

567—41.7(455B) Groundwater rule: sanitary survey, microbial source water monitoring, treatment technique.**41.7(1) General requirements.**

- a. *Scope.* The requirements of this rule constitute national primary drinking water regulations.
- b. *Applicability.* This rule applies to all public water systems that use groundwater except that it does not apply to public water systems that combine all of their groundwater with surface water or with influenced groundwater prior to treatment under 567—43.5(455B). For the purposes of this rule, “groundwater system” is defined as any public water system meeting this applicability statement, including consecutive systems receiving finished groundwater. For the purposes of this rule, “4-log treatment of viruses” means treatment that includes inactivation, removal, or a department-approved combination of inactivation and removal before or at the first customer of 4-log (99.99%) of viruses.
- c. *General requirements.* Systems subject to this rule must comply with the following requirements:
 - (1) Sanitary survey information requirements for all groundwater systems as described in 41.7(2).
 - (2) Microbial source water monitoring requirements for groundwater systems that do not treat all of their groundwater to at least 99.99 percent (4-log) treatment of viruses, using inactivation, removal, or a department-approved combination of inactivation and removal before or at the first customer, as described in 41.7(3).
 - (3) Treatment technique requirements, as described in 41.7(4), that apply to groundwater systems that have fecally contaminated source waters, as determined by source water monitoring conducted under 41.7(3), or that have significant deficiencies that are identified by the department. A groundwater system with fecally contaminated source water or with significant deficiencies subject to the treatment technique requirements of this rule must implement one or more of the following corrective action options:
 1. Correct all significant deficiencies;
 2. Provide an alternate source of water;
 3. Eliminate the source of contamination; or
 4. Provide treatment that reliably achieves at least 4-log treatment of viruses (using inactivation, removal, or a department-approved combination of 4-log virus inactivation and removal) before or at the first customer.
 - (4) Groundwater systems that provide at least 4-log treatment of viruses are required to conduct compliance monitoring to demonstrate treatment effectiveness, as described in 41.7(4).
 - (5) If requested by the department, groundwater systems must provide the department with any existing information that will enable the department to perform a hydrogeologic sensitivity assessment. For the purposes of this rule, “hydrogeologic sensitivity assessment” is a determination of whether groundwater systems obtain water from hydrogeologically sensitive settings.
 - (6) Certified laboratory requirements. Analyses under this rule shall only be conducted by laboratories that have been certified by the department and are in compliance with the requirements of 567—Chapter 83.

41.7(2) Sanitary surveys for groundwater systems. For the purposes of this rule, a “sanitary survey,” as conducted by the department in accordance with 567—subrule 43.1(7), includes but is not limited to the following: an on-site review of the water sources (identifying sources of contamination using results of source water assessments or other relevant information where available), facilities, equipment, operation, maintenance, and monitoring compliance of a public water system to evaluate the adequacy of the system, its sources and operations and the distribution of safe drinking water.

41.7(3) Groundwater source microbial monitoring and analytical methods. A groundwater system that has a department-approved 4-log treatment process for viruses and is fulfilling the requirements of 41.7(4)“b” is not required to conduct the triggered source water monitoring under 41.7(3)“a.”

a. Triggered source water monitoring.

- (1) General requirements. A groundwater system must conduct triggered source water monitoring if the conditions identified as follows exist:
 1. The system does not provide at least 4-log treatment of viruses for each groundwater source; and
 2. The system is notified that a sample collected under 41.2(1)“e” through 41.2(1)“i” is total coliform-positive, and the sample is not invalidated under 41.2(1)“d.”

(2) Sampling requirements. A groundwater system must collect at least one groundwater source sample from each groundwater source in use at the time the total coliform-positive sample was collected under 41.2(1)“e” through 41.2(1)“i” that could have reasonably contributed to the positive sample. The source sample must be collected within 24 hours of when the system is notified of the total coliform-positive sample.

1. The department may extend the 24-hour time limit on a case-by-case basis if the system cannot collect the groundwater source water sample within 24 hours due to circumstances beyond the system’s control. In the case of an extension, the department must specify how much time the system has to collect the sample.

