(a)(5), was met or exceeded in any samples. 3. Whether an MCL for a regulated PFAS in § 141.61(c) was met or exceeded in any samples. 4. Whether, based on § 141.903, an MCL was violated (*e.g.,* the results from a single sample are more than 4 times the MCL).

§ 141.905 Violations.

(a) PFAS MCL violations, both for the individual PFOA, PFOS, HFPO–DA, PFHxS, and PFNA MCLs, as well as the Hazard Index MCL, as listed in § 141.61(c), are based on a running annual average, as outlined under § 141.903.

(b) Compliance with § 141.61(c) must be determined based on the analytical results obtained at each sampling point. If one sampling point is in violation of an MCL, the system is in violation of the MCL.

(c) Each failure to monitor in accordance with the requirements under § 141.902 is a monitoring violation.

(d) Failure to notify the State following a MCL violation and failure to submit monitoring data in accordance with the requirements of §§ 141.904 and 141.31 are reporting violations.

(e) Results for PFAS with individual MCLs as listed in § 141.61(c) are compared to their respective MCLs, and results for mixtures of two or more of the Hazard Index PFAS (HFPO–DA, PFBS, PFHxS, and PFNA) are compared to the Hazard Index MCL as listed in § 141.61(c). For determining compliance with the Hazard Index MCL, if only PFBS is reported at any concentration and no other regulated PFAS are in the mixture, it is not violation of the Hazard Index MCL. If only one of the other PFAS within the Hazard Index (HFPO–DA, PFHxS, and PFNA) is detected and the level of this PFAS exceeds its MCL as determined by § 141.903(f)(1)(i), only an individual MCL violation is assessed for the individual PFAS detected, and it is not a violation of the Hazard Index MCL. Exceedances of the Hazard Index caused by two or more of the Hazard Index PFAS (HFPO–DA, PFBS, PFHxS, and PFNA) and exceedances of one or more individual MCLs can result in multiple MCL exceedances. However, in this instance, for purposes of public notification under appendix A to subpart Q of this part, a PWS must only report the Hazard Index MCL exceedance.

PART 142—NATIONAL PRIMARY DRINKING WATER REGULATIONS IMPLEMENTATION

■ 16. The authority citation for part 142 continues to read as follows:

Authority: 42 U.S.C. 300f, 300g–1, 300g–2, 300g–3, 300g–4, 300g–5, 300g–6, 300j–4, 300j–9, and 300j–11.

■ 17. Amend § 142.16 by adding paragraph (r) to read as follows:

§ 142.16 Special primacy requirements.

* * * * *

(r) *Requirements for States to adopt 40 CFR part 141, subpart Z, PFAS.* In addition to the general primacy requirements elsewhere in this part, including the requirements that State regulations be at least as stringent as Federal requirements, an application for approval of a State program revision that adopts 40 CFR part 141, subpart Z, must contain the following, in lieu of meeting the requirements of paragraph (e) of this section:

(1) The State's procedures for reviewing the water system's use of pre-existing data to meet the initial

monitoring requirements specified in § 141.902, including the criteria that will be used to determine if the data are acceptable. This paragraph (r)(1) is no longer applicable after the initial monitoring period ends on April 26, 2027.

(2) The State's procedures for ensuring all systems complete the initial monitoring period requirements that will result in a high degree of monitoring compliance by the regulatory deadlines. This paragraph (r)(2) is no longer applicable after the initial monitoring period ends on April 26, 2027.

(3) After the initial monitoring period, States establish the initial monitoring requirements for new public water systems and existing public water systems that plan to use a new source. States must explain their initial monitoring schedules and how these monitoring schedules ensure that new public water systems and existing public water systems that plan to use new sources comply with MCLs and monitoring requirements. States must also specify the time frame in which a new system or existing system that plans to use a new source must demonstrate compliance with the MCLs.

■ 18. Amend § 142.62 by revising and republishing paragraph (a) to read as follows:

§ 142.62 Variances and exemptions from the maximum contaminant levels for organic and inorganic chemicals.

(a) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the technologies listed in tables 1 and 2 to this paragraph (a) as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the organic chemicals, including per- and polyfluoroalkyl substances (PFAS), listed in § 141.61(a) and (c) of this chapter, for the purposes of issuing variances and exemptions. A list of small system compliance technologies for the regulated PFAS for the purposes of providing variances and exemptions is provided in table 3 to this paragraph (a); for the purpose of this paragraph (a), small system is defined as a system serving 10,000 persons or fewer.

