

SUMMARY OF FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER, SECTION/PARAGRAPH)	DIFFERENT FROM FED. REQUIREMENT? (EXPLAIN ON SEPARATE SHEET)
<b>PART 141- NATIONAL PRIMARY DRINKING WATER REGULATIONS</b>			
<b>SUBPART B—MAXIMUM CONTAMINANT LEVELS</b>			
<b>§ 141.11 MAXIMUM CONTAMINANT LEVELS FOR INORGANIC CHEMICALS.</b>			
The non-community water system is meeting the public notification requirements under §141.209, including continuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure; and	§ 141.11(d)(2)		
<b>SUBPART C—MONITORING AND ANALYTICAL REQUIREMENTS</b>			
<b>§ 141.23 INORGANIC CHEMICAL SAMPLING AND ANALYTICAL REQUIREMENTS.</b>			
Where nitrate or nitrite sampling results indicate an exceedance of the maximum contaminant level, the system shall take a confirmation sample within 24 hours of the system's receipt of notification of the analytical results of the first sample. Systems unable to comply with the 24-hour sampling requirement must immediately notify persons served by the public water system in accordance with §141.202 and meet other Tier 1 public notification requirements under Subpart Q of this part. Systems exercising this option must take and analyze a confirmation sample within two weeks of notification of the analytical results of the first sample.	§ 141.23(f)(2)		
<b>SUBPART D—REPORTING AND RECORDKEEPING</b>			
<b>§ 141.31 REPORTING REQUIREMENTS.</b>			

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<p>The public water system, within 10 days of completing the public notification requirements under Subpart Q of this part for the initial public notice and any repeat notices, must submit to the primacy agency a certification that it has fully complied with the public notification regulations. The public water system must include with this certification a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system and to the media.</p>	§ 141.31(d)		
<p><b>§ 141.33 RECORD MAINTENANCE.</b></p>			
<p>Copies of public notices issued pursuant to Subpart Q of this part and certifications made to the primacy agency pursuant to §141.31 must be kept for three years after issuance.</p>	§ 141.33(e)		
<p><b>SUBPART H—FILTRATION AND DISINFECTION</b></p>			
<p><b>§ 141.75 REPORTING AND RECORDKEEPING REQUIREMENTS.</b></p>			
<p>If at any time the turbidity exceeds 5 NTU, the system must consult with the primacy agency as soon as practical, but no later than 24 hours after the exceedance is known, in accordance with the public notification requirements under §141.203(b)(3).</p>	§ 141.75(a)(5)(ii)		
<p>If at any time the turbidity exceeds 5 NTU, the system must consult with the primacy agency as soon as practical, but no later than 24 hours after the exceedance is known, in accordance with the public notification requirements under §141.203(b)(3).</p>	§ 141.75(b)(3)(ii)		

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<b>SUBPART O—CONSUMER CONFIDENCE REPORTS</b>			
<b>§ 141.153 CONTENT OF THE REPORTS.</b>			
A report that contains data on contaminants that EPA regulates using any of the following terms must include the applicable definitions:	§ 141.153(c)(3)		
<i>Maximum residual disinfectant level goal or MRDLG:</i> The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.	§ 141.153(iii)		
<i>Maximum residual disinfectant level or MRDL:</i> The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.	§ 141.153(iv)		
Contaminants subject to a MCL, action level, maximum residual disinfectant level, or treatment technique (regulated contaminants).	§ 141.153(d)(1)(i)		
The likely source(s) of detected contaminants to the best of the operator's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and should be used when available to the operator. If the operator lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in appendix A to this subpart that is most applicable to the system.	§ 141.153(d)(4)(ix)		

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<p>The table(s) must clearly identify any data indicating violations of MCLs, MRDLs, or treatment techniques, and the report must contain a clear and readily understandable explanation of the violation including: the length of the violation, the potential adverse health effects, and actions taken by the system to address the violation. To describe the potential health effects, the system must use the relevant language of appendix A to this subpart.</p>	<p>§ 141.153(d)(6)</p>		
<p>Lead and copper control requirements prescribed by subpart I of this part. For systems that fail to take one or more actions prescribed by §§141.80(d), 141.81, 141.82, 141.83 or 141.84, the report must include the applicable language of appendix A to this subpart for lead, copper, or both.</p>	<p>§ 141.153(f)(3)</p>		
<p>Treatment techniques for Acrylamide and Epichlorohydrin prescribed by subpart K of this part. For systems that violate the requirements of subpart K of this part, the report must include the relevant language from appendix A to this subpart.</p>	<p>§ 141.153(f)(4)</p>		
<p><b>§ 141.154 REQUIRED ADDITIONAL HEALTH INFORMATION.</b></p>			
<p>Community water systems that detect TTHM above 0.080 mg/l, but below the MCL in §141.12, as an annual average, monitored and calculated under the provisions of §141.30, must include health effects language for TTHMs prescribed by appendix A.</p>	<p>§ 141.154(e)</p>		
<p><b>§ 141.155 REPORT DELIVERY AND RECORDKEEPING.</b></p>			

