SAFE DRINKING WATER

Sections:

I. Water Systems

25.0401 Definitions

The following definitions apply in this section.

"Annular space" means the space between any two casings or between the outer casing and the walls of the borehole.

"AS-EPA" means the American Samoa Environmental Protection Agency.

"ASPA" means the American Samoa Power Authority.

"Air-gap separation" means a physical separation, between the discharge end of a supply pipe and the top rim of its receiving vessel, of at least one inch or twice the diameter of the supply pipe, whichever is greater.

"ANSI/NSF Standard 60" means American National Standards Institute/National Sanitation Foundation International Standard 60 - 2000a, Drinking Water Treatment Chemicals - Health Effects, November 2000, incorporated by reference and on file with AS-EPA. This material is available from NSF International, 789 North Dixboro Road, P.O. Box 130140, Ann Arbor, MI 48113-0140, USA, (734) 769-8010, http://www.nsf.org. This incorporation by reference includes no future editions or amendments.

"ANSI/NSF Standard 61" means American National Standards Institute/ National Sanitation Foundation International Standard 61 - 2000a, Drinking Water System Components - Health Effects, November 2000, incorporated by reference and on file with AS-EPA. This material is available from NSF International, 789 North Dixboro Road, P.O. Box 130140, Ann Arbor, MI 48113-0140, USA, (734) 769-8010, http://www.nsf.org. This incorporation by reference includes no future editions or amendments.

"Backflow" means a reverse flow condition that causes water or mixtures of water and other liquids, gases, or substances to flow back into the distribution system. Backflow can be created by a difference in water pressure (backpressure), a vacuum or partial vacuum (back-siphon), or a combination of both.

“Backflow-prevention assembly” means a mechanical device used to prevent backflow.

“Baseline sampling” means the initial monitoring of contaminants required for each source before it can supply water to a public water system.

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

“Casing” means the tubular material utilized to shut off the aquifer above the source bed and conduct water from the source to the wellhead.

“Certified operator” means a water treatment or water distribution operator who is currently certified in one of the 50 States in the United States of America or is certified by an independent operator certification program recognized and accepted by AS-EPA to operate a water treatment or water distribution system. This term also implies that the operator must not exceed the authority of the certification as defined in the State where the certification was obtained.

“Cross connection” means a physical connection between a public water system and any source of water or other substance that may lead to contamination of the water provided by the public water system through backflow.

“Director” means the Director of the American Samoa Environmental Protection Agency.

“Distribution pipeline system” means an appurtenance, device, and facility of a public water system that conducts water from a source or water treatment plant to persons served by the system.

“Double check valve assembly” means a backflow-prevention assembly that contains two independently acting check valves with tightly closing, resilient-seated shut-off valves on each end of the assembly and properly located, resilient-seated test cocks.

“EPA” means the United States Environmental Protection Agency.

“Groundwater system” means a public water system that is supplied solely by groundwater that is not under the direct influence of surface water.

“Groundwater under the direct influence of surface water” means any water beneath the surface of the ground with: A significant occurrence of insects or other macro organisms, algae, large-diameter pathogens such as Giardia lamblia, or total coliform, or significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH that closely correlate to climatological or surface water conditions.

“MCL” means Maximum Contaminant Level

“NSF International” means National Sanitation Foundation International, 789 North Dixboro Road, P.O. Box 130140, Ann Arbor, MI 48113-0140, USA; (734) 769-8010; http://www.nsf.org.

"Pollution" means any matter, which renders water objectionable or dangerous to health.

"Professional engineer" means an engineer that holds a professional engineers license in one of the 50 States in the United States of American to practice engineering. This term also implies that the certification is current and has not expired. This term also implies that the engineer must not practice outside the authority of the license or area of competence as defined in the State where the license was issued.

"Public water system" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances; if that system has at least 15 service connections or regularly serves at least 25 individuals. Constructed conveyances may include glass and/or plastic single and multi-use bottles if the source water for filling those bottles is not also an AS-EPA public water system. A public water system includes:

(1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system;
(2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such systems.

"Residual disinfectant concentration" and "RDCs" mean the concentration of disinfectant measured in mg/L in a representative sample of water.

"Safe Drinking Water Act" means the federal Safe Drinking Water Act as amended (42 U.S.C. 300f et seq., Title XIV of the Public Health Service Act).

"Source bed" means the stratum from which water is drawn in the well.

"Ten State Standards" means the Recommended Standards for Water Works, Great Lakes Upper Mississippi River Board (Ten State Standards), 1997. This incorporation by reference includes no future editions or amendments.

"Well" means any artificial bored or drilled opening in the ground, whose depth is greater then it is wide, designed to conduct water from a source bed to the surface.

25.0402 Operation and Maintenance

A water supplier shall maintain and keep in proper operating condition all facilities used in production, treatment, and distribution of the water supply so as to comply with the requirements of this Chapter.

25.0403 Water Facility Design and Construction

25.0403.1 Minimum Design Criteria

(1) A public water system shall be designed using good engineering practices. A public water system which is designed in a manner consistent with the criteria contained in the Ten State Standards or other industry-accepted standards shall be considered to be designed using good engineering practices.

(2) A potable water distribution system shall be designed to maintain and shall maintain a pressure of at least 20 pounds per square inch at ground level at all points in the distribution system under all conditions of flow.

(3) Water and sewer mains shall be separated in order to protect public water systems from possible contamination. All distances are measured perpendicularly from the outside of the sewer main to the outside of the water main. Separation requirements are as follows:

(a) A water main shall not be placed:

1. Within 6 feet, horizontal distance, and less than 2 feet, vertical distance, above the top of a sewer main unless extra protection is provided. Extra protection shall consist of constructing the sewer main with mechanical joint ductile iron pipe or with slip-joint ductile iron pipe if joint restraint is provided. Alternate extra protection shall consist of encasing both the water and sewer mains in at least 6 inches of concrete for at least 10 feet beyond the area specified by this subsection (3)(a)1.
2. Beneath a sewer line.

