

October 15, 2026

**MEMORANDUM**

**TO:** Board of Natural Resources

**FROM:** Jeffrey W. Cown, Director *JWC*  
Environmental Protection Division

**SUBJECT:** Briefing on Proposed Amendments to the Rules for Safe Drinking Water,  
Chapter 391-3-5

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The purpose of this briefing memo is to coordinate with the Environmental Protection Committee and seek input from all members of the Board on EPD's proposed amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, pertaining to EPA's 2024 Consumer Confidence Report Rule Revisions.

Federal rules regarding Consumer Confidence Reports, a National Primary Drinking Water Regulation, became effective in 1998. The federal rules require community water systems to prepare and provide to their customers annual consumer confidence reports on the quality of the water delivered by the systems. On June 24, 2024, the U.S. Environmental Protection Agency (EPA) finalized the Consumer Confidence Report Rule Revisions under 40 Code of Federal Regulations (CFR) Part 141. The federal rule revisions are focused on making the reports more understandable and accessible to the public, enhancing information about lead in drinking water, and encouraging electronic methods to streamline the delivery of the reports. The federal rule revisions will also require systems serving more than 10,000 customers to distribute reports twice a year. The federal rule revisions take effect with the consumer confidence reports due on April 1, 2027.

The proposed amendments to the Rules for Safe Drinking Water are responsive to the directive in the Federal Safe Drinking Water Act, 40 CFR Part 142, which requires States to adopt new or revised federal regulations in order to maintain primacy (primary enforcement authority) over public drinking water systems.

EPD proposes to amend provisions of three Rules in Chapter 391-3-5 to incorporate these federal rule revisions; specifically, Rules 391-3-5-.02, 391-3-5-.30, and 391-3-5-.41 are being amended to ensure consistency with the federal rule revisions.

In preparing the proposed amendments, EPD issued a public notice on August 17, 2026, conducted a public meeting on September 10, 2026, and accepted comments from the public through September 18, 2026. EPD received one public comment that did not object to the amendments but posed a question to gain understanding of the federal rule revisions. The comment did not result in any changes to the proposed amendments.

EPD will solicit public input and hold a public hearing, and expects to present the following amendments to the Board for action at the February 2027 meeting.

The following documents are enclosed for your review:

Page No.

- Synopsis and Statement of Rationale for Proposed Amendments to the Rules for Safe Drinking Water, Chapter 391-3-5 A-3
- Proposed Amendments to the Rules for Safe Drinking Water, showing deletions with ~~strikeouts~~ and additions with underlines A-5

Thank you for your attention to these proposed rule amendments.

JWC:vlc

**SYNOPSIS**  
**Proposed Amendments to the Rules for Safe Drinking Water,**  
**Chapter 391-3-5**

The proposed amendments to the Rules for Safe Drinking Water would amend **Rules 391-3-5-.02, 391-3-5-.30, and 391-3-5-.41** for consistency with the 2024 federal Consumer Confidence Report Rule Revisions at 40 CFR Part 141.

**Purpose:** EPD proposes to amend three Rules under Chapter 391-3-5 to incorporate revisions made by EPA in the Code of Federal Regulations (CFR) regarding consumer confidence reports. EPD is proposing to amend these rules to maintain consistency with the federal Consumer Confidence Report Rule Revisions that go into effect on April 1, 2027.

**Main Features:** The proposed amendments will incorporate additional references to the federal Consumer Confidence Report Rule Revisions, including new rule 40 CFR Part 141.156. The proposed amendments will also incorporate an update to the definition for “Consumer Confidence Report” and incorporate revised language and references in the state’s Consumer Confidence Reports rule that will address the federal rule revisions.

**RULES FOR SAFE DRINKING WATER, CHAPTER 391-3-5**

**391-3-5-.02, “Definitions”** is being amended to remove the word “annual” in the “Consumer Confidence Report” definition of subparagraph (27) for consistency with the federal Consumer Confidence Report Rule Revisions.

**391-3-5-.30, “Reporting Requirements”** is being amended to reference additional applicable federal Consumer Confidence Report rules in paragraph (13).

**Rule 391-3-5-.41, “Consumer Confidence Reports”** is being amended to revise the title and contents of paragraph (2) and its subparagraphs for consistency with the revisions to federal rule 40 CFR Part 141.152; to revise the title of paragraph (5) for consistency with the revised title of federal rule 40 CFR Part 141.155; to add new paragraph (6) to incorporate new federal rule 40 CFR Part 141.156, and renumbering subsequent paragraphs; and to change a reference in renumbered subparagraph (8)(a)4. from “customer’s” to “consumer’s” for consistency with the revisions to federal rule 40 CFR Part 141.151.