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Any system subject to this subpart must retain copies of its Consumer Confidence Report for no less than 3 years.	§ 141.155(h)		
<b>SUBPART Q – PUBLIC NOTIFICATION OF DRINKING WATER REGULATIONS</b>			
<b>§ 141.201 GENERAL PUBLIC NOTIFICATION REQUIREMENTS.</b>			
Public water systems in States with primacy for the public water system supervision (PWSS) program must comply with the requirements in this subpart no later than May 6, 2002 or on the date the State-adopted rule becomes effective, whichever comes first. Public water systems in jurisdictions where EPA directly implements the PWSS program must comply with the requirements in this subpart on October 31, 2000. Prior to these dates, public water systems must continue to comply with the public notice requirements in §141.32 of this part. The term “primacy agency” is used in this subpart to refer to either EPA or the State or the Tribe in cases where EPA, the State, or the Tribe exercises primary enforcement responsibility for this subpart.	§ 141.201		

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<p>Who must give public notice? Each owner or operator of a public water system (community water systems, non-transient non-community water systems, and transient non-community water systems) must give notice for all violations of national primary drinking water regulations (NPDWR) and for other situations, as listed in Table 1. The term “NPDWR violations” is used in this subpart to include violations of the maximum contaminant level (MCL), maximum residual disinfection level (MRDL), treatment technique (TT), monitoring requirements, and testing procedures in this part 141. Appendix A to this subpart identifies the tier assignment for each specific violation or situation requiring a public notice.</p>	<p>§ 141.201(a)</p>		

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<b>Table 1 to §141.201—Violation Categories and Other Situations Requiring a Public Notice</b>			
(1) NPDWR violations:			
(i) Failure to comply with an applicable maximum contaminant level (MCL) or maximum residual disinfectant level (MRDL).			
(ii) Failure to comply with a prescribed treatment technique (TT).			
(iii) Failure to perform water quality monitoring, as required by the drinking water regulations.			
(iv) Failure to comply with testing procedures as prescribed by a drinking water regulation.			
(2) Variance and exemptions under sections 1415 and 1416 of SDWA:			
(i) Operation under a variance or an exemption.			
(ii) Failure to comply with the requirements of any schedule that has been set under a variance or exemption.			
(3) Special public notices:			
(i) Occurrence of a waterborne disease outbreak or other waterborne emergency.			
(ii) Exceedance of the nitrate MCL by non-community water systems (NCWS), where granted permission by the primacy agency under 141.11(d) of this part.			
(iii) Exceedance of the secondary maximum contaminant level (SMCL) for fluoride.			
(iv) Availability of unregulated contaminant monitoring data.			
(v) Other violations and situations determined by the primacy agency to require a public notice under this subpart, not already listed in Appendix A.			

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<p>What type of public notice is required for each violation or situation? Public notice requirements are divided into three tiers, to take into account the seriousness of the violation or situation and of any potential adverse health effects that may be involved. The public notice requirements for each violation or situation listed in Table 1 of this section are determined by the tier to which it is assigned. Table 2 of this section provides the definition of each tier. Appendix A of this part identifies the tier assignment for each specific violation or situation.</p>	§ 141.201(b)		
<b>TABLE 2 TO §141.201—DEFINITION OF PUBLIC NOTICE TIERS</b>			
(1) <i>Tier 1 public notice</i> —required for NPDWR violations and situations with significant potential to have serious adverse effects on human health as a result of short-term exposure.			
(2) <i>Tier 2 public notice</i> —required for all other NPDWR violations and situations with potential to have serious adverse effects on human health.			
(3) <i>Tier 3 public notice</i> —required for all other NPDWR violations and situations not included in Tier 1 and Tier 2.			
<i>Who must be notified?</i>	§ 141.201(c)		
<p>Each public water system must provide public notice to persons served by the water system, in accordance with this subpart. Public water systems that sell or otherwise provide drinking water to other public water systems ( <i>i.e.</i> , to consecutive systems) are required to give public notice to the owner or operator of the consecutive system; the consecutive system is responsible for providing public notice to the persons it serves.</p>	§ 141.201(c)(1)		