(b) No water pipe shall pass through or come into contact with any part of a sewer manhole. The minimum horizontal separation between water mains and manholes shall be 6 feet, measured from the center of the manhole.

(c) The separation between force mains or pressure sewers and water mains shall be not less than 2 feet vertically and not less than 6 feet horizontally under all conditions. Where a sewer force main crosses less than 6 feet below a water line, the sewer and water mains shall be encased in at least 6 inches of concrete or constructed using mechanical joint ductile iron pipe for not less than 10 feet on either side of the water main. No sewer force main shall cross above a water main.

(d) Sewer mains (gravity, pressure, and force) shall be kept a minimum of 50 feet from wells unless the following conditions are met:

1. Water main pipe, pressure tested in place to 50 psi without excessive leakage, is used for gravity sewers at distances greater than 20 feet but less than 50 feet from any well; or
2. Water main pipe, pressure tested in place to 150 psi without excessive leakage, is used for pressure sewers and force mains at distances greater than 20 feet but less than 50 feet from any well. “Excessive leakage” means any amount of leakage which is greater than that permitted under the AWWA Installation Standard applicable to the particular pipe material, joint, or valve type.
3. Under no condition shall a sewer conveyance, including lines, manholes and lift stations, be constructed within 20 feet of any well.

(4) A public water system shall not construct or add to its system a well which is located:

(a) Within 50 feet of existing sewers unless the sewer main has been constructed in accordance with subsection (3)(d)1 or 2 of this Section;

(b) Within 100 feet of any existing septic tank or subsurface disposal system;

(c) Within 100 feet of a discharge or activity that is a potential source of contamination; or

(d) Within 100 feet of an underground storage tank containing petroleum products or other potential contaminant.

25.0403.2 Wells

(1) Location

(a) Well sites shall be on ground that is not subject to ponding or flooding. In general, the slope of the ground surface in the vicinity of the well site shall be away from the well, if practical. For level areas, well-tamped earth shall be placed around the well so as to elevate the platform or apron.

(b) As far as is practical, when the direction of ground water flow is known, wells shall be located on the upstream side of the possible sources of pollution and as far from these sources as practical.

(2) Surface Seal

Wells drilled by any method shall have, at minimum, the top 20 feet of the annular space between the boring and the casing sealed by the use of a neat cement grout. The top of the casing shall be sealed to exclude influent.

(3) Well Head

The well head shall be constructed to exclude influent from entering the well and shall, at a minimum, have the following features:

(a) Protection from the elements;
(b) Pump to waste valve;
(c) Sampling tap for raw water;
(d) Flow meter;
(e) Check valve;
(f) Pressure gauge;
(g) Sounding tube or other casing access port, sealed when not used;
(h) Turned down screened vents on all air relief valves;
(i) Well slab of 6ft by 6ft by 6in thick concrete;
(j) Fence, 6ft high, locked, with appropriate security;
(k) Chlorination, automatic flow-paced;
(l) Sanitary well seal;
(m) Solid casing (non-perforated) extending a minimum of one foot (12 inches) above the finished well slab grade.

(4) Pump pits

Constructing a well head in a below grade pump pit is not allowed.

(5) Well Abandonment

Wells no longer in use shall be plugged in a manner approved by the Director of AS-EPA and ASPA water supply engineer. Capping the casing top is insufficient.

(6) Infiltration galleries and dug wells

Dug wells, infiltration galleries, and other such sources of water supply requiring rearrangement of natural features will automatically be considered suspect of being under the direct influence of surface water and will be subject to applicable surface water treatment regulations.

25.0403.3 Storage Requirements

The minimum storage capacity for a water system shall be equal to the average daily demand during the peak demand month. Storage capacity may be based on existing consumption and increased to meet future demand as the water system expands.

25.0403.4 Standards for Additives, Materials, and Equipment

(1) Each product added directly to water during production or treatment shall conform to ANSI/NSF Standard 60. Products covered by this subsection include but are not limited to:

- (a) Coagulation and flocculation chemicals;
- (b) Chemicals for corrosion and scale control;
- (c) Chemicals for softening, precipitation, sequestering, and pH adjustment;
- (d) Disinfection and oxidation chemicals;
- (e) Chemicals for fluoridation, defluoridation, algae control, and dechlorination;
- (f) Dyes and tracers;
- (g) Antifreezes, antifoamers, regenerants, and separation process scale inhibitors and cleaners; and
- (h) Water well drilling and well rehabilitation aids.

(2) Except as identified in subsections (4) and (5), a material or product that comes into contact with water or a water treatment chemical shall conform to ANSI/NSF Standard 61. Products and materials covered by this subsection include but are not limited to:

- (a) Process media, such as carbon and sand;
- (b) Joining and sealing materials, such as solvents, cements, welding materials, and gaskets;
- (c) Lubricants;
- (d) Pipes and related products, such as tanks and fittings;
- (e) Mechanical devices used in treatment, transmission, or distribution systems such as valves, chlorinators, and separation membranes; and
- (f) Surface coatings and paints.

(3) Evidence that a product conforms to the requirements of this Section shall be the appearance on the product or product package of a seal of a certifying entity that is accredited by the American National Standards Institute to provide the certification.

(4) The Director shall consider standards for chemicals, materials, or equipment that have been certified by NSF International as complying with the standards required by this Section. In those instances where chemicals, materials, and equipment that come into contact with drinking water are essential to the design, construction, or operation of the drinking water system and have not been certified by NSF International or have NSF

International certification but are not available from more than one source, the standards shall provide for the use of alternatives which include:

(a) Products composed entirely of ingredients determined by the Environmental Protection Agency, the Food and Drug Administration, or other federal agencies as appropriate for addition to potable water or aqueous food.
(b) Products composed entirely of ingredients listed in the National Academy of Sciences "Water Chemicals Codex."
(c) Products consistent with the specifications of the American Water Works Association.
(d) Products that are designed for use in drinking water systems and that are consistent with the specifications of the American Society for Testing and Materials.
(e) Products that are historically used or in use in drinking water systems consistent with standard practice and that have not been demonstrated during past applications in the United States to contribute to water contamination.