TABLE 1 TO PARAGRAPH (a)—BATS FOR PFAS LISTED IN § 141.61(c)

Contaminant	BAT
Hazard Index PFAS (HFPO–DA, PFBS, PFHxS, and PFNA)	Anion exchange, GAC, reverse osmosis, nanofiltration.
HFPO–DA	Anion exchange, GAC, reverse osmosis, nanofiltration.
PFHxS	Anion exchange, GAC, reverse osmosis, nanofiltration.
PFNA	Anion exchange, GAC, reverse osmosis, nanofiltration.
PFOA	Anion exchange, GAC, reverse osmosis, nanofiltration.
PFOS	Anion exchange, GAC, reverse osmosis, nanofiltration.

TABLE 2 TO PARAGRAPH (a)—BATS FOR OTHER SYNTHETIC ORGANIC CONTAMINANTS LISTED IN § 141.61(c) AND VOLATILE ORGANIC CHEMICALS LISTED IN § 141.61(a)

Contaminant	Best available technologies		
	PTA [1]	GAC [2]	OX [3]
(1) Benzene	X	X	
(2) Carbon tetrachloride	X	X	
(3) 1,2-Dichloroethane	X	X	
(4) Trichloroethylene	X	X	
(5) para-Dichlorobenzene	X	X	
(6) 1,1-Dichloroethylene	X	X	
(7) 1,1,1-Trichloroethane	X	X	
(8) Vinyl chloride	X		
(9) cis-1,2-Dichloroethylene	X	X	
(10) 1,2-Dichloropropane	X	X	
(11) Ethylbenzene	X	X	
(12) Monochlorobenzene	X	X	
(13) o-Dichlorobenzene	X	X	
(14) Styrene	X	X	
(15) Tetrachloroethylene	X	X	
(16) Toluene	X	X	
(17) trans-1,2-Dichloroethylene	X	X	
(18) Xylense (total)	X	X	
(19) Alachlor		X	
(20) Aldicarb		X	
(21) Aldicarb sulfoxide		X	
(22) Aldicarb sulfone		X	
(23) Atrazine		X	
(24) Carbofuran		X	
(25) Chlordane		X	
(26) Dibromochloropropane	X	X	
(27) 2,4-D		X	
(28) Ethylene dibromide	X	X	
(29) Heptachlor		X	
(30) Heptachlor epoxide		X	
(31) Lindane		X	
(32) Methoxychlor		X	
(33) PCBs		X	
(34) Pentachlorophenol		X	

TABLE 2 TO PARAGRAPH (a)—BATS FOR OTHER SYNTHETIC ORGANIC CONTAMINANTS LISTED IN § 141.61(c) AND VOLATILE ORGANIC CHEMICALS LISTED IN § 141.61(a)—Continued

Contaminant	Best available technologies		
	PTA [1]	GAC [2]	OX [3]
(35) Toxaphene		X	
(36) 2,4,5-TP		X	
(37) Benzo[a]pyrene		X	
(38) Dalapon		X	
(39) Dichloromethane	X		
(40) Di(2-ethylhexyl)adipate	X	X	
(41) Di(2-ethylhexyl)phthalate		X	
(42) Dinoseb		X	
(43) Diquat		X	
(44) Endothall		X	
(45) Endrin		X	
(46) Glyphosate			X
(47) Hexachlorobenzene		X	
(48) Hexachlorocyclopentadiene	X	X	
(49) Oxamyl (Vydate)		X	
(50) Picloram		X	
(51) Simazine		X	
(52) 1,2,4-Trichlorobenzene	X	X	
(53) 1,1,2-Trichloroethane	X	X	
(54) 2,3,7,8-TCDD (Dioxin)		X	

[1] Packed Tower Aeration.
[2] Granular Activated Carbon.
[3] Oxidation (Chlorination or Ozonation).

TABLE 3 TO PARAGRAPH (a)—LIST OF SMALL SYSTEM COMPLIANCE TECHNOLOGIES (SSCTs) [1] FOR PFAS LISTED IN § 141.61(c)

Small system compliance technologies	Affordable for listed small system categories [2]
Anion Exchange	All size categories.
GAC	All size categories.
Reverse Osmosis,[3] Nanofiltration [3].	3,301–10,000.

[1] Section 1412(b)(4)(E)(ii) of SDWA specifies that SSCTs must be affordable and technically feasible for small systems.
[2] The Act (ibid.) specifies three categories of small systems: (i) those serving 25 or more, but fewer than 501, (ii) those serving more than 500, but fewer than 3,301, and (iii) those serving more than 3,300, but fewer than 10,001.
[3] Technologies reject a large volume of water and may not be appropriate for areas where water quantity may be an issue.

* * * * *

[FR Doc. 2024–07773 Filed 4–25–24; 8:45 am]

BILLING CODE 6560–50–P