

Annex A
TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
Subpart C. PROTECTION OF NATURAL RESOURCES
ARTICLE II. WATER RESOURCES
CHAPTER 109. SAFE DRINKING WATER
Subchapter A. GENERAL PROVISIONS

§ 109.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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PFAS—*Perfluoroalkyl and polyfluoroalkyl substances*—**This term refers collectively to the group of regulated PFAS compounds.**

PFOA—Perfluorooctanoic acid[—CASRN 335-67-1] **and its structural isomers, including salts, conjugates, derivatives or combinations thereof.**

PFOS—Perfluorooctanesulfonic acid[—CASRN 1763-23-1] **and its structural isomers, including salts, conjugates, derivatives or combinations thereof.**

***PQL*—Practical quantitation limit—The minimum concentration of an analyte (substance) that can be measured with a high degree of confidence that the analyte is present at or above that concentration.**

Performance evaluation sample—A reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within the limits of performance specified by the Department. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

Person—An individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision, or an agency of Federal or State government. The term includes the officers, employees and agents of a partnership, association, company, corporation, municipality, municipal authority, political subdivision, or an agency of Federal or State government.

***Pitcher filter*—A nonplumbed water filtration device which consists of a gravity fed water filtration cartridge and a filtered drinking water reservoir that is certified by an ANSI-accredited certifier to reduce the targeted contaminant in drinking water.**

Plant intake—The works or structures at the head of a conduit through which water is diverted from a source (for example, a river or lake) into the treatment plant.

Point-of-entry (POE) device—A treatment device used as an alternative to central treatment that is installed on a public water line or service connection to a house, building or other facility for the purpose of reducing contaminants in the water distributed throughout the house, building or facility.

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Presedimentation—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.

Public water supplier—A person who owns or operates a public water system.

Public water system—A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term includes collection or pretreatment storage facilities not under control of the operator which are used in connection with the system. The term also includes a system which provides water for bottling or bulk hauling for human consumption. Water for human consumption includes water that is used for drinking, bathing and showering, cooking, dishwashing or maintaining oral hygiene.

[RAA—*Running annual average*—The average, computed quarterly, of quarterly arithmetic averages of all analytical results for samples taken during the most recent 4 calendar quarters.]

Recycle—The act of returning recycle streams to a conventional or direct filtration plant's treatment process.

Recycle flows—Any water, solid or semi-solid generated by a conventional or direct filtration plant's treatment process and residual treatment processes that is returned to the plant's treatment process.

Reliably and consistently below the MCL—

(i) For VOCs, SOCs[,] **and** IOC (with the exception of nitrate and nitrite) **[and PFAS]**, this means that each sample result is less than 80% of the MCL.

(ii) For nitrate and nitrite, this means that each sample result is less than 50% of the MCL.

(iii) For PFAS, this means that each sample result is less than 80% of the MCL for MCLs established in § 109.202(a)(4)(ii) (relating to State MCLs, MRDLs and treatment technique requirements), or that each sample result is less than the MCL for MCLs established in 40 CFR 141.61 (relating to maximum contaminant levels for organic contaminants) and incorporated by reference in § 109.202(a)(2).

Repeat compliance period—A subsequent compliance period after the initial compliance period.

Retail water facility—A public water system which provides water for bottling without the use of a water vending machine by dispensing unit servings of water in containers whether or not the containers are provided by the customers.

Running annual average—The average, computed quarterly, of quarterly arithmetic averages of all analytical results for samples taken during the most recent 4 calendar quarters. When calculating the running annual average for the purpose of determining compliance, rounding does not occur until the end of the calculation.

SOC—Synthetic Organic Chemical.

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Subchapter B. MCLs, MRDLs OR TREATMENT TECHNIQUE REQUIREMENTS

§ 109.202. State MCLs, MRDLs and treatment technique requirements.

(a) *Primary MCLs, MRDLs and treatment technique requirements.*

(1) A public water system shall supply drinking water that complies with the primary MCLs, MRDLs and treatment technique requirements adopted by the EQB under the act.

(2) This subchapter incorporates by reference the primary MCLs, MRDLs and treatment technique requirements in the National Primary Drinking Water Regulations in 40 CFR Part 141 (relating to National Primary Drinking Water Regulations) as State MCLs, MRDLs and treatment technique requirements under authority of section 4 of the act (35 P.S. § 721.4), unless other MCLs, MRDLs and treatment technique requirements are established by regulations of the Department. The primary MCLs, MRDLs and treatment technique requirements which are incorporated by reference are effective on the date established by the Federal regulations.

(2.1) The trigger levels in 40 CFR 141.902(a)(5) (relating to monitoring requirements) used in §§ 109.301(17) and 109.1003(a)(1)(xvi) (relating to general monitoring requirements; and monitoring requirements) to determine monitoring frequencies for PFAS are incorporated by reference.

(3) A public water system that is installing granular activated carbon or membrane technology to comply with the MCL for TTHMs, HAA5, chlorite (where applicable) or bromate (where applicable) may apply to the Department for an extension of up to 24 months past the applicable compliance date specified in the Federal regulations, but not beyond December 31, 2003. In granting the extension, the Department will set a schedule for compliance and may specify any interim measures that the Department deems necessary. Failure to meet the schedule or interim treatment requirements constitutes a violation of National Primary Drinking Water Regulations.

(4) Other MCLs.

(i) *Effective dates.* The MCLGs and MCLs in subparagraph (ii)(A)—(B) are effective on January 14, 2023, **through April 25, 2029. Beginning April 26, 2029, paragraph (2) applies and the MCLGs and MCLs established in 40 CFR 141.61 (relating to maximum contaminant levels for organic contaminants) for all regulated PFAS are incorporated by reference. The MCLs established in 40 CFR 141.61 shall also be referenced for the purpose of determining monitoring frequencies in §§ 109.301(17) and 109.1003(a)(1)(xvi), beginning April 26, 2027.**

(ii) The MCLGs and MCLs for PFAS are:

	CASRN	Contaminant	MCLG (mg/L)	MCL (mg/L)	MCLG (ng/L)	MCL (ng/L)
(A)	335-67-1	PFOA	0.000008	0.000014	8	14
(B)	1763-23-1	PFOS	0.000014	0.000018	14	18

(b) *Secondary MCLs.*

(1) public water system shall supply drinking water that complies with the secondary MCLs adopted by the EQB under the act, except for the MCL for pH which represents a reasonable goal for drinking water quality.