(5) AS-EPA exempts the following materials and products from the requirement to conform to ANSI/NSF Standard 61:

(a) A concrete structure, tank, or treatment tank basin constructed onsite that is not normally coated or sealed if the construction materials used in the concrete are consistent with subsection (5)(d). If a coating or sealant is specified by the design engineer, the coating or sealant shall comply with ANSI/NSF Standard 61;
(b) An earthen reservoir or canal located upstream of water treatment;
(c) A water treatment plant that is comprised of components that comply with subsections (2), (3), and (4);
(d) A synthetic tank constructed of material that meets Food and Drug Administration standards for a material that comes into contact with drinking water or aqueous food; or
(e) A pipe, treatment plant component, or water distribution system component made of lead-free stainless steel.

25.0403.5 Application for Approval to Construct

(1) A person or public utility shall not start to construct a new public water system, modify an existing facility, including an extension to an existing public water system, or make an alteration that will affect the treatment, capacity, water quality, flow, distribution, or operational performance of a public water system before receiving an Approval to Construct from AS-EPA. Designing or consulting engineers may confer with AS-EPA before proceeding with detailed designs of complex or innovative facilities. The following provisions shall apply:

(a) An application for Approval to Construct, including the following documents and data, shall be submitted to AS-EPA:
    1. Detailed engineering design drawings of the site and work to be done, presented in legible form and of sufficient scale, to establish construction requirements to facilitate effective review;

2. Complete engineering specifications to supplement engineering drawings, including materials specifications, special provisions for construction methods and manufacturers' installation recommendations;
3. A design report that describes the proposed construction and basis of design, provides design data and other pertinent information that defines the work to be done, and establishes the adequacy of the design to meet the system demand;
4. Complete baseline monitoring of a proposed new source of water that includes:
   a. Microbiological; physical; radiochemical; inorganic, organic, and volatile organic chemicals; and
   b. Microscopic particulates if the source is suspect of being ground water under the direct influence of surface water; and
5. Other pertinent data required to evaluate the application for Approval to Construct.

(b) All engineering drawings, specifications, and design reports submitted for a public water system shall be prepared by, or under the supervision of, a registered professional engineer and have the seal and signature of the engineer affixed to them.

(2) AS-EPA shall act upon a complete Approval to Construct application submitted for approval within 30 days after its receipt. If AS-EPA fails to act upon a completed application within 30 days then the initial review requirement, approval to construct, shall be waived. However, other reviews will not be waived and the requirements of sections 25.0403.6 through 25.0403.9 must be met. Waiving the requirements of obtaining an Approval to Construct does not waive the requirements to meet the minimum design criteria in these regulations or the requirement to meet criteria consistent with good engineering practice.

(3) AS-EPA shall issue an Approval to Construct only when the following conditions have been met:

(a) Engineering drawings and specifications submitted to AS-EPA demonstrate that the proposed public water system can be reasonably expected to comply with this Chapter, including the Maximum Contaminant Levels (MCLs) in the American Samoa Primary Safe Drinking Water Standards (ASPDWS); and

(b) The water system is in compliance with this Chapter or can be reasonably expected to return to compliance with this Chapter as a result of the proposed construction.

(4) An Approval to Construct becomes void if an extension of time is not granted by AS-EPA within 90 days of any one of the following:

(a) Construction does not begin within one year after the date the Approval to Construct is issued, or

(b) There is a halt in construction of more than one year, or

(c) Construction is not completed within three years after the date construction begins.

25.0403.6 Compliance with Approved Engineering Drawings and Specifications

All construction shall conform to approved engineering drawings and specifications. In order to make a change in an approved design that will affect water quality, capacity, flow, sanitary features, or other performance characteristic, a public water system shall submit revised engineering drawings and specifications to AS-EPA for review, together with a written statement regarding the reasons for the change. The public water system shall not proceed with the construction affected by the design change without written approval from AS-EPA. Revisions not affecting water quality, capacity, flow, sanitary features, or other performance characteristic may be permitted during construction without further approval if As-Built drawings prepared by a registered professional engineer document these changes.

25.0403.7 Approval of Construction

(1) A person or entity shall not operate a newly constructed facility until an Approval of Construction is issued by AS-EPA.

(2) AS-EPA shall not issue an Approval of Construction on a newly constructed public water system, an extension to an existing public water system, or any alteration of an existing public water system that affects its treatment, capacity, water quality, flow, distribution, or other operational performance characteristic unless the following requirements are met:

(a) A registered professional engineer or a person under the direct supervision of a registered professional engineer has completed a final inspection and submitted a Certificate of Completion on a form approved by AS-EPA to which the seal and signature of the registered professional engineer have been affixed;

(b) The construction conforms to approved engineering drawings and specifications, as indicated in the Certificate of Completion, and all changes have been documented by the submission of As-Built drawings;

(c) Quality control testing results and calculations, including pressure and microbiological testing, and disinfectant residual records, shall be submitted with the Engineer's Certificate of Completion together with field notes and the name of the individual witnessing the tests.

(d) AS-EPA has verified that the construction conforms to the approved engineering drawings and specifications;

(e) An operations and maintenance manual has been submitted and approved by AS-EPA if construction includes a new water treatment facility; and

(f) An operator, who is certified per Section 25.0404 at a grade appropriate for each facility, is employed to operate each water treatment plant and each potable water distribution system.