**STATEMENT OF RATIONALE**  
**Proposed Amendments to the Rules for Safe Drinking Water,**  
**Chapter 391-3-5**

The proposed amendments to the Rules for Safe Drinking Water, Chapter 391-3-5 will address the requirements of EPA’s 2024 Consumer Confidence Report Rule Revisions. The Federal Safe

Drinking Water Act, 40 CFR Part 142, requires States to adopt new or revised federal regulations in order to maintain primacy (primary enforcement authority) over public drinking water systems. The proposed amendments are designed to incorporate the requirements of the Consumer Confidence Report Rule Revisions and will ensure that Georgia maintains its primacy over public drinking water systems.

The federal Consumer Confidence Report Rule Revisions were published in 2024 and go into effect on April 1, 2027. The federal rule revisions are focused on making the reports more understandable and accessible to the public, enhancing information about lead in drinking water, encouraging electronic methods to streamline the delivery of the reports, and requiring systems serving more than 10,000 customers to distribute reports twice a year. All public water systems and primacy agencies must comply with the Consumer Confidence Report Rule Revisions by April 1, 2027.

**PROPOSED AMENDMENTS TO THE RULES**  
**OF THE GEORGIA DEPARTMENT OF NATURAL RESOURCES**  
**ENVIRONMENTAL PROTECTION DIVISION**  
**RELATING TO SAFE DRINKING WATER, CHAPTER 391-3-5**

The Rules of the Department of Natural Resources, Chapter 391-3-5, are hereby amended and revised for specific Rules, or such subdivisions thereof as may be indicated.

[Note: Underlined text is proposed to be added. ~~Lined-through~~ text is proposed to be deleted.]

**CHAPTER 391-3-5 SAFE DRINKING WATER**

**Rule 391-3-5-.02 Definitions**

All terms used in these rules shall be interpreted in accordance with the definitions as set forth in the Georgia Safe Drinking Water Act of 1977 or as herein defined:

- (1) “Act” means the Georgia Safe Drinking Water Act of 1977, as amended.
- (2) “Action Level” means the concentration of a contaminant, which if exceeded, triggers treatment or other requirements which a water system must follow.
- (3) “Aquifer” means any stratum or zone of rock beneath the surface of the earth capable of containing water or producing water from a well.
- (4) “Aquifer Testing” means a controlled pumping test of a well lasting at least 24 continuous hours in which the water level and the pumping rate are monitored at closely spaced intervals and the water level is monitored for at least as long a time following the test as the duration of the test.
- (5) “Backflow” means the reverse flow of contaminated water, other liquid, gas, or substance into the distribution system of a potable water supply.
- (6) “Back pressure” means a condition in which the pressure in a non-potable system is greater than the pressure in the potable distribution system and can cause contaminants to backflow into the potable system.
- (7) “Backsiphonage” means a form of backflow caused by a negative or below atmospheric pressure within the potable water system.
- (8) “Bag filters” are pressure-driven separation devices that remove particulate matter larger than 1 micrometer using an engineered porous filtration media. They are typically constructed of a non-rigid, fabric filtration media housed in a pressure vessel in which the direction of flow is from the inside of the bag to outside.
- (9) “Bank filtration” is a water treatment process that uses a well to recover surface water that has naturally infiltrated into ground water through a river bed or bank(s). Infiltration is typically enhanced by the hydraulic gradient imposed by a nearby pumping water supply or other well(s).
- (10) “Business plan” means a written plan which is prepared to demonstrate a public water system's managerial and financial capacity to comply with all drinking water regulations in effect, or likely to be in effect. The business plan is to be prepared in conformance with Appendix A of the Division’s “Minimum Standards for Public Water Systems”, latest edition. The business plan shall be updated at intervals determined by the Director.
- (11) “Best Available Technology” or “BAT” means the best technology, treatment techniques, or other means promulgated by EPA and adopted by the Division. In promulgating BAT the EPA

examines the efficacy under field conditions and not solely under laboratory conditions, and takes costs into consideration when determining what technology or treatment technique is available.

(12) “CFR” means the Code of Federal Regulations, Title 40. The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

(13) “Capacity” means the overall capability of a water system to reliably produce and deliver water meeting all national primary drinking water regulations in effect, or likely to be in effect. Capacity encompasses the technical, managerial, and financial capabilities, as described in the latest edition of EPD’s “Minimum Standards for Public Water Systems” and will enable a water system to plan for, achieve, and maintain compliance with applicable drinking water standards.

(14) “Cartridge filters” are pressure-driven separation devices that remove particulate matter larger than 1 micrometer using an engineered porous filtration media. They are typically constructed as rigid or semi-rigid, self-supporting filter elements housed in pressure vessels in which flow is from the outside of the cartridge to the inside.