(2) This subchapter incorporates by reference the secondary MCLs established by the EPA in the National Secondary Drinking Water Regulations, 40 CFR 143.3 (relating to secondary maximum contaminant levels), as of January 30, 1991, as State MCLs, under the authority of section 4 of the act, unless other MCLs are established by regulations of the Department. The secondary MCL for copper is not incorporated by reference.

(3) A secondary MCL for aluminum of 0.2 mg/L is adopted as a State MCL.

(c) *Treatment technique requirements for pathogenic bacteria, viruses and protozoan cysts.* A public water system shall provide adequate treatment to reliably protect users from the adverse health effects of microbiological contaminants, including pathogenic bacteria, viruses and protozoan cysts. The number and type of treatment barriers and the efficacy of treatment provided shall be commensurate with the type, degree and likelihood of contamination in the source water.

(1) A public water supplier shall provide, as a minimum, continuous filtration and disinfection for surface water and GUDI sources. The treatment technique must provide at least 99.9% removal and inactivation of *Giardia lamblia* cysts, and at least 99.99% removal and inactivation of enteric viruses. Beginning January 1, 2002, public water suppliers serving 10,000 or more people shall provide at least 99% removal of *Cryptosporidium* oocysts. Beginning January 1, 2005, public water suppliers serving fewer than 10,000 people shall provide at least 99% removal of *Cryptosporidium* oocysts. The Department, depending on source water quality conditions, may require additional treatment as necessary to meet the requirements of this chapter and to protect the public health.

(i) The filtration process shall meet the following performance requirements:

(A) *Conventional or direct filtration.*

(I) The filtered water turbidity shall be less than or equal to 0.5 NTU in 95% of the measurements taken each month under § 109.301(1) **[(relating to general monitoring requirements)]**.

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Subchapter C. MONITORING REQUIREMENTS

§ 109.301. General monitoring requirements.

Public water suppliers shall monitor for compliance with MCLs, MRDLs and treatment technique requirements in accordance with the requirements established by the EPA under the National Primary Drinking Water Regulations, 40 CFR Part 141 (relating to National Primary Drinking Water Regulations), except as otherwise established by this chapter unless increased monitoring is required by the Department under § 109.302 (relating to special monitoring requirements). Alternative monitoring

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requirements may be established by the Department and may be implemented in lieu of monitoring requirements for a particular National Primary Drinking Water Regulation if the alternative monitoring requirements are in conformance with the Federal act and regulations. The monitoring requirements shall be applied as follows:

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(5) *Monitoring requirements for VOCs.* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for VOCs established by the EPA under 40 CFR 141.61(a) (relating to maximum contaminant levels for organic contaminants). The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.24(f) (relating to organic chemicals, sampling and analytical requirements), incorporated herein by reference, except as modified by this chapter. Initial or first year monitoring mentioned in this paragraph refers to VOC monitoring conducted on or after January 1, 1993.

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(iii) *Repeat monitoring for entry points at which a VOC is detected.* For entry points at which a VOC is detected at a level equal to or greater than 0.0005 mg/L, then:

(A) Monitoring shall be repeated quarterly beginning the quarter following the detection for VOCs for which the EPA has established MCLs under 40 CFR 141.61(a), except for vinyl chloride as provided in subparagraph (i), until reduced monitoring is granted in accordance with this subparagraph.

(B) The Department may decrease the quarterly monitoring requirement specified in clause (A) provided it has determined that the system is reliably and consistently below the MCL. For an initial detection of a VOC, the Department will not make this determination until the water system obtains results from a minimum of four consecutive quarterly samples that are reliably and consistently below the MCL, **where the detected result triggering the monitoring specified in clause (A) is used as the first quarter of monitoring.**

(C) If the Department determines that the system is reliably and consistently below the MCL, the Department may allow the system to monitor annually. Systems which monitor annually shall monitor during the quarter that previously yielded the highest analytical result, or as specified by the Department.

(iv) *Repeat monitoring for entry points at which no VOC is detected.*

(A) For entry points at which VOCs are not detected during the first year of quarterly monitoring, or annual monitoring if only one sample was required at an entry point for first year monitoring under subparagraph (ii)(E), or (F), required monitoring is reduced to one sample per entry point per year.

(B) For groundwater or GUDI entry points where VOCs are monitored in accordance with this paragraph but are not detected during 3 years of quarterly or annual monitoring, or both, required monitoring is reduced to one sample per entry point during each subsequent compliance period. Reduced monitoring shall be conducted at 3-year intervals **[from the year of required initial monitoring] on a schedule determined by the Department.**

(v) *Repeat monitoring for VOCs with MCL exceedances.* For entry points at which a VOC MCL is exceeded, monitoring shall be conducted quarterly, beginning the quarter following the

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exceedance. Quarterly monitoring shall continue until a minimum of 4 consecutive quarterly samples shows the system is in compliance as specified in subparagraph (x) and the Department determines the system is reliably and consistently below the MCL. **The result that exceeded the MCL triggering quarterly monitoring is used as the first quarter of monitoring.** If the Department determines that the system is in compliance and is reliably and consistently below the MCL, the Department may allow the system to monitor in accordance with subparagraph (iii)(C).

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(x) *Compliance determinations.* Compliance with the VOC MCLs shall be determined based on the analytical results obtained at each entry point. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(A) **[For systems monitoring more than once per year, compliance]** **Compliance** with the MCL is determined by a running annual average of all samples taken at each entry point.

(B) **[If monitoring is conducted annually or less frequently, the system is out of compliance if the level of a contaminant at any entry point is greater than the MCL. If a confirmation sample is collected as specified in subparagraph (vi), compliance is determined using the average of the two sample results]** **{Reserved}**.

(C) If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.

(D) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(E) If a sample result is less than the detection limit, zero will be used to calculate compliance.

(6) *Monitoring requirements for SOC (pesticides and PCBs).* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for SOC established by the EPA under 40 CFR 141.61(c). The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.24(h), incorporated herein by reference except as modified by this chapter.

(i) *Initial monitoring.* Initial monitoring shall consist of 4 consecutive quarterly samples at each entry point beginning during the quarter beginning January 1, 1995, except for systems which are granted an initial monitoring waiver in accordance with subparagraph (vii). Systems which monitor during the initial monitoring period but begin monitoring before 1995 shall begin monitoring during the first calendar quarter of the year. New entry points associated with new sources which are vulnerable to SOC contamination, as determined in accordance with subparagraph (vii), and which begin operation after March 31, 1995, shall be monitored quarterly, beginning the first full quarter the entry point begins serving the public.