(3) AS-EPA reserves the right to inspect all construction operations including the final inspection required in subsection (2)(a). The public water system must:

(a) Notify AS-EPA at least 7 days before beginning construction on a public water system installation, change, or addition that is authorized by an Approval to Construct;

(b) Notify AS-EPA of completion of construction at least 10 working days before the expected completion date;
(c) Notify AS-EPA of key construction operations and allow time for AS-EPA to dispatch an inspector prior to final cover so that an adequate inspection can be made.

25.0403.8 As-Built Drawings

(1) A registered professional engineer shall clearly and accurately record or mark, on a complete set of project engineering drawings, each deviation from the original drawings and specifications and the dimensions of the deviation. The set of marked drawings becomes the As-Built drawings, reflecting the project as actually built.
(2) A registered professional engineer shall sign, date, and place the engineer's seal on each sheet of the As-Built drawings and submit them to AS-EPA upon completion of the project. The As-Built drawings shall be accompanied by an Engineer's Certificate of Completion, signed by the registered professional engineer.

25.0403.9 Modification to Existing Treatment Process

Before a public water system may make a modification to its existing treatment process, the public water system shall submit a detailed plan to AS-EPA, in accordance with 25.0403.5 through 25.0403.8, for approval that explains the proposed modifications and the safeguards that the public water system will implement to ensure that the quality of the water served by the system will not be adversely affected by the modification.

25.0404 Certified Operators

(1) A certified operator is a water treatment or water distribution operator who is currently certified in one of the 50 States in the United States of America or is certified by an independent operator certification program recognized and accepted by AS-EPA to operate a water treatment or water distribution system. This term also implies that the operator must not exceed the authority of the certification as defined in the State where the certification was obtained.
(2) A water supplier of a public water system shall employ a certified operator who is certified to the appropriate level to operate each water treatment plant in the system and the distribution system. The same certified operator may be in direct responsible charge of one or more water treatment plants and the distribution system provided the operator holds an operator certificate of the appropriate type and level for each facility. Separate operator certificates are required to operate a water treatment plant and a distribution system.

25.0405 Backflow Prevention

(1) A public water system shall protect its system from contamination caused by backflow through unprotected cross-connections by requiring the installation and periodic testing of backflow-prevention assemblies. Required backflow-prevention assemblies shall be installed as close as practicable to the service connection.

(2) A public water system shall ensure that a backflow-prevention assembly is installed whenever any of the following occur:

(a) A substance harmful to human health is handled in a manner that could permit its entry into the public water system. These substances include chemicals, chemical or biological process waters, water from public water supplies that has deteriorated in sanitary quality, and water that has entered a fire sprinkler system. A Class 1 or Class 2 fire sprinkler system is exempt from the requirements of this Section;

(b) A source of water supply exists on the user's premises that is not accepted as an additional source by the public water system or is not approved by AS-EPA;

(c) An unprotected cross-connection exists or a cross-connection problem has previously occurred within a user's premises; or

(d) There is a significant possibility that a cross-connection problem will occur and entry to the premises is restricted to the extent that cross-connection inspections cannot be made with sufficient frequency or on sufficiently short notice to assure that unprotected cross-connections do not exist.

(3) Unless a cross-connection problem is specifically identified, or as otherwise provided in this Section, the requirements of this Section shall not apply to single family residences used solely for residential purposes.

(4) A backflow-prevention assembly required by this Section shall comply with the following:

(a) If equipped with test cocks, it shall have been issued a certificate of approval by:
1. The University of Southern California Foundation for Cross-Connection Control and Hydraulic Research (USC-FCCCHR), or
2. A third-party certifying entity that is unrelated to the product's manufacturer or vendor, and is accepted by AS-EPA.

(b) If not equipped with test cocks, it shall be approved by a third-party certifying entity that is unrelated to the product's manufacturer or vendor and is accepted by AS-EPA.

(5) The minimum level of backflow protection that must be provided to protect a public water system shall be the level recommended in Section 7.2 of the Manual of Cross-Connection Control, Ninth Edition, USC-FCCCHR, KAP-200 University Park MC-2531, Los Angeles, California, 90089-2531, December 1993, (no future editions or amendments), incorporated by reference and on file with AS-EPA. The types of backflow prevention that may be required, listed in decreasing order according to the level of protection they provide, include: an air-gap separation (AG), a reduced pressure principle backflow prevention (RP) assembly, a pressure vacuum breaker (PVB) assembly, and a double check valve (DC) assembly. Nothing contained in this Section shall prevent the public water system from requiring the use of a higher level of protection than that required by this subsection.

(a) A public water system may make installation of a required backflow-prevention assembly a condition of service. A user's failure to comply with this requirement shall be sufficient cause for the public water system to terminate water service.

(b) Specific installation requirements for backflow prevention include the following:

1. Any backflow prevention required by this Section shall be installed in accordance with the manufacturer's specifications.
2. For an AG installation, all piping between the user's connection and the receiving tank shall be entirely visible unless otherwise approved in writing by the public water system.
3. An RP assembly shall not be installed in a meter box, pit, or vault unless adequate drainage is provided.
4. A PVB assembly may be installed for use on a landscape water irrigation system if the irrigation system conforms to all of the criteria listed in 4.a. through d. below. An RP assembly is required whenever any of the criteria are not met.
   a. The water use beyond the assembly is for irrigation purposes only;
   b. The PVB is installed in accordance with the manufacturer's specifications;
   c. The irrigation system is designed and constructed to be incapable of inducing backpressure; and
   d. Chemigation, the injection of chemical pesticides and fertilizers, is not used or provided in the irrigation system.