2. A groundwater system serving 1,000 or fewer people may use a repeat sample collected from a groundwater source to meet both the requirements of 41.2(1)“j” and to satisfy the monitoring requirements of 41.7(3)“a” if:

- The department approves the use of *E. coli* as the fecal indicator,
- The system only has one groundwater source required to be sampled,
- The system has no treatment, and
- Should the source water sample be *E. coli*-positive, the system would incur an acute coliform bacteria maximum contaminant level violation, must comply with Tier 1 public notification requirements, and must also comply with the additional sample monitoring in 41.7(3)“a”(3).

(3) Additional samples required. Unless the department requires corrective action for a valid triggered source water sample that tested positive for the fecal indicator, the system must collect five additional source water samples from that same source within 24 hours of being notified of the fecal indicator-positive sample result.

(4) Further requirements for consecutive and wholesale systems.

1. In addition to the other requirements in 41.7(3)“a,” a consecutive groundwater system that has a total coliform-positive sample collected under 41.2(1)“f” through 41.2(1)“i” must notify the wholesale system(s) within 24 hours of being notified of the total coliform-positive sample.

2. In addition to the other requirements in 41.7(3)“a,” a wholesale groundwater system that does not provide the 4-log treatment of viruses as described in 41.7(3) must comply with the following:

- A wholesale groundwater system that receives notice from a consecutive system it serves that a sample collected under 41.2(1)“f” through 41.2(1)“i” is total coliform-positive must, within 24 hours of being notified, collect triggered sample(s) from its groundwater source(s) under 41.7(3)“a”(2) and analyze the sample(s) for a fecal indicator.

- If the triggered source sample(s) is fecal indicator-positive, the wholesale groundwater system must notify all consecutive systems served by that groundwater source of the fecal indicator-positive result within 24 hours of being notified of the result and must collect the required additional five samples from the source within 24 hours under 41.7(3)“a”(3).

(5) Exceptions to the triggered source water monitoring requirements. A groundwater system is not required to comply with the source water monitoring requirements of 41.7(3)“a” if either of the following conditions exists:

1. The department determines and documents in writing that the total coliform-positive sample collected under 41.2(1)“e” through 41.2(1)“i” is caused by a distribution system deficiency; or

2. The total coliform-positive sample collected under 41.2(1)“e” through 41.2(1)“i” is collected at a location that meets department criteria for distribution system conditions that will cause total coliform-positive samples.

b. Assessment source water monitoring. If directed by the department, groundwater systems must conduct assessment source water monitoring that meets department-determined requirements for such monitoring. A groundwater system conducting assessment source water monitoring may use a triggered source water sample collected under 41.7(3)“a”(2) to meet the requirements of this paragraph. Department-determined assessment source water monitoring requirements may include:

(1) Collection of a total of 12 groundwater source samples that represent each month the system provides groundwater to the public;

(2) Collection of samples from each well unless the system obtains written department approval to conduct monitoring at one or more wells within the groundwater system that are representative of multiple wells used by that system and that draw water from the same hydrogeologic setting;

(3) Collection of a standard sample volume of at least 100 mL for fecal indicator analysis regardless of technical indicator or analytical method used;

(4) Analysis of all groundwater source samples using one of the analytical methods listed in 41.7(3) “c” for the presence of *E. coli*, enterococci, or coliphage;

(5) Collection of groundwater source samples at a location before any treatment of the groundwater source unless the department approves a sampling location after treatment; and

(6) Collection of groundwater source samples at the well itself unless the system’s configuration does not allow for sampling at the well itself and the department approves an alternate sampling location that is representative of the water quality of that well.

c. Analytical methods.

(1) A groundwater system subject to the source water monitoring requirements of this rule must collect a standard sample volume of at least 100 mL for fecal indicator analysis regardless of the fecal indicator or analytical method used.

(2) A groundwater system must analyze all groundwater source samples collected under 567—41.7(455B) using one of the analytical methods in the following table for the presence of *E. coli*, enterococci, or coliphage.