(ii) *Repeat monitoring for SOC that are detected.* If an SOC is detected (as defined by the EPA under 40 CFR 141.24(h)(18) or by the Department), then:

(A) Monitoring for the detected SOC shall be conducted quarterly, beginning the quarter

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following the detection, until reduced monitoring is granted in accordance with this subparagraph.

(B) The Department may decrease the quarterly monitoring requirement specified in clause (A) provided it has determined that the system is reliably and consistently below the MCL. For an initial detection of a SOC, the Department will not make this determination until the water system obtains results from a minimum of four consecutive quarterly samples that are reliably and consistently below the MCL, **where the detected result triggering the monitoring specified in clause (A) is used as the first quarter of monitoring.**

(C) If the Department determines that the system is reliably and consistently below the MCL, the Department may allow the system to monitor annually. Systems which monitor annually shall monitor during the quarter that previously yielded the highest analytical result, or as specified by the Department.

(D) Systems which have 3 consecutive years of quarterly or annual samples with no detection of a contaminant may apply to the Department for a waiver as specified in subparagraph (vii). A waiver is effective for one compliance period and may be renewed in each subsequent compliance period.

(E) For entry points at which either heptachlor or heptachlor epoxide is detected during the initial round of consecutive quarterly samples, or in subsequent repeat samples, the monitoring shall be continued for both contaminants in accordance with the more frequent monitoring required of the two contaminants based on the level at which each is detected.

(iii) *Repeat monitoring for SOCs that are not detected.* For entry points at which SOCs are not detected during the first year of quarterly monitoring, the required monitoring is reduced to one sample in each 3-year compliance period for systems serving 3,300 or fewer persons and to 2 consecutive quarterly samples in each compliance period for systems serving more than 3,300 persons. Reduced monitoring shall be conducted at 3-year intervals **[from the year of required initial VOC monitoring, in accordance with paragraph (5)(ii)] on a schedule determined by the Department.**

(iv) *Repeat monitoring for SOCs with MCL exceedances.* For entry points at which an SOC MCL is exceeded, monitoring for the detected SOC shall be conducted quarterly, beginning the quarter following the exceedance. Quarterly monitoring shall continue until a minimum of 4 consecutive quarterly samples shows the system is in compliance as specified in subparagraph (ix) and the Department determines the system is reliably and consistently below the MCL. **The result that exceeded the MCL triggering quarterly monitoring is used as the first quarter of monitoring.** If the Department determines that the system is in compliance and is reliably and consistently below the MCL, the Department may allow the system to monitor in accordance with subparagraph (ii)(C).

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(ix) *Compliance determinations.* Compliance with the SOC MCLs shall be determined based on the analytical results obtained at each entry point. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(A) **[For systems monitoring more than once per year, compliance]** **Compliance** with the MCL is determined by a running annual average of all samples taken at each entry point.

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(B) [If monitoring is conducted annually or less frequently, the system is out of compliance if the level of a contaminant at any entry point is greater than the MCL. If a confirmation sample is collected as specified in subparagraph (v), compliance is determined using the average of the two sample results] {Reserved}.

(C) If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.

(D) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(E) If a sample result is less than the detection limit, zero will be used to calculate compliance.

(7) *Monitoring requirements for IOCs.* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for IOCs established by the EPA under 40 CFR 141.62 (relating to maximum contaminant levels for inorganic contaminants). Transient noncommunity water suppliers shall monitor for compliance with the MCLs for nitrate and nitrite. The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.23 (relating to inorganic chemical sampling and analytical requirements). The requirements are incorporated by reference except as modified by this chapter.

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(ii) *Monitoring requirements for nitrate and nitrite.*

(A) *Initial monitoring schedule.* A public water system shall begin monitoring for nitrate and nitrite by taking one annual sample at each groundwater or GUDI entry point to the distribution system beginning during the year beginning January 1, 1993. Community water systems and nontransient noncommunity water systems with surface water sources shall monitor quarterly at each surface water entry point for nitrate and nitrite beginning during the quarter beginning January 1, 1993. Transient noncommunity water systems shall monitor each surface water entry point by taking one annual sample beginning during the year beginning January 1, 1993.

(B) *Monitoring of new entry points.*

(I) New community and nontransient noncommunity surface water entry points associated with new sources shall be monitored quarterly, beginning the first full quarter the entry point begins serving the public. Quarterly monitoring shall continue until reduced monitoring is granted in accordance with clause (C)(II) or (D).

(II) New community and nontransient noncommunity groundwater or GUDI entry points and new transient noncommunity entry points associated with new sources shall be monitored annually, beginning within 1 year of serving the public.

(C) *Repeat monitoring for systems with nitrate or nitrite levels equal to or greater than 50% of the MCLs.*

(I) For entry points at which initial monitoring results or subsequent monitoring indicate nitrate or nitrite levels equal to or greater than 50% of the MCL, water systems shall begin quarterly monitoring the quarter following detection at that level and continue quarterly monitoring for both nitrate and nitrite, unless reduced monitoring is granted in accordance with subclause (II) or (III).

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- (II) For surface water entry points, after 4 consecutive quarterly samples at an entry point for a water system indicate nitrate and nitrite levels in each sample are less than 50% of the MCLs, the required compliance monitoring is reduced to 1 sample per year at the entry point. **The result that triggered the monitoring specified in subclause (I) is used as the first quarter of monitoring.** Annual monitoring shall be conducted during the quarter which previously resulted in the highest analytical result, unless the Department determines that a different monitoring quarter should be used in accordance with paragraph (10).
- (III) For groundwater or GUDI entry points, after 4 consecutive quarterly samples at an entry point for a water system indicate nitrate and nitrite levels in each sample are reliably and consistently below the MCL, the required compliance monitoring is reduced to 1 sample per year at the entry point. **The result that triggered the monitoring specified in subclause (I) is used as the first quarter of monitoring.** Annual monitoring shall be conducted during the quarter which previously resulted in the highest analytical result, unless the Department determines that a different monitoring quarter should be used in accordance with paragraph (10).
- (IV) For nitrate or nitrite sample results in excess of the MCLs, the water supplier shall take a confirmation sample within 24 hours of having received the original sample result. A water supplier that is unable to comply with the 24-hour sampling requirement shall immediately notify persons served by the public water system in accordance with § 109.408. Systems exercising this option shall take and analyze a confirmation sample within 2 weeks of notification of the analytical results of the first sample.
- (V) Noncommunity water systems for which an alternate nitrate level has been approved by the Department in accordance with 40 CFR 141.11(d) (relating to maximum contaminant levels for inorganic chemicals) are not required to collect a confirmation sample if only the nitrate MCL is exceeded and nitrate is not in excess of the alternate nitrate level. If the alternate nitrate level is exceeded, the water supplier shall collect a confirmation sample within 24 hours after being advised by the certified laboratory performing the analysis that the compliance sample exceeded 20 mg/L for nitrate. Confirmation monitoring shall be completed by the deadline for compliance monitoring.
- (VI) Quarterly performance monitoring is required for nitrate and nitrite at entry points where treatment has been installed to remove nitrate or nitrite.
- (D) *Repeat monitoring for systems with nitrate and nitrite levels less than 50% of the MCLs.* For entry points at which initial monitoring results indicate nitrate and nitrite levels in each sample are less than 50% of the MCLs, nitrate and nitrite monitoring shall be repeated annually during the calendar quarter which previously resulted in the highest analytical result, unless the Department determines that a different monitoring quarter should be used in accordance with paragraph (10).
- (iii) *Monitoring requirements for antimony, arsenic, barium, beryllium, cadmium, cyanide, chromium, fluoride, mercury, nickel, selenium and thallium.*
- (A) *Initial monitoring schedule.* Community water systems and nontransient noncommunity water systems shall monitor each surface water entry point annually beginning during the