(6) Each backflow-prevention assembly required by this Section shall be tested at least annually, or more frequently if directed by the public water system or AS-EPA. Each assembly shall also be tested after installation, relocation, or repair. An assembly shall not be placed in service unless it has been tested and demonstrated to be functioning as designed. The following provisions shall apply to the testing of backflow-prevention assemblies:

(a) Testing shall be in accordance with procedures described in Section 9 of the Manual of Cross-Connection Control. The public water system shall notify the water user when testing of backflow-prevention assemblies is needed. The notice shall specify the date by which the testing must be completed and the results forwarded to the public water system.

(b) Testing shall be performed by a person who is currently certified as a "general" tester by the California-Nevada Section of the American Water Works Association (CA-NV Section, AWWA), the US State Environmental Technical Training (ASETT) Center, the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research, or other certifying authority accepted by AS-EPA.

(c) When a backflow-prevention assembly is tested and found to be defective, it shall be repaired or replaced in accordance with the provisions of this Section.

(7) A public water system shall maintain records of backflow-prevention assembly installations and tests performed on backflow-prevention assemblies in its service area. Records shall be retained by the public water system for at least three years and shall be made available for review by AS-EPA upon request. These records shall include an inventory of backflow-prevention assemblies required by this Section and, for each assembly, all of the following information:

(a) Assembly identification number and description,

(b) Location,

(c) Date of tests,
(d) Description of repairs and recommendations for repairs made by the tester, and
(e) The tester's name and certificate number.

(8) A public water system shall submit a written cross-connection incident report to AS-EPA and the public health authority within five business days after a cross-connection problem occurs that results in contamination of the public water system. The report shall address all of the following:

(a) Date and time of discovery of the unprotected cross-connection;
(b) Nature of the cross-connection problem;
(c) Affected area;
(d) Cause of the cross-connection problem;
(e) Public health impact;
(f) Date and text of any public health advisory issued;
(g) Each corrective action taken; and
(h) Date of completion of each corrective action.

(9) An individual with direct responsibility for implementing a backflow prevention program for a water system serving more than 50,000 persons, or if AS-EPA has determined that such a need exists, shall be licensed as a "cross-connection control program specialist" by the CA-NV Section, AWWA or other certifying authority accepted by AS-EPA.

25.0406 Emergency Operations Plan

(1) The water supplier for a public water system shall develop and keep an emergency operations plan in an easily accessible location. At a minimum, the emergency operations plan shall detail the steps that the public water system will take to assure continuation of service in the following emergency situations:

(a) Loss of a source;
(b) Loss of water supply due to major component failure;
(c) Damage to power supply equipment or loss of power;
(d) Contamination of water in the distribution system from backflow;
(e) Collapse of a reservoir, reservoir roof, or pumphouse structure;
(f) A break in a transmission or distribution line; and
(g) Chemical or microbiological contamination of the water supply.

(2) The emergency operations plan required by subsection (1) shall address all of the following:

(a) Provision of alternate sources of water during the emergency;
(b) Notice procedures for regulatory agencies, news media, and users;
(c) Disinfection and testing of the distribution system once service is restored;
(d) Identification of critical system components that shall remain in service or be returned to service quickly;
(e) Critical spare parts inventory;

(f) Staff training in emergency response procedures; and
(g) Coordination with AS-EPA and other emergency preparedness agencies in American Samoa.

25.0407 Unsafe Supplies

AS-EPA may order a public water system to disconnect a source to protect the public health from an acute health risk that is attributable to the source. An acute health risk is posed when one of the following occurs:

(1) A recurring presence of total coliform and fecal coliform or E. coli that is attributable to the source,
(2) a violation of the MCL for nitrate or nitrite that is attributable to the source, or
(3) an occurrence of a waterborne disease outbreak that is attributable to the source.

25.0408 Sanitary Surveys

(1) Each public water system shall undergo a sanitary survey at least every two years. A sanitary survey shall be conducted on a scheduled basis, when AS-EPA determines that a public water system is not in compliance with this Chapter or when AS-EPA determines that a public water system poses a threat to public health because of defective design, lack of treatment, inadequacy of the source, poor maintenance, inadequate records, ineffective operation, or that the water is unsatisfactory for use. A public water system shall make necessary alterations or additions in the design or construction of equipment and such changes in the operation of the public water system as necessary to comply with requirements of this Chapter and within the time limits set by AS-EPA.
(2) A sanitary survey of a public water system shall be made by a representative of AS-EPA, USEPA or a registered professional engineer or registered sanitarian who is registered in the United States and accepted by AS-EPA.

25.0409 Hauled Water

(1) All hauled water for delivery to a public water system shall be obtained from a source that is a regulated public water system.
(2) Materials or products which come into contact with the water shall comply with 25.0403.4.
(3) Roof hatches on water transport containers shall be fitted with a watertight cover.
(4) A bottom drain valve or other provisions to allow complete drainage and cleaning of a water transport container shall be provided.
(5) Hoses which are used to deliver drinking water shall be equipped with a cap and shall remain capped when not in use.
(6) A water hauler shall, at all times, maintain a free chlorine residual of 0.2 mg/l to 1.0 mg/l in the water that is hauled in a water transport container. A chlorine disinfectant shall be added at the time water is loaded into the container. The free chlorine residual shall be measured each time water is off-loaded from the container. The water hauler shall maintain a log of all on-loading, chlorine disinfectant additions, and free chlorine residual measurements. Such records shall be maintained for at least three years and be made available to AS-EPA for review upon request.

(7) A water transport container shall be for hauling drinking water only. The container shall be plainly and conspicuously labeled "For Drinking Water Use Only."

(8) A water transport container shall be thoroughly disinfected prior to being put into service. Disinfection must be performed in accordance with AWWA storage tank disinfection procedures or other method accepted by AS-EPA. A total coliform bacteria sample must be analyzed to verify proper disinfection. Chlorinated water from the disinfection procedure shall not be discharged into or adjacent to a stream or other water body.

25.0410 Bottling of Water for Sale

(1) All water that is bottled in American Samoa for retail purposes must use an AS-EPA approved Public Water System as the source for the water being bottled.