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<p>If a public water system has a violation in a portion of the distribution system that is physically or hydraulically isolated from other parts of the distribution system, the primacy agency may allow the system to limit distribution of the public notice to only persons served by that portion of the system which is out of compliance. Permission by the primacy agency for limiting distribution of the notice must be granted in writing.</p>	<p>§ 141.201(2)</p>		
<p>A copy of the notice must also be sent to the primacy agency, in accordance with the requirements under §141.31(d).</p>	<p>§ 141.201(3)</p>		
<p><b>§ 141.202 TIER 1 PUBLIC NOTICE —FORM, MANNER, AND FREQUENCY OF NOTICE.</b></p>			
<p><i>Which violations or situations require a Tier 1 public notice?</i> Table 1 of this section lists the violation categories and other situations requiring a Tier 1 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.</p>	<p>§ 141.202(a)</p>		

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<b>TABLE 1 TO §141.202—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 1 PUBLIC NOTICE</b>			
(1) Violation of the MCL for total coliforms when fecal coliform or E. coli are present in the water distribution system (as specified in §141.63(b)), or when the water system fails to test for fecal coliforms or E. coli when any repeat sample tests positive for coliform (as specified in §141.21(e));			
(2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, as defined in §141.62, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL, as specified in §141.23(f)(2);			
(3) Exceedance of the nitrate MCL by non-community water systems, where permitted to exceed the MCL by the primacy agency under §141.11(d), as required under §141.209;			
(4) Violation of the MRDL for chlorine dioxide, as defined in §141.65(a), when one or more samples taken in the distribution system the day following an exceedance of the MRDL at the entrance of the distribution system exceed the MRDL, or when the water system does not take the required samples in the distribution system, as specified in §141.133(c)(2)(i);			
(5) Violation of the turbidity MCL under §141.13(b), where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation;			
(6) Violation of the Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR) or Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit (as identified in Appendix A), where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation;			
(7) Occurrence of a waterborne disease outbreak, as defined in §141.2, or other waterborne emergency (such as a failure or significant interruption in key water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that significantly increases the potential for drinking water contamination);			
(8) Detection of <i>E. coli</i> , enterococci, or coliphage in source water samples as specified in §141.402(a) and §141.402(b);			
(9) Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the primacy agency either in its regulations or on a case-by-case basis.			

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<i>When is the Tier 1 public notice to be provided?</i> What additional steps are required? Public water systems must:	§ 141.202(b)		
Provide a public notice as soon as practical but no later than 24 hours after the system learns of the violation;	§ 141.202(b) (1)		
Initiate consultation with the primacy agency as soon as practical, but no later than 24 hours after the public water system learns of the violation or situation, to determine additional public notice requirements; and	§ 141.202(b) (2)		
Comply with any additional public notification requirements (including any repeat notices or direction on the duration of the posted notices) that are established as a result of the consultation with the primacy agency. Such requirements may include the timing, form, manner, frequency, and content of repeat notices (if any) and other actions designed to reach all persons served.	§ 141.202(b) (3)		
<i>What is the form and manner of the public notice?</i> Public water systems must provide the notice within 24 hours in a form and manner reasonably calculated to reach all persons served. The form and manner used by the public water system are to fit the specific situation, but must be designed to reach residential, transient, and non-transient users of the water system. In order to reach all persons served, water systems are to use, at a minimum, one or more of the following forms of delivery:	§ 141.202(c)		

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Appropriate broadcast media (such as radio and television);	§ 141.202(c) (1)		
Posting of the notice in conspicuous locations throughout the area served by the water system;	§ 141.202(c) (2)		
Hand delivery of the notice to persons served by the water system; or	§ 141.202(c) (3)		
Another delivery method approved in writing by the primacy agency.	§ 141.202(c) (4)		
<b>§ 141.203 TIER 2 PUBLIC NOTICE —FORM, MANNER, AND FREQUENCY OF NOTICE.</b>			
<i>Which violations or situations require a Tier 2 public notice?</i> Table 1 of this section lists the violation categories and other situations requiring a Tier 2 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.	§ 141.203(a)		
<b>TABLE 1 TO §141.203—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 2 PUBLIC NOTICE</b>			
(1) All violations of the MCL, MRDL, and treatment technique requirements, except where a Tier 1 notice is required under §141.202(a) or where the primacy agency determines that a Tier 1 notice is required;			
(2) Violations of the monitoring and testing procedure requirements, where the primacy agency determines that a Tier 2 rather than a Tier 3 public notice is required, taking into account potential health impacts and persistence of the violation; and			
(3) Failure to comply with the terms and conditions of any variance or exemption in place.			
(4) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses (using inactivation, removal, or a State-approved combination of 4-log virus inactivation and removal) before or at the first customer under §141.403(a).			
<i>When is the Tier 2 public notice to be provided?</i>	§ 141.203(b)		