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year beginning January 1, 1993, and shall monitor each groundwater or GUDI entry point once every 3 years beginning during the year beginning January 1, 1994.

(B) *Monitoring of new entry points.* New groundwater or GUDI entry points which begin operation after December 31, 1994, shall begin initial monitoring in accordance with the schedule in clause (A)—that is, 1997, and so forth. New surface water entry points shall begin initial annual monitoring during the first new calendar year after the entry point begins serving the public.

(C) *Repeat monitoring for entry points at which an IOC MCL is exceeded.*

(I) For entry points at which initial monitoring results or subsequent monitoring indicates an IOC level in excess of the MCL, monitoring shall be repeated quarterly beginning the quarter following detection at that level for each IOC in excess of an MCL, until reduced monitoring is granted in accordance with subclause (II).

(II) After analyses of four consecutive quarterly samples indicate that contaminant levels are reliably and consistently below the MCLs, the required monitoring at an entry point where treatment has not been installed to comply with an IOC MCL for each IOC that is reliably and consistently below the MCL is reduced to the frequencies stated in clause (A). **The result that exceeded the MCL triggering quarterly monitoring is used as the first quarter of monitoring.** This reduced monitoring option does not apply to entry points at which treatment has been installed for IOC removal. Compliance monitoring for IOCs for which treatment has been installed to comply with an MCL shall be conducted at least annually, and performance monitoring shall be conducted quarterly.

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(16) *Monitoring requirements for PFAS.* [Community] **Through April 25, 2027, community** water systems and nontransient noncommunity water systems shall monitor **according to this paragraph** for compliance with the MCLs for PFAS established under [§ 109.202(a)] **§ 109.202(a)(4)(ii).** **Compliance with the MCLs for PFAS established under § 109.202(a)(4)(ii) shall be determined according to subparagraph (ix) through April 25, 2029. Beginning April 26, 2029, compliance with the MCLs shall be determined according to paragraph (17)(vi).**

(i) *Initial monitoring.* Initial monitoring shall consist of [4] **four** consecutive quarterly samples at each entry point in accordance with the following monitoring schedule:

(A) Systems serving more than 350 persons shall begin monitoring during the quarter beginning January 1, 2024.

(B) Systems serving 350 or fewer persons shall begin monitoring during the quarter beginning January 1, 2025.

(C) **[Upon request, a system required to conduct monitoring under the Fifth Unregulated Contaminant Monitoring Rule (UCMR 5), specified in 40 CFR Part 141, may upon written approval from the Department modify the initial monitoring period required under clause (A) or (B) to coincide with UCMR 5] {Reserved}.**

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(D) Systems that add new sources to new or existing entry points on or after the applicable dates in clauses (A) and (B), shall conduct initial monitoring according to this clause. An entry point with one or more new sources shall be monitored for 4 consecutive quarters, beginning the first full quarter the entry point begins serving the public.

(ii) *Repeat monitoring for PFAS that are detected.* For entry points at which a PFAS is detected at a level equal to or greater than its corresponding MRL as defined in § 109.304(f), then:

(A) Monitoring for the detected PFAS shall be conducted quarterly, beginning the quarter following the detection, until reduced monitoring is granted in accordance with this subparagraph.

(B) The Department may decrease the quarterly monitoring requirement specified in clause (A) if it has determined that monitoring results are reliably and consistently below the MCL, **as defined in § 109.1. The detected result triggering the monitoring specified in clause (A) is used as the first quarter of monitoring.** The Department will not make this determination until the water system obtains results from a minimum of four consecutive quarterly samples that are reliably and consistently below the MCL.

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(ix) *Compliance determinations.* **[Compliance] Through April 25, 2029, compliance** with the PFAS MCLs **established under § 109.202(a)(4)(ii)** shall be determined based on the analytical results obtained at each entry point **according to this subparagraph.** If one entry point is in violation of an MCL, the system is in violation of the MCL.

(A) **[For systems monitoring more than once per year, compliance]** **Compliance** with the MCL is determined by a running annual average of all samples taken at each entry point.

(B) **[If monitoring is conducted annually or less frequently, the system is out of compliance if the level of a contaminant at any entry point is greater than the MCL. If a confirmation sample is collected as specified in subparagraph (v), compliance is determined using the average of the two sample results]** **{Reserved}.**

(C) If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.

(D) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(E) If a sample result is less than the MRL, zero will be used to calculate compliance.

(17) Revised monitoring requirements for PFAS. Beginning April 26, 2027, community water systems and nontransient noncommunity water systems shall monitor according to this paragraph for compliance with the MCLs for PFAS under § 109.202(a). Compliance with the MCLs for PFAS established under § 109.202(a)(4)(ii) shall be determined according to paragraph (16)(ix) through April 25, 2029. Beginning April 26, 2029, compliance with the MCLs shall be determined according to subparagraph (vi).

(i) Initial monitoring.

(A) Systems and entry points permitted prior to April 26, 2027, shall complete initial monitoring that complies with the requirements of 40 CFR 141.902(b)(1) (relating to monitoring requirements), which is incorporated by reference. Initial monitoring must be completed and reported by April 26, 2027. Monitoring conducted to meet the requirements of paragraph (16)(i)(A), (B) or (D) may also be used to satisfy the requirements of this clause, provided the monitoring meets all applicable analytical requirements, including requirements established in 40 CFR 141.901 (relating to analytical requirements) and incorporated by reference in § 109.304(a).