(15) “Casing” means the tubular material used to shut off or exclude a stratum or strata and to protect against entrance of contaminants during the expected life of the well.

(16) “Clean compliance history” is, for the purposes of the Revised Total Coliform Rule, 391-3-5-.55, a record of: no MCL violations under Rule 391-3-5-.18(4)(a)-(c) or Rule 391-3-5-.55; no monitoring violations under Rule 391-3-5-.23 or Rule 391-3-5-.55; and no coliform treatment technique trigger exceedances or treatment technique violations under Rule 391-3-5-.55.

(17) “Coagulation” means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

(18) “Combined distribution system” is the interconnected distribution system consisting of the distribution systems of wholesale systems and of the consecutive systems that receive finished water.

(19) “Community water system” or “CWS” means a public water system, which serves at least 15 service connections, used by year-round residents or regularly serves at least 25 year-round residents.

(20) “Compliance cycle” means the nine-year calendar year cycle during which public water systems must monitor. Each compliance cycle consists of three-year compliance periods. The first compliance cycle begins January 1, 1993.

(21) “Compliance period” means a three-year calendar year period within a compliance cycle. Each compliance cycle has three-year compliance periods.

(22) “Comprehensive performance evaluation” or “CPE” means a thorough review and analysis of a treatment plant’s performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant’s capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. For purpose of compliance with subparts P and T of 40 CFR Part 141, the CPE shall consist of at least the following components: Assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of a CPE report.

(23) “Confirmation Sample” means a sample analysis or analyses taken to verify the results of an original analysis. Each sample for the analysis shall be taken or measured at the same

location in the water system as the original sample. The results of the confirmation samples shall be averaged with the original sample to determine compliance.

(24) “Confined Aquifer” means an aquifer which is separated from the land surface by a significant zone of low permeability which prevents surface recharge or pollutants from readily reaching the aquifer.

(25) “Confluent growth” means a continuous bacterial growth covering the entire filtration area of a membrane filter, or a portion thereof, in which bacterial colonies are not discrete.

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

(27) “Consumer Confidence Report” means ~~an annual~~ report that community water systems must deliver to their customers which, as a minimum, contains information on the quality of the water delivered by the system and characterizes the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

(28) “Contaminant” means any physical, chemical, biological, or radiological substance or matter in water.

(29) “Conventional filtration treatment” means a series of processes including coagulation flocculation, sedimentation, and filtration resulting in substantial particulate removal.

(30) “Corrosion Inhibitor” means a substance capable of reducing the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.

(31) “Cross-connection” means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage or other waste, or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as the result of backflow. By-pass arrangements, jumper connections, removable sections, swivel or changeable devices, and other temporary or permanent devices through which or because of which backflow could occur are considered to be cross-connections.

(32) “CT” is the product of “residual disinfectant concentration” (C) in milligrams per liter determined before or at the first customer tap where water is provided for human consumption and the corresponding “disinfectant contact time” (T) in minutes.

(33) “Department” means the Department of Natural Resources of the State of Georgia.

(34) “Diatomaceous earth filtration” means a process resulting in substantial particulate removal in which (1) a pre-coat cake of diatomaceous earth filter media is deposited on a support membrane (septum), and (2) while the water is filtered by passing through the cake on the septum, additional filter media known as the body feed is continuously added to feed water to maintain the permeability of the filter cake.

(35) “Direct filtration” means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

(36) “Director” means the Director of the Environmental Protection Division, Department of Natural Resources of the State of Georgia, or his designee.