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<p>Public water systems must provide the public notice as soon as practical, but no later than 30 days after the system learns of the violation. If the public notice is posted, the notice must remain in place for as long as the violation or situation persists, but in no case for less than seven days, even if the violation or situation is resolved. The primacy agency may, in appropriate circumstances, allow additional time for the initial notice of up to three months from the date the system learns of the violation. It is not appropriate for the primacy agency to grant an extension to the 30-day deadline for any unresolved violation or to allow across-the-board extensions by rule or policy for other violations or situations requiring a Tier 2 public notice. Extensions granted by the primacy agency must be in writing.</p>	<p>§ 141.203(b)(1)</p>		

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<p>The public water system must repeat the notice every three months as long as the violation or situation persists, unless the primacy agency determines that appropriate circumstances warrant a different repeat notice frequency. In no circumstance may the repeat notice be given less frequently than once per year. It is not appropriate for the primacy agency to allow less frequent repeat notice for an MCL violation under the Total Coliform Rule or a treatment technique violation under the Surface Water Treatment Rule or Interim Enhanced Surface Water Treatment Rule. It is also not appropriate for the primacy agency to allow through its rules or policies across-the-board reductions in the repeat notice frequency for other ongoing violations requiring a Tier 2 repeat notice. Primacy agency determinations allowing repeat notices to be given less frequently than once every three months must be in writing.</p>	§ 141.203(b) (2)		
<p>For the turbidity violations specified in this paragraph, public water systems must consult with the primacy agency as soon as practical but no later than 24 hours after the public water system learns of the violation, to determine whether a Tier 1 public notice under §141.202(a) is required to protect public health. When consultation does not take place within the 24-hour period, the water system must distribute a Tier 1 notice of the violation within the next 24 hours ( <i>i.e.</i>, no later than 48 hours after the system learns of the violation), following the requirements under §141.202(b) and (c). Consultation with the primacy agency is required for:</p>	§ 141.203(b) (3)		
<p>Violation of the turbidity MCL under §141.13(b); or</p>	§ 141.203(b) (3) (i)		

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Violation of the SWTR, IESWTR or LT1ESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit.	§ 141.203(b) (3) (ii)		
<i>What is the form and manner of the Tier 2 public notice?</i> Public water systems must provide the initial public notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:	§ 141.203(c)		
Unless directed otherwise by the primacy agency in writing, community water systems must provide notice by:	§ 141.203(c) (1)		
Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and	§ 141.203(c) (1) (i)		
Any other method reasonably calculated to reach other persons regularly served by the system, if they would not normally be reached by the notice required in paragraph (c)(1)(i) of this section. Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include: Publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places served by the system or on the Internet; or delivery to community organizations.	§ 141.203(c) (1) (ii)		

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Unless directed otherwise by the primacy agency in writing, non-community water systems must provide notice by:	§ 141.203(c) (2)		
Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); and	§ 141.203(c) (2) (i)		
Any other method reasonably calculated to reach other persons served by the system if they would not normally be reached by the notice required in paragraph (c)(2)(i) of this section. Such persons may include those served who may not see a posted notice because the posted notice is not in a location they routinely pass by. Other methods may include: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or, delivery of multiple copies in central locations (e.g., community centers).	§ 141.203(c) (2) (ii)		
<b>§ 141.204 TIER 3 PUBLIC NOTICE —FORM, MANNER, AND FREQUENCY OF NOTICE.</b>			
<i>Which violations or situations require a Tier 3 public notice?</i> Table 1 of this section lists the violation categories and other situations requiring a Tier 3 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.	§ 141.204(a)		



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<b>TABLE 1 TO §141.204—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 3 PUBLIC NOTICE</b>			
(1) Monitoring violations under 40 CFR part 141, except where a Tier 1 notice is required under §141.202(a) or where the primacy agency determines that a Tier 2 notice is required;			
(2) Failure to comply with a testing procedure established in 40 CFR part 141, except where a Tier 1 notice is required under §141.202(a) or where the primacy agency determines that a Tier 2 notice is required;			
(3) Operation under a variance granted under Section 1415 or an exemption granted under Section 1416 of the Safe Drinking Water Act;			
(4) Availability of unregulated contaminant monitoring results, as required under §141.207; and			
(5) Exceedance of the fluoride secondary maximum contaminant level (SMCL), as required under §141.208.			
<i>When is the Tier 3 public notice to be provided?</i>	§ 141.204(b)		
Public water systems must provide the public notice not later than one year after the public water system learns of the violation or situation or begins operating under a variance or exemption. Following the initial notice, the public water system must repeat the notice annually for as long as the violation, variance, exemption, or other situation persists. If the public notice is posted, the notice must remain in place for as long as the violation, variance, exemption, or other situation persists, but in no case less than seven days (even if the violation or situation is resolved).	§ 141.204(b) (1)		
Instead of individual Tier 3 public notices, a public water system may use an annual report detailing all violations and situations that occurred during the previous twelve months, as long as the timing requirements of paragraph (b)(1) of this section are met.	§ 141.204(b) (2)		