(B) New entry points permitted on or after April 26, 2027, shall complete initial monitoring as follows:

(I) Initial monitoring shall consist of four consecutive quarterly samples for all regulated PFAS at each entry point, beginning the first full calendar quarter after the entry point begins serving the public.

(II) For systems using groundwater sources only and serving a population of 10,000 or fewer, if the first two quarterly samples at an entry point have results below the trigger levels, established in 40 CFR 141.902(a)(5) and incorporated by reference in § 109.202(a)(2.1), for all regulated PFAS, the final two quarterly samples are not required.

(ii) Compliance monitoring. Beginning April 26, 2027, water systems shall conduct compliance monitoring for PFAS as follows.

(A) Routine monitoring. For entry points at which any regulated PFAS is detected at or above its corresponding trigger level, established in 40 CFR 141.902(a)(5) and incorporated by reference in § 109.202(a)(2.1), during initial monitoring required under subparagraph (i), or during any subsequent monitoring conducted prior to April 26, 2027, monitoring for all regulated PFAS shall be conducted quarterly. Quarterly monitoring for all regulated PFAS shall continue until reduced monitoring is granted in accordance with clause (B)(I). In addition, monitoring for all regulated PFAS at entry points required to increase the monitoring frequency according to clause (C) shall be conducted quarterly according to this clause.

(B) Reduced monitoring.

(I) Annual monitoring. After the water system obtains entry point results from a minimum of four consecutive quarterly samples required under clause (A) that are reliably and consistently below the MCL, as defined in § 109.1, for all regulated PFAS, the Department may reduce monitoring from quarterly to annually. When increased monitoring is required under clause (C), the result triggering increased monitoring is used at first quarter of monitoring. The Department will not make this determination until the water system obtains entry point results from a minimum of four consecutive quarterly samples that are reliably and consistently below the MCL. Systems which monitor for PFAS annually shall monitor during

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the quarter that previously yielded the highest analytical result, or as specified by the Department. Annual monitoring shall begin during the calendar year immediately following the end of the quarter in which the criteria in this subclause have been met.

(II) Triennial monitoring.

(-a-) For entry points at which none of the regulated PFAS are detected at or above the trigger levels established in 40 CFR 141.902(a)(5) and incorporated by reference in § 109.202(a)(2.1) during initial monitoring required under subparagraph (i), monitoring may be reduced to one sample per entry point every 3 years during each compliance period, beginning with the 2026-2028 compliance period. Triennial monitoring shall continue until increased monitoring is required according to clause (C).

(-b-) After the water system obtains entry point results from a minimum of 3 consecutive years of annual monitoring required under clause (B)(I) that are below the trigger levels for all regulated PFAS established in 40 CFR 141.902(a)(5) and incorporated by reference in § 109.202(a)(2.1), the Department may reduce monitoring frequency from annual to one sample per entry point every 3 years during each subsequent compliance period. Triennial monitoring shall continue until increased monitoring is required according to clause (C).

(-c-) For any water system conducting reduced triennial monitoring at any entry point according to item (-a-) or (-b-), monitoring shall be conducted at 3-year intervals on a schedule determined by the Department.

(-d-) Systems which monitor for PFAS triennially according to item (-a-) or (-b-) shall monitor during the quarter that previously yielded the highest analytical result, or as specified by the Department.

(C) Increased monitoring. Entry points on a reduced monitoring frequency under clause (B) shall increase the monitoring frequency for all regulated PFAS according to subclauses (I) and (II).

(I) For entry points on a reduced annual monitoring frequency under clause (B)(I), if results for any regulated PFAS are at or above the corresponding MCLs established in 40 CFR 141.61 and incorporated by reference in § 109.202(a)(2), monitoring for all regulated PFAS is increased to quarterly according to subparagraph (ii)(A).

(II) For entry points on a reduced triennial monitoring frequency under clause (B)(II), if results for any regulated PFAS are at or above the trigger levels established in 40 CFR 141.902(a)(5) and incorporated by reference in § 109.202(a)(2.1), monitoring is increased to quarterly according to clause (A).

(iii) Monitoring for entry points with PFAS removal treatment. The reduced monitoring option in subparagraph (ii)(B)(II) does not apply to entry points at which treatment has been installed for PFAS removal. Compliance monitoring for all regulated PFAS at entry

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points with PFAS removal treatment shall be conducted at least annually. Performance monitoring shall be conducted at least quarterly for the specific PFAS for which treatment has been installed.

(iv) *Invalidation of PFAS samples.*

(A) The Department may invalidate results of obvious sampling errors.

(B) A sample invalidated under this subparagraph does not count towards meeting the minimum monitoring requirements of paragraph (17).

(v) *Confirmation samples.* The Department may require a confirmation sample to verify PFAS levels and to provide additional information where monitoring required under paragraph (17) may not be adequate to protect the public health. When the Department determines a confirmation sample is required, the Department will provide written notification to the water system.

(vi) *Compliance determinations.* Compliance with the PFAS MCLs established in 40 CFR 141.61 and incorporated by reference in § 109.202(a)(2) shall be determined according to this subparagraph, based on the analytical results obtained at each entry point, beginning April 26, 2029. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(A) For systems monitoring quarterly, compliance with the MCLs is determined by the running annual average at each entry point.

(I) If the system fails to collect the required number of samples, compliance with the MCLs will be based on the total number of samples collected.

(II) If a sample result for a regulated PFAS is less than the corresponding PQL, zero will be used in the calculation to determine the running annual average. PQLs are established in 40 CFR 141.903(f)(1)(iv) (relating to compliance requirements) and incorporated by reference in § 109.304(a).

(III) If any sample result will cause the running annual average to exceed any PFAS MCL at any entry point, the system is out of compliance with the MCL immediately.

(IV) If more than one sample is required at an entry point in a quarter in accordance with § 109.718, compliance shall be determined by calculating a quarterly average except as specified in subclause (V). The quarterly average will be used in the running annual average calculation.

(V) If multiple sample results are reported at an entry point during a quarter that were not collected in order to achieve representative monitoring in accordance with § 109.718 or as a confirmation sample required as specified in subparagraph (v), compliance shall be determined using the quarterly sample with highest result in the running annual average calculation. If a confirmation sample was required, collected, analyzed and reported to the Department, compliance shall be determined

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using the average of the initial sample and the confirmation sample in the running annual average calculation.