(37) “Disinfectant” means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

- (38) “Disinfectant contact time” (“T” in CT calculations) means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point where residual disinfectant concentration (“C”) is measured.
- (39) “Disinfection” means a process, which inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.
- (40) “Disinfection profile” means a summary of *Giardia lamblia* inactivation through the treatment plant. The procedure for developing a disinfection profile is contained in 40 CFR § 141.172- (Disinfection profiling and benchmarking) in subpart P and §§ 141.530- 141.536 (Disinfection profile) in subpart T of 40 CFR Part 141.
- (41) “Division” means the Environmental Protection Division, Department of Natural Resources of the State of Georgia.
- (42) “Domestic or other non-distribution system plumbing problem” means a coliform contamination problem in a public water system with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.
- (43) “Dose equivalent” means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).
- (44) “Drinking Water” means water supplied to the public for human consumption from a public water system.
- (45) “Dual sample set” is a set of two samples collected at the same time and same location, with one sample analyzed for TTHM and the other sample analyzed for HAA5. Dual sample sets are collected for the purposes of conducting an IDSE under subpart U of 40 CFR, Part 141 and determining compliance with the TTHM and HAA5 MCLs under subpart V of 40 CFR, Part 141.
- (46) “Effective corrosion inhibitor residual” for the purpose of compliance with Rule 395-3-5-.25, means a concentration sufficient to form a protective film on the interior walls of a pipe.
- (47) “Enhanced coagulation” means the addition of sufficient coagulant for improved removal of disinfection byproduct precursors by conventional filtration treatment.
- (48) “Enhanced softening” means the improved removal of disinfection byproduct precursors by precipitative softening.
- (49) “Entry Point” means the sample point where after treatment drinking water enters the distribution system. For purposes of the Act and the Rules, “entry point” shall be defined as a sample location anywhere on the finished water line after treatment, up to and including the first service or customer tap.
- (50) “EPA” means the United States Environmental Protection Agency.
- (51) “Exemption” means approval from the Division affording a public water system, existing as of the effective date of these rules, an extended time for compliance with a maximum contaminant level or treatment technique contained in a drinking water standard. An exemption pertains to non-compliance with a maximum contaminant level for reasons other than that instance when application of a generally available treatment method fails to adequately treat the raw water source.
- (52) “Federal Act” means the Federal Safe Drinking Water Act, 1974 P.L. 93-523, as amended.
- (53) “Filter profile” means a graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed.

- (54) “Filtration” means a process for removing particulate matter from water by passage through porous media.
- (55) “Finished water” is water that is introduced into the distribution system of a public water system and is intended for distribution and consumption without further treatment, except as treatment necessary to maintain water quality in the distribution system (e.g., booster disinfection, addition of corrosion control chemicals).
- (56) “First draw sample” means a one-liter sample of tap water collected in accordance with Rule 391-3-5-.25, that has been standing in the plumbing pipes at least 6 hours and is collected without flushing the tap.
- (57) “Flocculation” means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles by gentle stirring by hydraulic or mechanical means.
- (58) “Flowing stream” is a course of running water flowing in a definite channel.
- (59) “GAC10” means granular activated carbon filter beds with an empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days, except that the reactivation frequency for GAC10 used as a best available technology for compliance with subpart V MCLs under 40 CFR § 141.64(b)(2) shall be 120 days.
- (60) “GAC20” means granular activated carbon filter beds with an empty-bed contact time of 20 minutes based on average daily flow and a carbon reactivation frequency of every 240 days.
- (61) “Gross alpha particle activity” means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.
- (62) “Gross beta particle activity” means the total radioactivity due to beta particle emission as inferred from measurement on a dry sample.
- (63) “Ground water” means water obtained from wells and/or springs used as a source of water supply for a public water system.
- (64) “Ground water under the direct influence of surface water” (GWUDI) means any water beneath the surface of the ground with:
- (a) significant occurrence of insects or other microorganisms, algae, or large-diameter pathogens such as *Giardia lamblia*, or *Cryptosporidium*, or
  - (b) significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH which closely correlate to climatological or surface water conditions.
- (65) “Haloacetic acids (five)” (HAA5) mean the sum of the concentrations in milligrams per liter of the haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid), rounded to two significant figures after addition.
- (66) “Halogen” means one of the chemical elements chlorine, bromine or iodine.
- (67) “Hazardous Material” means any chemical, substance or material that is classified as Hazardous by the U.S. Environmental Protection Agency (CFR 40, Part 261).
- (68) “Health hazards” mean any conditions, devices, or practices in a water supply system or its operation, which create or may create an imminent and substantial danger to the health and well-being to the water consumer.
- (69) “Heterotrophic plate count” formerly known as the standard plate count, is a procedure for estimating the number of live heterotrophic bacteria in water. Unless stated otherwise, heterotrophic plate count refers to Method 9215, the pour plate method, as set forth in *Standard Methods for the Examination of Water and Wastewater*, American Public Health Association, 18th Edition, 1992, pp. 9-32 to 9-34, or subsequent edition.