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<p><i>What is the form and manner of the Tier 3 public notice?</i> Public water systems must provide the initial notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:</p>	§ 141.204(c)		
<p>Unless directed otherwise by the primacy agency in writing, community water systems must provide notice by:</p>	§ 141.204(c) (1)		
<p>Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and</p>	§ 141.204(c) (1) (i)		
<p>Any other method reasonably calculated to reach other persons regularly served by the system, if they would not normally be reached by the notice required in paragraph (c)(1)(i) of this section. Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include: Publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places or on the Internet; or delivery to community organizations.</p>	§ 141.204(c) (1) (ii)		
<p>Unless directed otherwise by the primacy agency in writing, non-community water systems must provide notice by:</p>	§ 141.204(c) (2)		

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Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); and	§ 141.204(c) (2) (i)		
Any other method reasonably calculated to reach other persons served by the system, if they would not normally be reached by the notice required in paragraph (c)(2)(i) of this section. Such persons may include those who may not see a posted notice because the notice is not in a location they routinely pass by. Other methods may include: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or, delivery of multiple copies in central locations (e.g., community centers).	§ 141.204(c) (2) (ii)		
<i>In what situations may the Consumer Confidence Report be used to meet the Tier 3 public notice requirements?</i> For community water systems, the Consumer Confidence Report (CCR) required under Subpart O of this part may be used as a vehicle for the initial Tier 3 public notice and all required repeat notices, as long as:	§ 141.204(d)		
The CCR is provided to persons served no later than 12 months after the system learns of the violation or situation as required under §141.204(b);	§ 141.204(d) (1)		
The Tier 3 notice contained in the CCR follows the content requirements under §141.205; and	§ 141.204(d) (2)		
The CCR is distributed following the delivery requirements under §141.204(c).	§ 141.204(d) (3)		
<b>§ 141.205 CONTENT OF THE PUBLIC NOTICE.</b>			

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<i>What elements must be included in the public notice for violations of National Primary Drinking Water Regulations (NPDWR) or other situations requiring a public notice? When a public water system violates a NPDWR or has a situation requiring public notification, each public notice must include the following elements:</i>	§ 141.205(a)		
A description of the violation or situation, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);	§ 141.205(a) (1)		
When the violation or situation occurred;	§ 141.205(a) (2)		
Any potential adverse health effects from the violation or situation, including the standard language under paragraph (d)(1) or (d)(2) of this section, whichever is applicable;	§ 141.205(a) (3)		
The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;	§ 141.205(a) (4)		
Whether alternative water supplies should be used;	§ 141.205(a) (5)		
What actions consumers should take, including when they should seek medical help, if known;	§ 141.205(a) (6)		
What the system is doing to correct the violation or situation;	§ 141.205(a) (7)		
When the water system expects to return to compliance or resolve the situation;	§ 141.205(a) (8)		
The name, business address, and phone number of the water system owner, operator, or designee of the public water system as a source of additional information concerning the notice; and	§ 141.205(a) (9)		

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A statement to encourage the notice recipient to distribute the public notice to other persons served, using the standard language under paragraph (d)(3) of this section, where applicable.	§ 141.205(a) (10)		
<i>What elements must be included in the public notice for public water systems operating under a variance or exemption?</i>	§ 141.205(b)		
If a public water system has been granted a variance or an exemption, the public notice must contain:	§ 141.205(b) (1)		
An explanation of the reasons for the variance or exemption;	§ 141.205(b) (1) (i)		
The date on which the variance or exemption was issued;	§ 141.205(b) (1) (ii)		
A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and	§ 141.205(b) (1) (iii)		
A notice of any opportunity for public input in the review of the variance or exemption.	§ 141.205(b) (1) (iv)		
If a public water system violates the conditions of a variance or exemption, the public notice must contain the ten elements listed in paragraph (a) of this section.	§ 141.205(b) (2)		
<i>How is the public notice to be presented?</i>	§ 141.205(c)		
Each public notice required by this section:	§ 141.205(c) (1)		
Must be displayed in a conspicuous way when printed or posted;	§ 141.205(c) (1) (i)		
Must not contain overly technical language or very small print;	§ 141.205(c) (1) (ii)		