(B) Compliance for regulated PFAS with individual MCLs, which are established in 40 CFR 141.61 and incorporated by reference in § 109.202(a)(2), shall be determined by comparison of the running annual average calculated according to clause (A) to their respective individual MCLs.

(C) For systems monitoring annually, if any PFAS result is at or above the corresponding MCL, the monitoring frequency increases to quarterly according to subparagraph (ii)(C)(I), and compliance with the MCL is determined by the running annual average according to clause (A). The quarter with the result at or above the MCL is the first quarter in the running annual average calculation.

(D) For systems monitoring triennially, if any PFAS result is at or above the corresponding trigger level established in 40 CFR 141.902(a)(5) and incorporated by reference in § 109.202(a)(2.1), the monitoring frequency increases to quarterly according to subparagraph (ii)(C)(II), and compliance with the MCL is determined by the running annual average according to clause (A). The quarter with the result at or above the trigger level is the first quarter in the running annual average calculation.

§ 109.303. Sampling requirements.

(a) The samples taken to determine a public water system's compliance with MCLs, MRDLs or treatment technique requirements or to determine compliance with monitoring requirements shall be taken at the locations identified in §§ 109.301, 109.302, 109.1003, 109.1103, 109.1202 and 109.1303 and as follows:

* * * * *

(6) Samples for determining compliance with MCLs for PFAS contaminants **[listed in § 109.202(a)(4)]** established in § 109.202(a) shall be collected at each entry point to the distribution system which is representative of each source after an application of treatment during periods of normal operating conditions. If a system draws water from more than one source and the sources are combined prior to distribution, the system shall sample at the entry point during periods of normal operating conditions when water is representative of all sources being used.

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§ 109.304. Analytical requirements.

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(c) For the purpose of determining compliance with the monitoring and analytical requirements established under this subchapter and Subchapters **J, K, L and M [(relating to lead and copper; long-term 2 enhanced surface water treatment rule; and additional requirements for groundwater sources)]**, the Department will consider only samples analyzed by a laboratory accredited by the Department, except that measurements for turbidity, fluoridation operation, residual disinfectant

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concentration, temperature, pH, alkalinity, orthophosphates, silica, calcium, conductivity, daily chlorite and magnesium hardness may be performed by a person meeting one of the following requirements:

* * * * *

(f) For the purpose of determining compliance with the PFAS MCLs established in [§ 109.202(a)(4)] **§ 109.202(a)(4)(ii)** (relating to State MCLs, MRDLs and treatment technique requirements) **and the monitoring requirements for PFAS established in §§ 109.301(16) and 109.1003(a)(1)(xv) (relating to general monitoring requirements; and monitoring requirements)**, sampling and analysis for PFAS shall be conducted as follows:

* * * * *

Subchapter D. PUBLIC NOTIFICATION

§ 109.411. Content of a public notice.

* * * * *

(e) *Standard language for a public notice.* Public water systems shall include the following standard language in their public notice:

(1) *Standard health effects language for primary MCL or MRDL violations, treatment technique violations and violations of the condition of a variance or exemption.* Public water systems shall include in each public notice appropriate health effects language. This subchapter incorporates by reference the health effects language specified in 40 CFR Part 141, Subpart Q, Appendix B (relating to standard health effects language for public notification), corresponding to each primary MCL, MRDL and treatment technique violation listed in 40 CFR Part 141, Subpart Q, Appendix A (relating to NPDWR violations and other situations requiring public notice), and for each violation of a condition of a variance or exemption, unless other health effects language is established by regulations or order of the Department.

(i) The health effects language for fluoride is not incorporated by reference. Public water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL of 2 mg/L for fluoride:

“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). 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. 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.”

(ii) [Public] **Through April 25, 2029, public** water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL for PFOA, **established in § 109.202(a)(4)(ii) (relating to State MCLs, MRDLs and treatment technique requirements)**:

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“Drinking water containing PFOA in excess of the MCL of 14 ng/L may cause adverse health effects, including developmental effects (neurobehavioral and skeletal effects).”

(iii) **[Public] Through April 25, 2029, public** water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL for PFOS, **established in § 109.202(a)(4)(ii):**

“Drinking water containing PFOS in excess of the MCL of 18 ng/L may cause adverse health effects, including decreased immune response.”

(iv) Beginning April 26, 2029, paragraph (1) applies and the mandatory health effects language for regulated PFAS in 40 CFR Part 141, Subpart Q, Appendix B, which is incorporated by reference, applies for violations of the PFAS MCLs established in 40 CFR 141.61 (relating to maximum contaminant levels for organic contaminants) and incorporated by reference in § 109.202(a)(2).

(2) *Standard language for violations of monitoring requirements.* Public water systems shall include the following language in their notice, including the language necessary to fill in the blanks, for all violations of monitoring requirements listed in 40 CFR Part 141, Subpart Q, Appendix A:

“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 [insert compliance period], we “did not monitor or test” or “did not complete all monitoring or testing” for [insert contaminant(s)] and therefore cannot be sure of the quality of your drinking water during that time.”

(3) Standard language to encourage the distribution of the public notice to all persons served. Public water systems shall include in their notice the following language, if applicable:

“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.”

§ 109.416. CCR requirements.

This section applies only to community water systems and establishes the minimum requirements for the content of the annual CCR that each system shall deliver to its customers. This report must contain information on the quality of the water delivered by the system and characterize the risks, if any, from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

* * * * *

(3.1) **[Public] Until April 26, 2027, public** water suppliers required to conduct monitoring for PFAS under § 109.301(16) (relating to monitoring requirements) shall also include at a minimum the following information:

(i) Information on results detected.

- (A) MCL in ng/L.
- (B) MCLG in ng/L.
- (C) Highest level detected in ng/L.
- (D) Range of detections in ng/L.
- (E) Sample dates.
- (F) Whether a violation occurred.

(G) *Sources of contamination.* The likely sources of detected contaminants to the best of the public water supplier's knowledge. Specific information regarding contaminants may be available in sanitary surveys or source water assessments and should be used when available. If the public water supplier lacks specific information on the likely source or sources of the contaminant or contaminants, the following statement shall be used:

“Discharge from manufacturing facilities and runoff from land use activities.”

- (ii) *Health effects language.* Public water systems shall include the health effects language specified in § 109.411(e)(1)(ii) and (iii) for violation of a primary MCL for PFAS specified in § 109.202(a) (relating to State MCLs, MRDLs and treatment technique requirements).