- (70) “Initial compliance period” means the first full three-year compliance period that begins January 1, 1993.
- (71) “Inventory” for the purpose of Rule 391-3-5-.40 means a written or computer database listing of all potential sources of ground-water pollution located within a wellhead protection area.
- (72) “Lake/reservoir” refers to a natural or man-made basin or hollow on the Earth’s surface in which water collects or is stored that may or may not have a current or single direction of flow.
- (73) “Large water system” for the purpose of Rule 391-3-5-.25 (Lead & Copper) means a water system that serves more than 50,000 persons.
- (74) “Lead service line” means a line made of lead, which connects the discharge side of the water meter to the building inlet and any lead pigtail, gooseneck or other fitting, which is connected to such lead line.
- (75) “*Legionella*” means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.
- (76) “Level 1 assessment” is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. It is conducted by the system operator or owner. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g., whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any Division directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system.
- (77) “Level 2 assessment” is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. A Level 2 assessment provides a more detailed examination of the system (including the system’s monitoring and operational practices) than does a Level 1 assessment through the use of more comprehensive investigation and review of available information, additional internal and external resources, and other relevant practices. It is conducted by an individual approved by the Division, which may include the system operator. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g., whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any Division directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system. The system must comply with any expedited actions or additional actions required by the Division in the case of an *E. coli* MCL violation.
- (78) “Locational running annual average” (LRAA) is the average of sample analytical results for samples taken at a particular monitoring location during the previous four calendar quarters.

- (79) “Man-made beta particle and photon emitters” means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, NBS Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238.
- (80) “Maximum contaminant level” (MCL) means the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.
- (81) “Maximum contaminant level goal” (MCLG) means the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
- (82) “Maximum residual disinfectant level” (MRDL) means a level of a disinfectant added for water treatment that may not be exceeded at the consumer’s tap without an unacceptable possibility of adverse health effects.
- (83) “Maximum residual disinfectant level goal” (MRDLG) means the maximum level of a disinfectant added for water treatment at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MRDLGs are non-enforceable health goals and do not reflect the benefit of the addition of the chemical for control of waterborne microbial contamination.
- (84) “Medium-size water system” for the purpose of Rule 391-3-5-.25 (Lead & Copper), means a water system that serves greater than 3,300 and less than or equal to 50,000 persons.
- (85) “Membrane filtration” is a pressure or vacuum driven separation process in which particulate matter larger than 1 micrometer is rejected by an engineered barrier, primarily through a size-exclusion mechanism, and which has a measurable removal efficiency of a target organism that can be verified through the application of a direct integrity test. This definition includes the common membrane technologies of microfiltration, ultrafiltration, nanofiltration, and reverse osmosis.
- (86) “Minimum Community Population Determination” for the purpose of the Act and the Rules means the minimum residential population shall be determined by a mathematical calculation of the total number of active residential service connections, multiplied by Georgia’s average population per household, as published in the most recent Federal Census Bureau Statistics. Multiple residential units served by a single connection (master meter) shall be included in the determination of population for a water system.
- (87) “Near the first service connection” means at one of the 20 percent of all service connections in the entire system that are nearest the water supply treatment facility, as measured by water transport time within the distribution system.
- (88) “Non-community water system” or “NCWS” means a public water system, which provides piped water for human consumption to at least 15 service connections or which serves at least 25 individuals at least 60 days out of the year but which is not a community water system. A non-community water system may be further classified as a “non-transient, non-community water system” or a “transient, non-community water system”.
- (89) “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 25 of the same persons over 6 months per year.
- (90) “Operator” means the person responsible for the maintenance and operation of the public water system. A certified operator is an operator registered as a Water Treatment Plant Operator in the State of Georgia in accordance with the provisions of the Certification of Water and

Wastewater Treatment Plant Operators and Laboratory Analysts Act (Georgia Laws 1969, pp. 272 et. seq., as amended). For purposes of this Act a certified operator also includes persons involved with only the storage and distribution of drinking water.

(91) “Optimal corrosion control treatment” as it applies to Rule 391-3-5.25 (Lead & Copper) of this Chapter, means the corrosion control treatment that minimizes the lead and copper concentrations at user's taps while insuring that the treatment does not cause the water to violate any national primary drinking water regulation.

(92) “Person” means any individual, corporation, company, association, partnership, county, municipality, State agency, State authority, Federal agency, agency, facility, or other entity.

(93) “Picocurie” (pCi) means that quantity of radioactive material producing 2.22 nuclear transformations per minute.

(94) “Plant intake” refers to the works or structures at the head of a conduit through which water is diverted from a source (e.g., river or lake) into the treatment plant.

(95) “Point of disinfection application” is the point where the disinfectant is applied and water downstream of that point is not subject to recontamination by surface water runoff.

(96) “Presedimentation” is a preliminary treatment process used to remove gravel, sand and other particulate material from the source water through settling before the water enters the primary clarification and filtration processes in a treatment plant.

(97) “Professional Engineer” means a person registered to practice professional engineering in the State of Georgia in accordance with the provisions of the Act governing the Practice of Professional Engineering in Georgia. (Ga. Laws 1945, p. 294 et. seq., as amended).

(98) “Professional Geologist” means a person registered to practice professional geology in the State of Georgia in accordance with the provisions of the Registration of Geologist Act of 1975, (Code 1933, §84-2101a, enacted by the Georgia Legislature 1975, p.163, 1).