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Must not be formatted in a way that defeats the purpose of the notice;	§ 141.205(c) (1) (iii)		
Must not contain language which nullifies the purpose of the notice.	§ 141.205(c) (1) (iv)		
Each public notice required by this section must comply with multilingual requirements, as follows:	§ 141.205(c) (2)		
For public water systems serving a large proportion of non-English speaking consumers, as determined by the primacy agency, the public notice must contain information in the appropriate language(s) regarding the importance of the notice or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the notice or to request assistance in the appropriate language.	§ 141.205(c) (2) (i)		
In cases where the primacy agency has not determined what constitutes a large proportion of non-English speaking consumers, the public water system must include in the public notice the same information as in paragraph (c)(2)(i) of this section, where appropriate to reach a large proportion of non-English speaking persons served by the water system.	§ 141.205(c) (2) (ii)		
<i>What standard language must public water systems include in their public notice?</i> Public water systems are required to include the following standard language in their public notice:	§ 141.205(d)		

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<p>Standard health effects language for MCL or MRDL violations, treatment technique violations, and violations of the condition of a variance or exemption. Public water systems must include in each public notice the health effects language specified in Appendix B to this subpart corresponding to each MCL, MRDL, and treatment technique violation listed in Appendix A to this subpart, and for each violation of a condition of a variance or exemption.</p>	<p>§ 141.205(d) (1)</p>		
<p>Standard language for monitoring and testing procedure violations. Public water systems must include the following language in their notice, including the language necessary to fill in the blanks, for all monitoring and testing procedure violations listed in Appendix A to this subpart:</p> <p>We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period], we “did not monitor or test” or “did not complete all monitoring or testing” for [contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time.</p>	<p>§ 141.205(d) (2)</p>		

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<p>Standard language to encourage the distribution of the public notice to all persons served. Public water systems must include in their notice the following language (where applicable):</p> <p>Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.</p>	§ 141.205(d) (3)		
<b>§ 141.206 NOTICE TO NEW BILLING UNITS OR NEW CUSTOMERS.</b>			
<p><i>What is the requirement for community water systems?</i> Community water systems must give a copy of the most recent public notice for any continuing violation, the existence of a variance or exemption, or other ongoing situations requiring a public notice to all new billing units or new customers prior to or at the time service begins.</p>	§ 141.206(a)		
<p><i>What is the requirement for non-community water systems?</i> Non-community water systems must continuously post the public notice in conspicuous locations in order to inform new consumers of any continuing violation, variance or exemption, or other situation requiring a public notice for as long as the violation, variance, exemption, or other situation persists.</p>	§ 141.206(b)		
<b>§ 141.207 SPECIAL NOTICE OF THE AVAILABILITY OF UNREGULATED CONTAMINANT MONITORING RESULTS.</b>			



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<p><i>When is the special notice to be given?</i> The owner or operator of a community water system or non-transient, non-community water system required to monitor under §141.40 must notify persons served by the system of the availability of the results of such sampling no later than 12 months after the monitoring results are known.</p>	<p>§ 141.207(a)</p>		
<p><i>What is the form and manner of the special notice?</i> The form and manner of the public notice must follow the requirements for a Tier 3 public notice prescribed in §§141.204(c), (d)(1), and (d)(3). The notice must also identify a person and provide the telephone number to contact for information on the monitoring results.</p>	<p>§ 141.207(b)</p>		
<p><b>§ 141.208 SPECIAL NOTICE FOR EXCEEDANCE OF THE SMCL FOR FLUORIDE.</b></p>			

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<p><i>When is the special notice to be given?</i> Community water systems that exceed the fluoride secondary maximum contaminant level (SMCL) of 2 mg/l as specified in §143.3 (determined by the last single sample taken in accordance with §141.23), but do not exceed the maximum contaminant level (MCL) of 4 mg/l for fluoride (as specified in §141.62), must provide the public notice in paragraph (c) of this section to persons served. Public notice must be provided as soon as practical but no later than 12 months from the day the water system learns of the exceedance. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the State public health officer. The public water system must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the SMCL is exceeded, but in no case less than seven days (even if the exceedance is eliminated). On a case-by-case basis, the primacy agency may require an initial notice sooner than 12 months and repeat notices more frequently than annually.</p>	§ 141.208(a)		
<p><i>What is the form and manner of the special notice?</i> The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in §141.204(c) and (d)(1) and (d)(3).</p>	§ 141.208(b)		

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<p><i>What mandatory language must be contained in the special notice?</i> The notice must contain the following language, including the language necessary to fill in the blanks:</p> <p>This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [ <i>name</i> ] has a fluoride concentration of [ <i>insert value</i> ] mg/l. Dental fluorosis, in its moderate or severe forms, may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water. Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem.</p>	§ 141.208(c)		