(2) Bottled water processing operations shall include the application of an AS-EPA approved, residual producing disinfectant such as ozone (O_3), chlorine (Cl), etc. to the product water flowstream.
(a) Residual Disinfectant Concentrations (RDCs) shall be detectable at fill taps during all bottling operations.
(b) RDCs at the bottle filling station shall also be detectable during AS-EPA sampling efforts.

(3) Ultra-violet (UV) irradiation of product water may be utilized upstream of the chemical disinfection process.

(4) If UV is not utilized, RDCs shall be determined with an AS-EPA approved test method/instrument.
(a) At the start of each water production day RDCs must be recorded.
(b) A copy of the daily RDC values must be provided for review to AS-EPA on a monthly basis.
(c) RDCs may be recorded and submitted on AS-EPA Form RDC as provided by the AS-EPA Water Program.
(d) Records of oxidant residual values must be kept on file for two years from the end of the recording month.

25.0411 Violation-Penalty

Any person who violates any provision of this chapter shall, upon conviction, be subject to the applicable penalties provided under A.S.C.A. § 25.3010.

II. American Samoa Primary Safe Drinking Water Standards (ASPDWS)

Subpart A General

25.0420.1 Authority

This chapter establishes territorial primary drinking water standards regulations pursuant to Section 1412 of the Public Health Service Act, as amended by the Safe Drinking Water Act (Public Laws 93-523, 95-190, 96-63, and 96-502), and A.S.C.A. Title 25, Chapter 30.

25.0420.2 Definitions.

Except as provided below, the provisions of 40 Code of Federal Regulations § 141.2 as revised and codified as of July 1, 2002 are hereby adopted by reference. The words and terms defined in the American Samoa Safe Drinking Water Act, Title 25, Chapter 30 A.S.C.A. have the meanings ascribed to them therein. In addition, as used in these regulations:

(1) "AS-EPA" means the American Samoa Environmental Protection Agency
(2) "Director of AS-EPA" means both the Director of AS-EPA and the executive secretary of the Environmental Quality Commission.

25.0420.3 Coverage.

These regulations shall apply to each public water system (PWS), unless the PWS meets all of the following conditions:

(1) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities);
(2) Obtains all of its water from, but is not owned by, a public water system to which such regulations apply;
(3) Does not sell water to any person; and
(4) Is not a carrier which conveys passengers in interstate commerce.

25.0420.4 Variances and Exemptions.

AS-EPA removed the provisions relating to Variances and Exemptions from the American Samoa Safe Drinking Water Regulations, Title 25, Chapter 04.

25.0420.5 Siting Requirements and Plan Review

The provisions of 40 Code of Federal Regulations §141.5 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.6 Effective Dates.

The provisions of 40 Code of Federal Regulations §141.6 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.7 to 25.0420.10 inclusive, Reserved.

Subpart B - Maximum Contaminant Levels

25.0420.11 Maximum Contaminant Levels for Inorganic Chemicals.

The provisions of 40 Code of Federal Regulations § 141.11 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.12 Maximum Contaminant Levels for Total Trihalomethanes.

The provisions of 40 Code of Federal Regulations § 141.12 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.13 Maximum Contaminant Levels for Turbidity.

The provisions of 40 Code of Federal Regulations **§** 141.13, as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.14 Reserved.

25.0420.15 Maximum Contaminant Levels for Radium-226, Radium-228, and Gross Alpha Particle Radioactivity in Community Water Systems.

The provisions of 40 Code of Federal Regulations § 141.15 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.16 Maximum Contaminant Levels for Beta Particle and Photon Radioactivity from Man-made Radionuclides in Community Water Systems.

The provisions of 40 Code of Federal Regulations § 141.16 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.17 to 25.0420.20 inclusive, Reserved.

Subpart C - Monitoring and Analytical Requirements

25.0420.21 Coliform Sampling.

The provisions of 40 Code of Federal Regulations § 141.21 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.22 Turbidity Sampling and Analytical Requirements.

The provisions of 40 Code of Federal Regulations § 141.22 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.23 Inorganic Chemical Sampling Analytical Requirements.

The provisions of 40 Code of Federal Regulations § 141.23 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.24 Organic Chemicals -Sampling and Analytical Requirements.

The provisions of 40 Code of Federal Regulations § 141.24 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.25 Analytical Methods for Radioactivity.

The provisions of 40 Code of Federal Regulations § 141.25 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.26 Monitoring Frequency for Radioactivity in Community Water Systems.

The provisions of 40 Code of Federal Regulations § 141.26 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.27 Alternate Analytical Techniques.

The provisions of 40 Code of Federal Regulations § 141.27 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.28 Certified Laboratories.

The provisions of 40 Code of Federal Regulations § 141.28 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.29 Monitoring of Consecutive Public Water Systems.

The provisions of 40 Code of Federal Regulations § 141.29 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.30 Total Trihalomethanes Sampling, Analytical and Other Requirements.

The provisions of 40 Code of Federal Regulations § 141.30 as revised and codified as of July 1, 2002 are hereby adopted by reference.

Subpart D - Reporting and Recordkeeping.

25.0420.31 Reporting Requirements.

Except as expanded below, the provisions of 40 Code of Federal Regulations § 141.31 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.32 Public Notification.

Refer to sections 25.0601.201-25.0601.210 of these regulations for public notification requirements.

25.0420.33 Record Maintenance.

The provisions of 40 Code of Federal Regulations § 141.33 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.34 Reserved.

25.0420.35 Reporting and Public Notification for Certain Unregulated Contaminants.

The provisions of 40 Code of Federal Regulations § 141.35 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.36 to 25.0420.39 inclusive, Reserved.