(99) “Public water system” or “PWS” means a system that provides water to the public for human consumption through pipes or other constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves an average of twenty-five (25) individuals daily at least 60 days out of the year. Such terms include: 1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and 2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any “special irrigation district.” A public water system is a “community water system”, a “non-transient non-community water system” or a “transient non-community water system”.

(100) “Raw water” means water from a source of water supply or a proposed source of water supply, which has not received any type of treatment to change the physical, chemical, biological, or radiological quality of the water.

(101) “Rem” means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A “millirem (mrem)” is 1/1000 of a rem.

(102) “Repeat compliance period” means any subsequent compliance period after the initial compliance period.

(103) “Repeat sample” means a sample that is collected and analyzed in response to a previous coliform-positive sample.

(104) “Residual disinfectant concentration” (“C” in CT calculations) means the concentration of disinfectant measured in milligrams per liter in a representative sample of water.

- (105) “Sanitary defect” is a defect that could provide a pathway of entry for microbial contamination into the distribution system or that is indicative of a failure or imminent failure in a barrier that is already in place.
- (106) “Sanitary survey” means an on-site review of the water source, facilities, equipment, treatment, operation and maintenance of a public water system for the purpose of evaluating the adequacy of each for producing and distributing safe drinking water.
- (107) “Seasonal system” is a non-community water system that is not operated as a public water system on a year-round basis and starts up and shuts down at the beginning and end of each operating season.
- (108) “Sedimentation” means a process for removal of solids before filtration by gravity or separation.
- (109) “Service connection” means the point at which the water distribution main and the water service pipe, metered or unmetered, are connected to serve water to a residence or water customer. As used in the definition of PWS, “service connection” does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if:
- (a) The water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, and cooking, or other similar uses);
  - (b) The Division 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
  - (c) The Division 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.
- (110) “Service line sample” means a one-liter sample of water collected in accordance with Rule 391-3-5-.25 that has been standing for at least 6 hours in the service line.
- (111) “Single family structure” for the purpose of compliance with Rule 391-3-5-.25 (Lead & Copper), means a building constructed as a single-family residence that is currently used as either a residence or place of business.
- (112) “Slow sand filtration” means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour) resulting in substantial particulate removal by physical and biological mechanisms.
- (113) “Small water system” for the purpose of Rule 391-3-5-.25 (Lead & Copper), means a water system that serves 3,300 persons or fewer.
- (114) “Source of water supply” means the waters of the State from which raw water is taken into a public water system to be treated and/or distributed.
- (115) “Source Water Assessment Plan” (SWAP) means a public report which documents a public drinking water system’s and other stakeholders’ reasonable efforts to ascertain the potential impact of natural or man-made pollutants, within a wellhead protection or watershed area, on the raw water source for the drinking water supply well or surface water intake.
- (116) “Spring” means a source of water supply which naturally issues forth for the first time from rock or soil onto the land or into a body of water.
- (117) “Standard sample” means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

- (118) “Storage tank” or “Tank” means any covered structure, such as clearwell, standpipe, reservoir, elevated tank, hydropneumatic tank or other storage facility or combination thereof used to store drinking water.
- (119) “Subpart H systems” means public water systems using surface water or ground water under the direct influence of surface water as a source.
- (120) “Supplier of water” or “Supplier” means any person who owns or operates a public water system.
- (121) “Surface water” means and includes any and all rivers, streams, branches, creeks, ponds, tributary streams, drainage basins, natural lakes, artificial reservoirs and impoundments and ground water under the direct influence of surface water.
- (122) “SUVA” means Specific Ultraviolet Absorption at 254 nanometers (nm), an indicator of the humic content of water. It is a calculated parameter obtained by dividing a sample’s ultraviolet absorption at a wavelength of 254 nm by its concentration of dissolved organic carbon (DOC) (in mg/L).
- (123) “System with a single service connection” means a system, which supplies drinking water to consumers via a single service line.
- (124) “Total Organic Carbon” (TOC) means total organic carbon in mg/L measured using heat, oxygen, ultraviolet irradiation, chemical oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two significant figures.
- (125) “Total trihalomethanes” (TTHM) means the sum of the concentration in milligrams per liter of the trihalomethane compounds: trichloromethane (chloroform), dibromochloromethane, bromodichloromethane and tribromomethane (bromoform), rounded to two significant figures.
- (126) “Too numerous to count” means that the total number of bacterial colonies exceed 200 on a 47-mm diameter membrane filter used for coliform detection.
- (127) “Transient non-community water system” or “TNCWS” means a public water system that is not a community water system or a non-transient non-community water system. A transient non-community water system provides piped water for human consumption to at least 15 service connections or which regularly serves at least 25 persons at least 60 days a year.
- (128) “Treatment Technique” means a required process intended to reduce the level of contaminants in drinking water.
- (129) “Treatment technique requirement” means a requirement, which specifies for a contaminant, a specific treatment technique(s), which leads to a reduction in the level of such contaminant sufficient to comply with the requirements of these Rules.
- (130) “Trihalomethane” (THM) means one of the family of organic compounds, named as derivatives of methane, wherein three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure.
- (131) “Two-stage lime softening” is a process in which chemical addition and hardness precipitation occur in each of two distinct unit clarification processes in series prior to filtration.
- (132) “Unconfined aquifer” means an aquifer which is not separated from the land surface by a significant zone of low permeability and, therefore, is more susceptible to pollution from the activities of mankind. Wellhead Protection Areas for unconfined aquifers are larger than such areas for confined aquifers.
- (133) “Uncovered finished water storage facility” means a tank, reservoir or other facility used to store water that will undergo no further treatment except residual disinfection and is open to the atmosphere.