Analytical Methods for Source Water Monitoring

Fecal Indicator ¹	Methodology	Method Citation
<i>E. coli</i>	Colilert ³	9223B ^{2, 12, 13} 9223 B-97, B-04 ¹⁸
	Colisure ³	9223B ^{2, 12, 13} 9223B-97, B-04 ¹⁸
	Membrane filter method with MI agar	EPA Method 1604 ⁴
	Colilert-18	9223B ^{2, 12, 13} 9223B-97, B-04 ¹⁸
	m-ColiBlue24 Test ⁵	
	E*Colite Test ⁶	
	EC-MUG ⁷	9221F ^{2, 13} 9221 F-06 ¹⁸
	NA-MUG ⁷	9222G ²
	Readycult	Readycult ¹⁴
	Colitag	Modified Colitag ¹⁵
	Chromocult	Chromocult ¹⁶
Tecta EC/TC	Tecta EC/TC ¹⁹	
Enterococci	Multiple-tube technique	9230B ² 9230 B-04 ¹⁸
	Membrane filter technique	9230C ²
	Membrane filter technique	EPA Method 1600 ⁸
	Enterolert ⁹	
Coliphage	Two-step enrichment presence-absence procedure	EPA Method 1601 ¹⁰ , FastPhage ¹⁷

Fecal Indicator ¹	Methodology	Method Citation
	Single agar layer procedure	EPA Method 1602 ¹¹

Analyses must be conducted in accordance with the documents listed below. The Director of the Federal Register approves the incorporation by reference of the documents listed in footnotes 2 through 11 in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies of the documents may be obtained from the sources listed below. Copies may be inspected at EPA's Drinking Water Docket, EPA West, 1301 Constitution Avenue, NW, EPA West Room B102, Washington, DC 20460; (telephone: (202)566-2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202)741-6030, or go to: www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. The address for EPA's Water Resource Center, referenced in several of the footnotes, is EPA Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460.

¹The time from sample collection to initiation of analysis may not exceed 30 hours. The groundwater system is encouraged but is not required to hold samples below 10°C during transit.

²Methods are described in Standard Methods for the Examination of Water and Wastewater, 20th edition (1998), and copies may be obtained from the American Public Health Association, 800 I Street, NW, Washington, DC 20001-3710.

³Medium is available through IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, ME 04092.

⁴EPA Method 1604: Total Coliforms and *Escherichia coli* in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium); September 2002, EPA 821-R-02-024. Method is available at www.nemi.gov.

⁵A description of the m-ColiBlue24 Test, "Total Coliforms and *E. coli* Membrane Filtration Method with m-ColiBlue24 Broth," Method No. 10029, Revision 2, August 17, 1999, is available from Hach Company, 100 Dayton Avenue, Ames, IA 50010.

⁶A description of the E*Colite Test, "Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and *Escherichia coli* in Drinking Water," January 9, 1998, is available from Charm Sciences, Inc., 659 Andover Street, Lawrence, MA 01843-1032.

⁷EC-MUG (Method 9221F) or NA-MUG (Method 9222G) can be used for *E. coli* testing step as described in 41.2(1) "f"(6) or (7) after use of Standard Method 9221B, 9221D, 9222B, or 9222C.

⁸EPA Method 1600: Enterococci in Water by Membrane Filtration Using Membrane-Enterococcus Indoxyl-β-D-Glucoside Agar (MEI), EPA 821-R-02-022 (September 2002), is an approved variation of Standard Method 9230C. The method is available at www.nemi.gov. The holding time and temperature for groundwater samples is specified in footnote 1 above, rather than as specified in Section 8 of EPA Method 1600.

⁹Medium is available through IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, ME 04092. Preparation and use of the medium is set forth in the article "Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters" by Budnick, G.E., Howard, R.T., and Mayo, D.R., 1996, Applied and Environmental Microbiology, 62:3881-3884.

¹⁰EPA Method 1601: Male-Specific (F+) and Somatic Coliphage in Water by Two-Step Enrichment Procedure; April 2001, EPA 821-R-01-030. Method is available at www.nemi.gov.

¹¹EPA Method 1602: Male-Specific (F+) and Somatic Coliphage in Water by Single Agar Layer (SAL) Procedure; April 2001, EPA 821-R-01-029. Method is available at www.nemi.gov.

¹²Standard Methods for the Examination of Water and Wastewater, 21st edition (2005). Available from the American Public Health Association, 800 I Street, NW, Washington, DC 20001-3710.