(3.2) Public water suppliers required to conduct monitoring for PFAS under § 109.301(17) shall, at a minimum, include the following information:

(i) The required content and language for all regulated PFAS established in 40 CFR 141.153 and incorporated by reference in paragraph (3).

(ii) Through April 25, 2029, the following information must also be included:

(A) The MCLs and MCLGs established in § 109.202(a)(4)(ii).

(B) Whether a violation of an MCL for PFAS established in § 109.202(a)(4)(ii) occurred.

(C) Health effects language specified in § 109.411(e)(1)(ii) and (iii) for a violation of the corresponding primary MCL for PFAS established in § 109.202(a)(4)(ii).

(D) A statement explaining the difference between the MCLGs and MCLs established in § 109.202(a)(4)(ii) and the MCLGs and MCLs established in 40 CFR 141.61 (relating to maximum contaminant levels for organic contaminants) and incorporated by reference in § 109.202(a)(2).

- (4) Each community water system shall do the following:

* * * * *

Subchapter F. DESIGN AND CONSTRUCTION STANDARDS

§ 109.602. Acceptable design.

* * * * *

(j) PFAS.

(1) The Department identifies the following treatment technologies as acceptable for achieving compliance with the MCLs for PFAS, established under § 109.202(a) (relating to State MCLs, MRDLs and treatment technique requirements):

(i) GAC.

(ii) Ion exchange.

(iii) Reverse Osmosis or nanofiltration.

(2) Other treatment technologies may be approved by the Department if the applicant demonstrates the alternate technology is capable of providing an adequate and reliable quantity and quality of water to the public.

Subchapter I. VARIANCES AND EXEMPTIONS [ISSUED BY THE DEPARTMENT]

§ 109.909. Termination of PFAS exemption by rule.

(a) The Department will terminate an exemption by rule for PFAS issued by the EPA Administrator under 40 CFR 142.58 and 142.59 (relating to exemptions for PFOA and PFOS maximum contaminant levels issued by the Administrator; and control measures for PFAS) unless all of the following apply:

(1) The system is not under an order directing installation of PFAS treatment that was executed before April 26, 2029, or a permit approving the construction or operation of PFAS treatment that was issued before April 26, 2029.

(2) By _____ (Editor's Note: The blank refers to 60 days after the publication date of the final-form rulemaking in the *Pennsylvania Bulletin*.), water systems with an exemption-by-rule shall submit the following to the Department, as applicable:

(i) A schedule for completion of work needed to comply with the federal MCL.

(ii) For water systems required to comply with the control measures specified in 40 CFR 142.59, which is incorporated by reference, the water system shall submit the following documentation to the Department:

(A) A summary of the control measures that have been implemented to date, including the measures selected and the dates the actions were completed.

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(B) If POU devices are one of the chosen control measures, documentation that the devices are certified to reduce PFOA and PFOS concentrations to an ANSI/NSF standard by an ANSI-accredited organization.

(C) Schedules for ongoing activities for implementing the chosen control measures for the duration of the exemption.

(D) Copies of public education materials issued to date or a summary of community outreach activities implemented to date and a schedule of planned public education or outreach for the duration of the exemption.

(b) The Department will notify the public water system, in writing, as to whether the exemption is continued or terminated.

(c) If the exemption is terminated, water suppliers shall comply with the applicable MCLs by the end of the calendar quarter during which the exemption was terminated.

(d) Beginning January 1, 2029, if the exemption is continued, water systems required to comply with the control measures specified in 40 CFR 142.59 shall provide documentation annually, by December 31 each year certifying that the control measures have been implemented for the duration of the exemption.

Subchapter J. BOTTLED WATER AND VENDED WATER SYSTEMS, RETAIL WATER FACILITIES AND BULK WATER HAULING SYSTEMS

§ 109.1003. Monitoring requirements.

***(a) General monitoring requirements.* All analyses must be conducted in accordance with analytical techniques approved by the Department under § 109.304 (relating to analytical requirements).**

Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall monitor for compliance with the MCLs, MRDLs and treatment techniques as follows, except that systems which have installed treatment to comply with a primary MCL shall conduct quarterly operational monitoring for the contaminant which the treatment is designed to remove:

(1) Bottled water systems, retail water facilities and bulk water hauling systems, for each entry point shall:

(i) Monitor weekly for the presence or absence of total coliform. For any total coliform positive routine or check sample, determine the presence or absence of *E. coli*. **[All analyses must be conducted in accordance with analytical techniques approved by the Department under § 109.304 (relating to analytical requirements).]** A system may forego *E. coli* testing on a total coliform-positive sample if the system assumes that any total coliform-positive sample is also *E. coli*-positive. A system which chooses to forego *E. coli* testing shall, under § 109.701(a)(3) (relating to reporting and recordkeeping), notify the Department within 1 hour after the water system learns of the violation or the situation, and shall provide public notice in accordance with § 109.1004 (relating to public notification).

* * * * *

(xv) Beginning January 1, 2024, **and through April 25, 2027,** monitor **each entry point according to this subparagraph** for compliance with the MCLs for PFAS established under [§

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109.202(a)] § 109.202(a)(4)(ii). Compliance with the MCLs for PFAS established under § 109.202(a)(4)(ii) shall be determined according to clause (G) through April 25, 2029. Beginning April 26, 2029, compliance with the MCLs will be determined according to subparagraph (xvi)(G).

(A) *Monitoring exemption.* Systems that obtain finished water from another permitted public water system are exempt from conducting monitoring for PFAS if the public water system supplying the finished water performs the required monitoring **[at least annually]** and a copy of the analytical reports are received by the Department.

(B) *Initial monitoring.* Initial monitoring shall consist of **[4] four** consecutive quarterly samples at each entry point. Systems that add new sources to new or existing entry points on or after January 1, 2024, shall conduct initial monitoring according to this clause. An entry point with one or more new sources shall be monitored for 4 consecutive quarters, beginning the first full quarter the entry point begins serving the public.

(C) *Repeat monitoring.* Repeat monitoring for entry points shall be conducted as follows:

(I) For an entry point at which a PFAS is detected during initial monitoring or where a PFAS is detected anytime at a level in excess of its MCL, compliance monitoring for the detected PFAS shall be conducted quarterly. After analyses of four consecutive quarterly samples at an entry point, including initial quarterly monitoring samples, demonstrate that the PFAS level in each quarterly sample is reliably and consistently below the MCL, **as defined in § 109.1 (relating to definitions)**, the required compliance monitoring is reduced to one sample per year at that entry point for the detected PFAS. **The result that exceeded the MCL triggering quarterly monitoring is used as the first quarter of monitoring.**

(II) For an entry point at which a PFAS is not detected during the initial and subsequent repeat monitoring, repeat monitoring shall be one sample per year from that entry point.