Subpart E - Special Regulations, Including Monitoring Regulations and Prohibition on Lead Use

25.0420.40 Monitoring Requirements for Unregulated Contaminants.

Public water systems must comply with provisions of 40 Code of Federal Regulations § 141.40. However, AS-EPA is not adopting 40 Code of Federal Regulations § 141.40 by reference because the Federal EPA enforces this regulation in coordination with AS-EPA.

25.0420.41 Special Monitoring for Sodium.

The provisions of 40 Code of Federal Regulations § 141.41 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.42 Special Monitoring for Corrosivity Characteristics.

The provisions of 40 Code of Federal Regulations § 141.42 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.43 Prohibition on Use of Lead Pipes, Solder, and Flux.

The provisions of 40 Code of Federal Regulations § 141.43 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.44 to 25.0420.49 inclusive, Reserved.

Subpart F - Maximum Contaminant Level Goals and Maximum Residual Disinfectant Level Goals

25.0420.50 Maximum Contaminant Level Goals for Organic Contaminants.

The provisions of 40 Code of Federal Regulations § 141.50 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.51 Maximum Contaminant Level Goals for Inorganic Contaminants.

The provisions of 40 Code of Federal Regulations § 141.51 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.52 Maximum Contaminant Level Goals for Microbiological Contaminants.

The provisions of 40 Code of Federal Regulations § 141.52 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.53 Maximum Contaminant Level Goals for Disinfection Byproducts.

The provisions of 40 Code of Federal Regulations § 141.53 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.54 Maximum Residual Disinfectant Level Goals for Disinfectants.

The provisions of 40 Code of Federal Regulations **§** 141.54 as July 1, 2002, are hereby adopted by reference.

25.0420.55 to 25.0420.59 inclusive, Reserved.

Subpart G - National Revised Primary Drinking Water Regulations: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels.

25.0420.60 Effective Dates.

The provisions of 40 Code of Federal Regulations § 141.60 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.61 Maximum Contaminant Levels for Organic Contaminants.

The provisions of 40 Code of Federal Regulations § 141.61 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.62 Maximum Contaminant Levels for Inorganic Contaminants.

The provisions of 40 Code of Federal Regulations § 141.62 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.63 Maximum Contaminant Levels (MCLs) for Microbiological Contaminants.

The provisions of 40 Code of Federal Regulations § 141.63 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.64 Maximum Contaminant Levels for Disinfection Byproducts.

The provisions of 40 Code of Federal Regulations § 141.64 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.65 Maximum Residual Disinfectant Levels.

The provisions of 40 Code of Federal Regulations § 141.65 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.66 to 25.0601.69 inclusive, Reserved.

Subpart H - Filtration and Disinfection.

25.0420.70 General Requirements.

The provisions of 40 Code of Federal Regulations § 141.70 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.71 Criteria for Avoiding Filtration.

The provisions of 40 Code of Federal Regulations § 141.71 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.72 Disinfection.

The provisions of 40 Code of Federal Regulations § 141.72 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.73 Filtration.

The provisions of 40 Code of Federal Regulations § 141.73 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.74 Analytical and Monitoring Requirements.

The provisions of 40 Code of Federal Regulations § 141.74 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.75 Reporting and Record Keeping Requirements.

The provisions of 40 Code of Federal Regulations § 141.75 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.76 to 25.0420.79 inclusive, Reserved.

Subpart I - Control of Lead and Copper.

25.0420.80 General Requirements.

The provisions of 40 Code of Federal Regulations § 141.80 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.81 Applicability of Corrosion Control Treatment Steps to Small, Medium-size and Large Water Systems.

The provisions of 40 Code of Federal Regulations § 141.81 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.82 Description of Corrosion Control Treatment Requirements.

The provisions of 40 Code of Federal Regulations § 141.82 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.83 Source Water Treatment Requirements.

The provisions of 40 Code of Federal Regulations §141.83 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.84 Lead Service Line Replacement Requirements

The provisions of 40 Code of Federal Regulations §141.84 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.85 Public Education and Supplemental Monitoring Requirements.

The provisions of 40 Code of Federal Regulations § 141.85 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.86 Monitoring Requirements for Lead and Copper in Tap Water.

The provisions of 40 Code of Federal Regulations § 141.86 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.87 Monitoring Requirements for Water Quality Parameters.

The provisions of 40 Code of Federal Regulations §141.87 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.88 Monitoring Requirements for Lead and Copper in Source Water.

The provisions of 40 Code of Federal Regulations §141.88 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.89 Analytical Methods.

The provisions of 40 Code of Federal Regulations § 141.89 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.90 Reporting Requirements.

The provisions of 40 Code of Federal Regulations § 141.90 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.91 Record Keeping Requirements.

The provisions of 40 Code of Federal Regulations § 141.91 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.92 to 25.0420.99 inclusive, Reserved.

Subpart J - Use of Non-Centralized Treatment Devices

25.0420.100 Criteria and Procedures for Public Water Systems Using Point-of-Entry Devices.

The provisions of 40 Code of Federal Regulations § 141.100 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.101 Use of Bottled Water.

The provisions of 40 Code of Federal Regulations § 141.101 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.102 to 25.0601.109 inclusive, Reserved.

Subpart K - Treatment Techniques

25.0420.110 General Requirement.

The provisions of 40 Code of Federal Regulations § 141.110 as revised and codified of July 1, 2002, are hereby adopted by reference.

25.0420.111 Treatment Techniques for Acrylamide and Epichlorohydrin.

The provisions of 40 Code of Federal Regulations § 141.111 as revised and codified July 1, 2002, are hereby adopted by reference.

25.0420.112 to 25.0420.129 inclusive, Reserved.

Subpart L - Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursor

25.0420.130 General Requirements.

The provisions of 40 Code of Federal Regulations **§** 141.130 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.131 Analytical Requirements.

The provisions of 40 Code of Federal Regulations **§** 141.131 as revise and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.132 Monitoring Requirements.

The provisions of 40 Code of Federal Regulations **§** 141.132 as revised and codified as if July 1, 2002, are hereby adopted by reference.