¹³Standard Methods for the Examination of Water and Wastewater, 22nd edition (2012). Available from the American Public Health Association, 800 I Street, NW, Washington, DC 20001-3710.

¹⁴ReadyCult Method, "ReadyCult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and *Escherichia coli* in Finished Waters," January 2007, Version 1.1. Available from EMD Millipore, 290 Concord Road, Billerica, MA 01821.

¹⁵Modified Colitag Method, "Modified Colitag Test Method for the Simultaneous Detection of *E. coli* and Other Total Coliforms in Water (ATP D05-0035)," August 28, 2009. Available from www.nemi.gov or CPI International, 5580 Skylane Blvd., Santa Rosa, CA 95403.

¹⁶Chromocult Method, "Chromocult Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and *Escherichia coli* in Finished Waters," November 2000, Version 1.0. Available from EMD Millipore, 290 Concord Road, Billerica, MA 01821.

¹⁷Charm Sciences, Inc., "FastPhage Test Procedure. Presence/Absence for Coliphage in Ground Water with Same Day Positive Prediction," Version 009, November 2012. Available at www.charmsciences.com.

¹⁸Standard Methods Online is available at www.standardmethods.org. The year in which each method was approved by the Standard Methods Committee is designated by the last two digits in the method number. The methods listed are the only online versions that may be used.

¹⁹Tecta EC/TC. "Presence/Absence Method for Simultaneous Detection of Total Coliforms and *Escherichia coli* in Drinking Water," April 2014. Available from Veolia Water Solutions and Technologies, Suite 4697, Biosciences Complex, 116 Barrie Street, Kingston, Ontario, Canada K7L 3N6.

d. Invalidation of a fecal indicator-positive groundwater source sample.

(1) A groundwater system may obtain invalidation from the department of a fecal indicator-positive groundwater source sample collected under 41.7(3) "a" only under these conditions:

1. The system provides the department with written notice from the laboratory that improper sample analysis occurred; or
2. The department determines and documents in writing that there is substantial evidence that a fecal indicator-positive groundwater source sample is not related to source water quality.

(2) If the department invalidates a fecal indicator-positive groundwater source sample, the system must collect another source water sample under 41.7(3)“a” within 24 hours of being notified by the department of its invalidation decision. The sample must be analyzed for the same fecal indicator using the analytical methods in 41.7(3)“c.” The department may extend the 24-hour time limit on a case-by-case basis if the system cannot collect the source water sample within 24 hours due to circumstances beyond the system’s control. In the case of an extension, the department must specify how much time the system has to collect the sample.

e. Sampling location.

(1) Any groundwater source sample required under 41.7(3)“a” must be collected at a location prior to any treatment of the groundwater source unless the department approves a sampling location after treatment.

(2) If the system’s configuration does not allow for sampling at the well itself, the system may collect a sample at a department-approved location to meet the requirements of 41.7(3)“a” if the sample is representative of the water quality of that well.

f. New sources. A groundwater system that places a new groundwater source into service must conduct assessment source water monitoring as directed by the department to include those items listed in 41.7(3)“b”(3) to (6). If directed by the department, the system must begin monitoring before the groundwater source is used to provide water to the public.

g. Public notification. A system with a groundwater source sample collected under 41.7(3)“a” or 41.7(3)“b” that is fecal indicator-positive and that is not invalidated under 41.7(3)“d,” including consecutive systems served by the groundwater source, must conduct Tier 1 public notification under 567—subrule 42.1(2).

h. Monitoring violations. Failure to meet the requirements of 41.7(3)“a” through 41.7(3)“f” is a monitoring violation and requires the system to provide Tier 3 public notification under 567—subrule 42.1(4).

41.7(4) Treatment technique requirements for groundwater systems.

a. Groundwater systems with significant deficiencies or source water fecal contamination.

(1) The treatment technique requirements of this subrule, 41.7(4), must be met by groundwater systems when a significant deficiency is identified or when a groundwater source sample collected under 41.7(3)“a”(3) is fecal indicator-positive.

(2) If directed by the department, a groundwater system with a groundwater source sample collected under 41.7(3)“a”(2), 41.7(3)“a”(4), or 41.7(3)“b” that is fecal indicator-positive must comply with the treatment technique requirements of 41.7(4).