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<p>For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.”</p>			
<p><b>§ 141.209 SPECIAL NOTICE FOR NITRATE EXCEEDANCES ABOVE MCL BY NON-COMMUNITY WATER SYSTEMS (NCWS), WHERE GRANTED PERMISSION BY THE PRIMACY AGENCY UNDER §141.11(D)</b></p>			
<p><i>When is the special notice to be given?</i> The owner or operator of a non-community water system granted permission by the primacy agency under §141.11(d) to exceed the nitrate MCL must provide notice to persons served according to the requirements for a Tier 1 notice under §141.202(a) and (b).</p>	<p>§ 141.209(a)</p>		
<p><i>What is the form and manner of the special notice?</i> Non-community water systems granted permission by the primacy agency to exceed the nitrate MCL under §141.11(d) must provide continuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure, according to the requirements for Tier 1 notice delivery under §141.202(c) and the content requirements under §141.205.</p>	<p>§ 141.209(b)</p>		
<p><b>§ 141.210 NOTICE BY PRIMACY AGENCY ON BEHALF OF THE PUBLIC WATER SYSTEM.</b></p>			
<p><i>May the primacy agency give the notice on behalf of the public water system?</i> The primacy agency may give the notice required by this subpart on behalf of the owner and operator of the public water system if the primacy agency complies with the requirements of this subpart.</p>	<p>§ 141.210(a)</p>		

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<p><i>What is the responsibility of the public water system when notice is given by the primacy agency?</i> The owner or operator of the public water system remains responsible for ensuring that the requirements of this subpart are met.</p>	§ 141.210(b)		
<p><b>§ 141.211 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.</b></p>			
<p><i>When is the special notice for repeated failure to monitor to be given?</i> The owner or operator of a community or non-community water system that is required to monitor source water under §141.701 must notify persons served by the water system that monitoring has not been completed as specified no later than 30 days after the system has failed to collect any 3 months of monitoring as specified in §141.701(c). The notice must be repeated as specified in §141.203(b).</p>	§ 141.211(a)		
<p><i>When is the special notice for failure to determine bin classification or mean Cryptosporidium level to be given?</i> The owner or operator of a community or non-community water system that is required to determine a bin classification under §141.710, or to determine mean <i>Cryptosporidium</i> level under §141.712, must notify persons served by the water system that the determination has not been made as required no later than 30 days after the system has failed report the determination as specified in §141.710(e) or §141.712(a), respectively. The notice must be repeated as specified in §141.203(b). The notice is not required if the system is complying with a State-approved schedule to address the violation.</p>	§ 141.211(b)		

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<p><i>What is the form and manner of the special notice?</i> The form and manner of the public notice must follow the requirements for a Tier 2 public notice prescribed in §141.203(c). The public notice must be presented as required in §141.205(c).</p>	§ 141.211(c)		
<p><i>What mandatory language must be contained in the special notice?</i> The notice must contain the following language, including the language necessary to fill in the blanks.</p>	§ 141.211(d)		
<p>The special notice for repeated failure to conduct monitoring must contain the following language:</p> <p>We are required to monitor the source of your drinking water for <i>Cryptosporidium</i>. Results of the monitoring are to be used to determine whether water treatment at the (treatment plant name) is sufficient to adequately remove <i>Cryptosporidium</i> from your drinking water. We are required to complete this monitoring and make this determination by (required bin determination date). We “did not monitor or test” or “did not complete all monitoring or testing” on schedule and, therefore, we may not be able to determine by the required date what treatment modifications, if any, must be made to ensure adequate <i>Cryptosporidium</i> removal. Missing this deadline may, in turn, jeopardize our ability to have the required treatment modifications, if any, completed by the deadline required, (date). For more information, please call (name of water system contact) of (name of water system) at (phone number).</p>	§ 141.211(d) (1)		

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<p>The special notice for failure to determine bin classification or mean <i>Cryptosporidium</i> level must contain the following language:</p> <p>We are required to monitor the source of your drinking water for <i>Cryptosporidium</i> in order to determine by (date) whether water treatment at the (treatment plant name) is sufficient to adequately remove <i>Cryptosporidium</i> from your drinking water. We have not made this determination by the required date. Our failure to do this may jeopardize our ability to have the required treatment modifications, if any, completed by the required deadline of (date). For more information, please call (name of water system contact) of (name of water system) at (phone number).</p>	§ 141.211(d) (2)		
<p>Each special notice must also include a description of what the system is doing to correct the violation and when the system expects to return to compliance or resolve the situation.</p>	§ 141.211(d) (3)		
Appendix A to Subpart Q	Appendix A to Subpart Q		
Appendix B to Subpart Q	Appendix B to Subpart Q		
Appendix C to Subpart Q	Appendix C to Subpart Q		