(134) “Variance” means approval from the Division affording a public water system an extended time for compliance with a maximum contaminant level or treatment technique contained in a drinking water standard. A variance pertains to non-compliance with a maximum contaminant level due to the inability to meet the maximum contaminant level even when a treatment method has been applied to a raw water source. The noncompliance is due to the quality of the raw water.

(135) “Virus” means a microorganism of fecal origin, which is infectious to humans by waterborne transmission.

(136) “Waterborne disease outbreak” means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system which is deficient in treatment, as determined by the Division.

(137) “Waters” or “Waters of the State” means and includes any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and all other bodies of surface or underground water, natural or artificial, of this State.

(138) “Watershed Area” means the entire drainage basin upstream of a water intake located on a stream or lake.

(139) “Well” means any excavation that is cored, bored, drilled, jetted, dug, or otherwise constructed for the purpose of locating, testing, or withdrawing ground water.

(140) “Wellhead protection area” means an area of potential ground water recharge around a well which should be protected from surface and subsurface sources of manmade pollution in order to protect the quality of drinking water supplies.

(141) “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 or more consecutive systems.

Authority: O.C.G.A. Sec. 12-5-170 *et seq.*

### **Rule 391-3-5-.30 Reporting Requirements**

(1) **Reporting Period.** Except where a shorter period is specified by the Director, the supplier of water shall report to the Division the results of any test measurement or analysis required by this Chapter within:

(a) the first ten days following the month in which the results are received; or

(b) the first ten days following the end of the required monitoring period as stipulated by the Division, whichever of these is shortest. Note: Test measurements and results should be reported on the Division's reporting forms. Copies of these forms can be found on the Division web page.

(2) **Violation.** Failure to comply with paragraphs (1)(a) and (b) of Rule 391-3-5-.30 will result in a monitoring/reporting violation.

(3) **Analysis by Division Laboratory.** The supplier of water is not required to report analytical results to the Division in cases where the Division's laboratory performs the analysis and reports the results to the Division's office which would normally receive such notification from the supplier.

(4) **Analysis by Non-Division Laboratory.** The supplier of water is not required to report analytical results to the Division in cases where the Division's laboratory performs the analysis and reports the results to the Division's office, which would normally receive such notification from the supplier. When the Division's laboratory does not perform the analysis, and the supplier

chooses to use a laboratory certified by the Division, analytical results shall be reported to the Division's office in a manner that is specified by the Division.

(5) **Records Maintained by Public Water System.** The water supply system shall submit to the Division within the time stated in the request copies of any records required to be maintained under Rule 391-3-5-.15 hereof or copies of any documents then in existence which the Division is entitled to inspect pursuant to the authority of the Act.

(6) **Failure to Comply with National Primary Drinking Water Regulation.** Each system, upon discovering that an exceedance of any National Primary Drinking Water Regulation has occurred, must report that occurrence to the Division by telephone within forty-eight (48) hours or before the end of the next business day, whichever is earlier, followed by a written report, except where a different reporting period is specified in federal regulations.

(7) **Lead and Copper Information.** All water systems shall report all lead and copper information in accordance with 40 CFR Part 141.90 when applicable. Separate reports are required for each of the following:

1. tap water monitoring for lead and copper, and other water quality monitoring;
2. source water monitoring;
3. corrosion control treatment;
4. source water treatment;
5. lead service line replacement;
6. public education programs.

(8) **Reserved.**

(9) **Disinfection Byproducts Information.** Systems monitoring for disinfection by products (TTHM, HAA5, chlorite, bromate) under the requirements of 40 CFR § 141.132(b) must report the information specified in section 40 CFR § 141.134(b).