(3) When a significant deficiency is identified at a surface water or influenced groundwater system that also uses a groundwater source not under the influence of surface water, the system must comply with provisions of 41.7(4)“a” except in cases where the department determines that the significant deficiency is in a portion of the distribution system that is served solely by the surface water or influenced groundwater source.

(4) Unless the department directs the groundwater system to implement a specific corrective action, the groundwater system must consult with the department regarding the appropriate corrective action within 30 days of receiving written notice from the department of a significant deficiency, written notice from a laboratory that a groundwater source sample collected under 41.7(3)“a”(3) was found to be fecal indicator-positive, or direction from the department that a fecal indicator-positive sample collected under 41.7(3)“a”(2), 41.7(3)“a”(4), or 41.7(3)“b” requires corrective action. For the purposes of 41.7(4), significant deficiencies include, but are not limited to, defects in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the department determines to be causing, or have potential for causing, the introduction of contamination into the water delivered to consumers.

(5) Within 120 days, or earlier if directed by the department, of receiving written notification from the department of a significant deficiency, written notice from a laboratory that a groundwater source sample collected under 41.7(3)“a”(3) was found to be fecal indicator-positive, or direction from the department that a fecal indicator-positive sample collected under 41.7(3)“a”(2), 41.7(3)“a”(4), or 41.7(3)“b” requires corrective action, the groundwater system must either:

1. Have completed corrective action in accordance with applicable department plan review processes or other department guidance or direction, if any, including department-specified interim measures; or
2. Be in compliance with a department-approved corrective action plan and schedule subject to the specified conditions as follows:
 - Any subsequent modifications to a department-approved corrective action plan and schedule must also be approved by the department; and
 - If the department specifies interim measures for protection of the public health pending department approval of the corrective action plan and schedule, or pending completion of the corrective action plan, the system must comply with these interim measures as well as with any schedule specified by the department.

(6) Corrective action alternatives. Groundwater systems that meet the conditions of 41.7(4)“a”(1) or (2) must implement one or more of the following corrective action alternatives:

1. Correct all significant deficiencies;
 2. Provide an alternate source of water;
 3. Eliminate the source of contamination; or
 4. Provide treatment that reliably achieves at least 4-log treatment of viruses for the groundwater source.
- (7) Special notice to the public of significant deficiencies or source water fecal contamination.

1. In addition to the applicable Tier 1 public notification requirements of 567—subrule 42.1(2), a community groundwater system that receives notice from the department of a significant deficiency or notification of a fecal indicator-positive groundwater source sample that is not invalidated by the department under 41.7(3)“d” must inform the public served by the water system under 567—subparagraph 42.3(3)“h”(5) of the fecal indicator-positive source sample or of any significant deficiency that has not been corrected. The system must continue to inform the public annually until the significant deficiency is corrected or the fecal contamination in the groundwater source is determined by the department to be corrected under 41.7(3)“a”(5).

2. In addition to the applicable Tier 1 public notification requirements of 567—subrule 42.1(2), a noncommunity groundwater system that receives notice from the department of a significant deficiency must inform the public served by the water systems in a manner approved by the department of any significant deficiency that has not been corrected within 12 months of being notified by the department or earlier if directed by the department. The system must continue to inform the public annually until the significant deficiency is corrected. The information must include:

- The nature of the significant deficiency and the date the significant deficiency was identified by the department;
- The department-approved plan and schedule for correction of the significant deficiency, including interim measures, progress to date, and any interim measures completed; and
- For systems with a large proportion of non-English speaking consumers, as determined by the department, information in the applicable language(s) regarding the importance of the notice or a telephone number or address where consumers may contact the system to obtain a translated copy of the notice or assistance in the appropriate language.

3. If directed by the department, a noncommunity water system with significant deficiencies that have been corrected must inform its customers of the significant deficiencies, how the deficiencies were corrected, and the dates of correction under 41.7(4)“a”(7)“2.”

b. Compliance monitoring.