(D) *Confirmation samples.* A confirmation sample shall be collected and analyzed for each of the PFAS detected in exceedance of its MCL during annual monitoring. The confirmation sample shall be collected within 2 weeks of notification from the accredited laboratory performing the analysis of the MCL exceedance.

(E) *Repeat and performance monitoring for entry points with PFAS removal treatment.* Compliance monitoring shall be conducted annually at entry points with PFAS treatment. Performance monitoring shall be conducted at least quarterly for the specific PFAS for which treatment is provided.

(F) *Invalidation of PFAS samples.*

(I) The Department may invalidate results of obvious sampling errors.

(II) A sample invalidated under this clause does not count towards meeting the minimum monitoring requirements of this subparagraph.

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(G) *Compliance determinations.* **[Compliance] Through April 25, 2029, compliance** with the PFAS MCLs **established in § 109.202(a)(4)(ii)** shall be determined based on the analytical results obtained at each entry point **according to this clause**. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(I) **[For systems monitoring more than once per year, compliance]** **Compliance** with the MCL is determined by a running annual average of all samples taken at each entry point.

(II) **[If monitoring is conducted annually, the system is out of compliance if the level of a contaminant at any entry point is greater than the MCL. If a confirmation sample is collected as specified in clause (D), compliance is determined using the average of the two sample results]** **{Reserved}**.

(III) If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.

(IV) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(V) If a sample result is less than the MRL, zero will be used to calculate compliance.

(xvi) Beginning April 26, 2027, monitor each entry point according to this subparagraph for compliance with the MCLs for PFAS under § 109.202(a). Compliance with the MCLs for PFAS established under § 109.202(a)(4)(ii) shall be determined according to subparagraph (xv)(G) through April 25, 2029. Beginning April 26, 2029, compliance with the MCLs shall be determined according to clause (G).

(A) Monitoring exemption. **Systems that obtain finished water from another permitted public water system are exempt from conducting monitoring for PFAS if the public water system supplying the finished water performs the required monitoring and the results are reported to the Department.**

(B) Initial monitoring.

(I) Initial monitoring shall consist of four consecutive quarterly samples for all regulated PFAS at each entry point.

(II) For systems and entry points that conducted initial monitoring according to subparagraph (xv)(B) for compliance with MCLs for PFAS established under § 109.202(a)(4)(ii), initial monitoring according to this clause for those PFAS is not required if all results were below the trigger levels and results from all subsequent monitoring were below the MCLs specified in § 109.202(a). Trigger levels are established in 40 CFR 141.902(a)(5) (relating to monitoring requirements) and incorporated by reference in § 109.202(a)(2.1). Monitoring shall be conducted in accordance with clause (C)(I).

(III) Systems that add new sources to new or existing entry points on or after April 26, 2027, shall conduct initial monitoring according to subclause (I). An entry point

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with one or more new sources shall be monitored for 4 consecutive quarters for all regulated PFAS, beginning the first full quarter the entry point begins serving the public.

(C) *Repeat compliance monitoring.* Repeat compliance monitoring for entry points shall be conducted as follows:

(I) *Routine monitoring.* After a water system obtains results from a minimum of four consecutive quarterly samples at an entry point during initial monitoring required under clause (B) or during increased monitoring required under subclause (II), which demonstrate that the PFAS result from each sample is reliably and consistently below the MCL, as defined in § 109.1, for all regulated PFAS, the required compliance monitoring is reduced to one sample per year at that entry point for all regulated PFAS. Annual monitoring must be conducted in the calendar quarter that previously produced the highest result.

(II) *Increased monitoring.* For an entry point at which a regulated PFAS is detected at or above its corresponding MCL established in 40 CFR 141.61 (relating to maximum contaminant levels for organic contaminants) and incorporated by reference in § 109.202(a)(2) during initial monitoring required under clause (B) or during any subsequent monitoring conducted after April 26, 2027, compliance monitoring for all regulated PFAS shall be conducted quarterly until reduced monitoring is granted in accordance subclause (I).

(D) *Confirmation samples.* The Department may require a confirmation sample to verify the PFAS concentration and to provide additional information when monitoring required under this subparagraph may not be adequate to protect the public health. When the Department determines a confirmation sample is required, the Department will provide written notification to the water system.

(E) *Repeat and performance monitoring for entry points with PFAS removal treatment.* Repeat compliance monitoring for all regulated PFAS shall be conducted at least annually at entry points at which treatment has been installed for PFAS removal. Performance monitoring shall be conducted at least quarterly for the specific PFAS for which treatment has been installed.

(F) *Invalidation of PFAS samples.*

(I) The Department may invalidate results of obvious sampling errors.

(II) A sample invalidated under this clause does not count towards meeting the minimum monitoring requirements of this subparagraph.

(G) *Compliance determinations.* Compliance with the PFAS MCLs established in 40 CFR 141.61 and incorporated by reference in § 109.202(a)(2) shall be determined according to this clause, based on the analytical results obtained at each entry point, beginning April 26, 2029. If one entry point is in violation of an MCL, the system is in violation of the MCL.

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(I) For systems monitoring quarterly, compliance with the MCL is determined by a running annual average of all samples taken at each entry point.

(-a-) If any sample result will cause the running annual average to exceed any PFAS MCL at any entry point, the system is out of compliance with the MCL immediately.

(-b-) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(-c-) If a sample result for a regulated PFAS is less than the corresponding PQL, zero will be used in the calculation to determine the running annual average. PQLs are established in 40 CFR 141.903(f)(1)(iv) (relating to compliance requirements) and incorporated by reference in § 109.304(a).

(II) If monitoring is conducted annually, if any PFAS result exceeds the corresponding MCL, the monitoring frequency increases to quarterly according to subparagraph (xvi)(C)(II), and compliance with the MCL is determined by the running annual average according to subclause (I). The quarter with the result exceeding the MCL is the first quarter in the running annual average calculation.

(III) Compliance for regulated PFAS with individual MCLs, which are established in 40 CFR 141.61 and incorporated by reference in § 109.202(a)(2), shall be determined by comparison of the running annual average calculated according to subclause (I) to their respective individual MCLs.

(2) Vended water systems shall monitor in accordance with paragraph (1) except that vended water systems qualifying for permit by rule under § 109.1005(b), for each entry point shall:

* * * * *