(10) **Disinfectants Information.** Systems monitoring for disinfectants (chlorine, chloramines, chlorine dioxide) under the requirements of 40 CFR § 141.132(c) must report the information specified in Section 40 CFR § 141.134(c).

(11) **Disinfection Byproduct Precursors Information.** Systems monitoring for disinfection byproduct precursors (TOC) under the requirements of 40 CFR § 141.132(d) and required to meet the enhanced coagulation or enhanced softening requirements in 141.135(b)(2) or (3) or meeting one or more of the alternative compliance criteria in 141.135(a)(2) or (3) must report the information specified in section 40 CFR § 141.134(d).

(12) **Conventional or Direct Filtration Information for Systems Serving At Least 10,000 Persons.** Beginning January 1, 2002, in addition to the requirement in this Chapter, the Subpart H water systems serving at least 10,000 people and providing conventional filtration treatment or direct filtration must report monthly to the Division the information specified in 40 CFR § 141.175(a) and (b). Those systems using filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration must report monthly to the Division the information in 40 CFR § 141.175(a) in lieu of reporting in (b)(1).

(13) **Content of Consumer Confidence Reports.** 40 CFR §§ 141.153 through 141.156 ~~is~~are hereby incorporated by reference.

(14) **Filtration Information for Systems Serving Less Than 10,000 Persons.** In addition to the requirements in this Chapter, the Subpart H water systems serving fewer than 10,000 people must report the required items at the frequency described in 40 CFR Subpart T § 141.570.

(15) **Filter Backwash Information.** All subpart H systems that employ conventional filtration or direct filtration treatment and that recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes must report the information specified in 40 CFR § 141.76(b)(1) and (2) to the Division no later than December 8, 2003.

(16) **Waterborne Disease Outbreak.** Each system, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the Division by telephone within forty-eight (48) hours or before the end of the next business day, whichever is earlier, followed by a written report.

Authority: O.C.G.A. Sec. 12-5-170 *et seq.*

### **391-3-5-.41 Consumer Confidence Reports.**

(1) **Purpose and Applicability.** 40 CFR Part 141, Subpart O § 141.151 is hereby incorporated by reference.

(2) **Effective Compliance Dates.**

(a) Each existing community water system must deliver to all its customers its first reports by October 19, 1999, its second report by July 1, 2000, and subsequent reports according to 40 CFR § 141.155 by July 1 each year annually thereafter. The first report must contain data collected during, or prior to, calendar year 1998 as prescribed in 40 CFR Part 141, Subpart O § 141.153(d)(3). Each report thereafter delivered by July 1 must contain data collected during, or prior to, the previous calendar year, or the most recent calendar year before the previous calendar year.

(b) A new community water system must deliver to all its customers its first report by July 1 of the year after its first full calendar year in operation and annually thereafter.

(c) A community water system that sells water to another community water system must deliver the applicable information required in 40 CFR Part 141, Subpart O § 141.153 to the buyer system:

1. No later than April 19, 1999, by April 1, 2000, and ~~b~~By April 1, 2027, and annually thereafter; or
2. On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.
3. A community water system that sells water to another community water system that is required to provide reports biannually according to 40 CFR Part 141, Subpart O § 141.155(i) must provide the applicable information required in 40 CFR Part 141, Subpart O § 141.155(j) by October 1, 2027, to the buyer system, and annually thereafter, or a date mutually agreed upon by the seller and the purchaser, included in a contract between the parties.

(3) **Content of the reports:** 40 CFR Part 141, Subpart O § 141.153 is hereby incorporated by reference.

(4) **Required additional health information:** 40 CFR Part 141, Subpart O § 141.154 is hereby incorporated by reference.

(5) **Report delivery, reporting, and recordkeeping:** 40 CFR Part 141, Subpart O § 141.155 is hereby incorporated by reference.

(6) **Summary of report contents:** 40 CFR Part 141, Subpart O § 141.156 is hereby incorporated by reference.

(67) Appendix A to Subpart O of 40 CFR Part 141 — Regulated Contaminants is hereby incorporated by reference.

(78) **Electronic Delivery.**

(a) Community water systems may provide Consumer Confidence Reports electronically provided that:

1. The manner of the electronic delivery is a direct communication link, without use of an intermediary service;
2. There is an explanatory notice that accompanies the direct communication link;

3. The entire content of the Consumer Confidence Report is accessible;
4. The community water system shall provide the Consumer Confidence Report through another method should the community water system become aware of a ~~customer's~~consumer's inability to receive the Consumer Confidence Report by the chosen electronic delivery method.

Authority: O.C.G.A. Sec. 12-5-170 *et seq.*