- (1) Existing groundwater sources. A groundwater system that provides at least 4-log treatment of viruses must make a written application to the department in order to avoid the source water monitoring requirements of 41.7(3). Notification to the department must include engineering, operational, or other information that the department requests to evaluate the submission. The department must approve the 4-

log request in writing before the system can avoid the groundwater source monitoring requirements. The system's operation permit will include the mandatory operational requirements for the approved 4-log virus treatment. If the system subsequently discontinues 4-log treatment of viruses of a groundwater source or no longer wishes to be exempt from the groundwater source monitoring requirements, the system must conduct groundwater source monitoring as required under 41.7(3).

(2) New groundwater sources. A groundwater system that places a groundwater source in service that is not required to meet the source water monitoring requirements of 41.7(4) because the system provides at least 4-log treatment of viruses for the groundwater source must comply with the following requirements:

1. The system must notify the department in writing that it provides at least 4-log treatment of viruses for the groundwater source. Notification to the department must include engineering, operational, or other information that the department requests to evaluate the submission. The contact time values for inactivation of viruses using free chlorine, chlorine dioxide, and ozone are listed in 567—Chapter 43, Appendix C. No CT table is provided for chloramines and total chlorine because the CT values would be prohibitively high for groundwater systems.

2. The system must conduct compliance monitoring as required under 41.7(4)“b”(3) within 30 days of placing the source in service.

3. The system must conduct groundwater source monitoring under 41.7(3) if the system subsequently discontinues 4-log treatment of viruses for the groundwater source.

(3) Monitoring requirements. A groundwater system subject to the requirements of 41.7(4)“a” and 41.7(4)“b”(1) and (2) must monitor the effectiveness and reliability of treatment for that groundwater source before or at the first customer as follows:

1. Chemical disinfection.

- A groundwater system serving more than 3,300 people must continuously monitor the residual disinfectant concentration, using analytical methods specified in 567—subparagraph 43.5(4)“a”(5), at a location approved by the department and must record the lowest residual disinfectant concentration each day that water from the groundwater source is served to the public. The groundwater system must maintain the department-determined minimum residual disinfectant concentration every day the groundwater system serves water from the groundwater source to the public. If there is a failure in the continuous monitoring equipment, the groundwater system must conduct grab sampling every four hours until the continuous monitoring equipment is returned to service. The system must resume continuous residual disinfectant monitoring within 14 days.

- A groundwater system serving 3,300 or fewer people must monitor the residual disinfectant concentration using analytical methods specified in 567—subparagraph 43.5(4)“a”(5) at a location approved by the department and must record the residual disinfectant concentration each day that water from the groundwater source is served to the public. The groundwater system must maintain the department-determined minimum residual disinfectant concentration every day the groundwater system serves water from the groundwater source to the public. The groundwater system must take a daily grab sample during the hour of peak flow or at another time specified by the department. If any daily grab sample measurement falls below the department-determined minimum residual disinfectant concentration, the groundwater system must take follow-up samples every four hours until the residual disinfectant concentration is restored to the department-determined minimum level. Alternatively, a groundwater system that serves 3,300 or fewer people may monitor continuously and meet the requirements of 41.7(4)“b”(3)“1,” first bulleted paragraph.

2. Membrane filtration. A groundwater system that uses membrane filtration to meet the requirements of 41.7(4)“b” to provide at least 4-log treatment of viruses must monitor the membrane filtration process in accordance with all department-specified monitoring requirements and must operate the membrane filtration in accordance with all department-specified compliance requirements. A groundwater system that uses membrane filtration is in compliance with the requirement to achieve at least 4-log removal of viruses when:

- The membrane has an absolute molecular weight cut-off (MWCO), or an alternate parameter that describes the exclusion characteristics of the membrane, that can reliably achieve at least 4-log removal of viruses;

- The membrane process is operated in accordance with department-specified compliance requirements; and

- The integrity of the membrane is intact.

3. Alternative treatment. A groundwater system that uses a department-approved alternative treatment to meet the requirements of 41.7(4) “b” by providing at least 4-log treatment of viruses must:

- Monitor the alternative treatment in accordance with all department-specified monitoring requirements; and

- Operate the alternative treatment in accordance with all compliance requirements that the department determines to be necessary to achieve at least 4-log treatment of viruses.

c. *Discontinuing treatment.* A groundwater system may discontinue 4-log treatment of viruses for a groundwater source if the department determines and documents in writing that 4-log treatment of viruses is no longer necessary for that groundwater source. A system that discontinues 4-log treatment of viruses is subject to the source water monitoring and analytical methods requirements of 41.7(3).

d. *Monitoring violation.* Failure to meet the monitoring requirements of 41.7(4) “b” is a monitoring violation and requires the groundwater system to provide Tier 3 public notification under 567—subrule 42.1(4).