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<b>PART 142-NATIONAL PRIMARY DRINKING WATER REGULATIONS IMPLEMENTATION</b>			
<b>SUBPART B-PRIMARY ENFORCEMENT RESPONSIBILITY</b>			
<b>§ 142.10 REQUIREMENTS FOR A DETERMINATION OF PRIMARY ENFORCEMENT RESPONSIBILITY.</b>			
Authority to require public water systems to give public notice that is no less stringent than the EPA requirements in Subpart Q of Part 141 of this chapter and §142.16(a).	§ 142.10(b)(6)(v)		
Authority to assess civil or criminal penalties for violation of the State's primary drinking water regulations and public notification requirements, including the authority to assess daily penalties or multiple penalties when a violation continues;	§ 142.10(b)(6)(vi)		
<b>§ 142.14 RECORDS KEPT BY STATES.</b>			
Public notification records under Subpart Q of Part 141 of this chapter received from public water systems (including certifications of compliance and copies of public notices) and any state determinations establishing alternative public notification requirements for the water systems must be retained for three years.	§ 142.14(f)		
<b>§ 142.15 REPORTS BY STATES.</b>			
Each State which has primary enforcement responsibility shall submit quarterly reports to the Administrator on a schedule and in a format prescribed by the Administrator, consisting of the following information:	§ 142.15(a)		



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(1) New violations by public water systems in the State during the previous quarter of State regulations adopted to incorporate the requirements of national primary drinking water regulations, including violations of the public notification requirements under Subpart Q of Part 141 of this chapter;	§ 142.15(a)(1)		
<b>§ 142.16 SPECIAL PRIVACY REQUIREMENTS.</b>			
<i>State public notification requirements</i>	§ 142.16(a)		
Each State that has primary enforcement authority under this part must submit complete and final requests for approval of program revisions to adopt the requirements of Subpart Q of Part 141 of this chapter, using the procedures in §142.12(b) through (d). At its option, a State may, by rule, and after notice and comment, establish alternative public notification requirements with respect to the form and content of the public notice required under Subpart Q of Part 141 of this chapter. The alternative requirements must provide the same type and amount of information required under Subpart Q and must meet the privacy requirements under §142.10.	§ 142.16(a)(1)		
As part of the revised privacy program, a State must also establish enforceable requirements and procedures when the State adds to or changes the requirements under:	§ 142.16(a)(2)		
<i>Table 1 to 40 CFR 141.201(a)(Item (3)(v))</i> —To require public water systems to give a public notice for violations or situations other than those listed in Appendix A of Subpart Q of Part 141 of this chapter;	§ 142.16(a)(2)(i)		

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<p><i>40 CFR 141.201(c)(2)</i> —To allow public water systems, under the specific circumstances listed in §141.201(c)(2), to limit the distribution of the public notice to persons served by the portion of the distribution system that is out of compliance;</p>	§ 142.16(a)(2)(ii)		
<p><i>Table 1 of 40 CFR 141.202(a) (Items (5), (6), and (9))</i> —To require public water systems to give a Tier 1 public notice (rather than a Tier 2 or Tier 3 notice) for violations or situations listed in Appendix A of Subpart Q of Part 141 of this chapter;</p>	§ 142.16(a)(2)(iii)		
<p><i>40 CFR 141.202(b)(3)</i> —To require public water systems to comply with additional Tier 1 public notification requirements set by the State subsequent to the initial 24-hour Tier 1 notice, as a result of their consultation with the State required under §§141.202(b)(2);</p>	§ 142.16(a)(2)(iv)		
<p><i>40 CFR 141.202(c), 141.203(c) and 141.204(c)</i> —To require a different form and manner of delivery for Tier 1, 2 and 3 public notices.</p>	§ 142.16(a)(2)(v)		
<p><i>Table 1 to 40 CFR 141.203(a) (Item (2))</i> —To require the public water systems to provide a Tier 2 public notice (rather than Tier (3)) for monitoring or testing procedure violations specified by the State;</p>	§ 142.16(a)(2)(vi)		
<p><i>40 CFR 141.203(b)(1)</i> —To grant public water systems an extension up to three months for distributing the Tier 2 public notice in appropriate circumstances (other than those specifically excluded in the rule);</p>	§ 142.16(a)(2)(vii)		

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<p><i>40 CFR 141.203(b)(2)</i> —To grant a different repeat notice frequency for the Tier 2 public notice in appropriate circumstances (other than those specifically excluded in the rule), but no less frequently than once per year;</p>	<p>§ 142.16(a)(2)(viii)</p>		
<p><i>40 CFR 141.203(b)(3)</i> —To respond within 24 hours to a request for consultation by the public water system to determine whether a Tier 1 (rather than a Tier 2) notice is required for a turbidity MCL violation under §141.13(b) or a SWTR/IESWTR TT violation due to a single exceedance of the maximum allowable turbidity limit;</p>	<p>§ 142.16(a)(2)(ix)</p>		
<p><i>40 CFR 141.205(c)</i> —To determine the specific multilingual requirement for a public water system, including defining “large proportion of non-English-speaking consumers.”</p>	<p>§ 142.16(a)(2)(x)</p>		