41.7(5) Treatment technique violations for groundwater systems. A groundwater system must give Tier 2 public notification under 567—subrule 42.1(3) for the treatment technique violations specified in 41.7(5) “a,” 41.7(5) “b,” and 41.7(5) “c.”

a. *Significant deficiency.* A groundwater system with a significant deficiency is in violation of the treatment technique requirement if, within 120 days (or earlier if directed by the department) of receiving written notice from the department of the significant deficiency, the system:

(1) Does not complete corrective action in accordance with any applicable department plan review processes or other department guidance and direction, including department-specified interim actions and measures; or

(2) Is not in compliance with a department-approved corrective action plan and schedule.

b. *Fecal indicator-positive source sample.* Unless the department invalidates a fecal indicator-positive groundwater source sample under 41.7(3) “d”(1), a groundwater system is in violation of the treatment technique requirement if, within 120 days (or earlier if directed by the department) of meeting the conditions of 41.7(4) “a”(1) or (2), the system:

(1) Does not complete corrective action in accordance with any applicable department plan review processes or other department guidance and direction, including department-specified interim measures; or

(2) Is not in compliance with a department-approved corrective action plan and schedule.

c. *Failure to maintain 4-log treatment.* A groundwater system subject to the requirements of 41.7(4) “b”(3) that fails to maintain at least 4-log treatment of viruses for a groundwater source is in violation of the treatment technique requirement if the failure is not corrected within four hours of the determination that the system is not maintaining at least 4-log treatment of viruses before or at the first customer.

41.7(6) Reporting and record keeping for groundwater systems.

a. *Reporting.* In addition to meeting the requirements of 567—subrule 42.4(1), a groundwater system regulated under this rule must provide the following information to the department:

(1) A groundwater system conducting compliance monitoring under 41.7(4) “b” must notify the department any time the system fails to meet any of the department-specified requirements for 4-log virus treatment including, but not limited to, minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored within four hours. The groundwater system must notify the department as soon as possible, but in no case later than the end of the next business day.

(2) After completing any corrective action under 41.7(4) “a,” a groundwater system must notify the department within 30 days of completion of the corrective action.

(3) If a groundwater system subject to the requirements of 41.7(3) “a” does not conduct source water monitoring under 41.7(3) “a”(5) “2,” the system must provide documentation to the department within 30 days of the total coliform-positive sample that it met the department’s criteria.

b. Record keeping. In addition to the requirements in 567—subrule 42.5(1), a groundwater system regulated under this rule must maintain the following information in its records:

- (1) Documentation of corrective actions, which must be kept for a period of not less than ten years.
- (2) Documentation of notice to the public as required under 41.7(4) “a”(7), which must be kept for a period of not less than three years.
- (3) Records of decisions under 41.7(3) “a”(5) “2” and records of invalidation of fecal indicator-positive groundwater source samples under 41.7(3) “d”(1), both of which must be kept for a period of not less than five years.
- (4) For consecutive systems, documentation of notification to the wholesale system(s) of total coliform-positive samples that are not invalidated under 41.2(1) “d,” which must be kept for a period of not less than five years.
- (5) For systems, including wholesale systems, that are required to perform compliance monitoring under 41.7(4) “b”(1), the following documentation must be maintained:
 1. Records of the department-specified minimum disinfectant residual, which must be kept for a period of not less than ten years.
 2. Records of the lowest daily residual disinfectant concentration and records of the date and duration of any failure to maintain the department-prescribed minimum residual disinfectant concentration for a period of more than four hours, both of which must be kept for a period of not less than five years.
 3. Records of department-specified compliance requirements for membrane filtration and of parameters specified by the department for department-approved alternative treatment and records of the date and duration of any failure to meet the membrane operating, membrane integrity, or alternative treatment operating requirements for more than four hours. Documentation shall be kept for a period of not less than five years.

[ARC 3735C, IAB 4/11/18, effective 5/16/18]