25.0420.133 Compliance Requirements.

The provisions of 40 Code of Federal Regulations **§** 141.133 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.134 Reporting and Record Keeping Requirements.

The provisions of 40 Code of Federal Regulations **§** 141.134 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.135 Treatment Technique for Control of Disinfection Byproducts (DBP) Precursors.

The provisions of 40 Code of Federal Regulations **§** 141.135 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.136 to 25.0420.139 inclusive, Reserved.

Subpart O – Consumer Confidence Reports

25.0420.151 Purpose and Applicability of this Subpart.

The provisions of 40 Code of Federal Regulations **§** 141.151 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.152 Effective Dates.

The provisions of 40 Code of Federal Regulations § 141.152 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.153 Content of the Reports.

The provisions of 40 Code of Federal Regulations § 141.153 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.154 Required Additional Health Information.

The provisions of 40 Code of Federal Regulations § 141.154 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.155 Report Delivery and Record Keeping

The provisions of 40 Code of Federal Regulations § 141.155 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.156 to 25.0420.169 inclusive, Reserved.

Subpart P - Enhanced Filtration and Disinfection.

25.0420.170 General Requirements.

The provisions of 40 Code of Federal Regulations § 141.170 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.171 Criteria for Avoiding Filtration.

The provisions of 40 Code of Federal Regulations § 141.171 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.172 Disinfection Profiling and Benchmarking.

The provisions of 40 Code of Federal Regulations § 141.172 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.173 Filtration.

The provisions of 40 Code of Federal Regulations § 141.172 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.174 Filtration Sampling Requirements.

The provisions of 40 Code of Federal Regulations § 141.172 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.175 Reporting and Record Keeping Requirements.

The provisions of 40 Code of Federal Regulations **§** 141.172 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.176 to 25.0420.200 inclusive, Reserved

Subpart Q - Public Notification of Drinking Water Violations.

25.0420.201 General Public Notification Requirements.

The provisions of 40 Code of Federal Regulations § 141.201 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.202 Tier 1 Public Notice - Form, Manner, and Frequency of Notice.

The provisions of 40 Code of Federal Regulations § 141.202 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.203 Tier 2 Public Notice - Form, Manner, and Frequency of Notice.

The provisions of 40 Code of Federal Regulations **§** 141.203 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.204 Tier 3 Public Notice - Form, Manner, and Frequency of Notice.

The provisions of 40 Code of Federal Regulations **§** 141.204 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.205 Content of the Public Notice.

The provisions of 40 Code of Federal Regulations **§** 141.205 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.206 Notice to New Billing Units or New Customers.

The provisions of 40 Code of Federal Regulations **§** 141.206 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.207 Special Notice of the Availability of Unregulated Contaminant Monitoring Results.

The provisions of 40 Code of Federal Regulations **§** 141.207 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.208 Special Notice for Exceedance of the SMCL for Fluoride.

The provisions 40 Code of Federal Regulations **§** 141.208 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.209 Special Notice for Nitrate Exceedances Above MCL by Non-community Water Systems (NCWS), Where Granted Permission by the Primacy Agency Under 141.11(d).

The provisions 40 Code of Federal Regulations **§** 141.209 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0420.210 Notice by Primacy Agency on Behalf of the Public Water System.

The provisions 40 Code of Federal Regulations **§** 141.210 as revised and codified as of July 1, 2002, are hereby adopted by reference.

Subparts R-S [Reserved]

Subpart T – Enhanced Filtration and Disinfection – Systems Serving Fewer Than 10,000 People

25.0420.501 Who is subject to the requirements of subpart T?

The provisions of 40 Code of Federal Regulations § 141.501 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.502 When must my system comply with these requirements?

The provisions of 40 Code of Federal Regulations § 141.502 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.503 What does subpart T require?

The provisions of 40 Code of Federal Regulations § 141.503 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.510 Is my system subject to the new finished water reservoir requirements?

The provisions of 40 Code of Federal Regulations § 141.510 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.511 What is required of new finished water reservoirs?

The provisions of 40 Code of Federal Regulations § 141.511 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.520 Is my system subject to the updated watershed control requirements?

The provisions of 40 Code of Federal Regulations § 141.520 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.521 What updated watershed control requirements must my unfiltered system implement to continue to avoid filtration?

The provisions of 40 Code of Federal Regulations § 141.521 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.522 How does the State determine whether my system's watershed control requirements are adequate?

The provisions of 40 Code of Federal Regulations § 141.522 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.530 What is a disinfection profile and who must develop one?

The provisions of 40 Code of Federal Regulations § 141.530 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.531 What criteria must a State use to determine that a profile is unnecessary?

The provisions of 40 Code of Federal Regulations § 141.531 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.532 How does my system develop a disinfection profile and when must it begin?

The provisions of 40 Code of Federal Regulations § 141.532 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.533 What data must my system collect to calculate a disinfection profile?

The provisions of 40 Code of Federal Regulations § 141.533 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.534 How does my system use this data to calculate an inactivation ratio?

The provisions of 40 Code of Federal Regulations § 141.534 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.535 What if my system uses chloramines, ozone, or chlorine dioxide for primary disinfection?

The provisions of 40 Code of Federal Regulations § 141.535 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.536 My system has developed an inactivation ratio; what must we do now?

The provisions of 40 Code of Federal Regulations § 141.536 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.540 Who has to develop a disinfection benchmark?

The provisions of 40 Code of Federal Regulations § 141.540 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.541 What are significant changes to disinfection practice?

The provisions of 40 Code of Federal Regulations § 141.541 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.542 What must my system do if we are considering a significant change to disinfection practices?

The provisions of 40 Code of Federal Regulations § 141.542 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.543 How is the disinfection benchmark calculated?

The provisions of 40 Code of Federal Regulations § 141.543 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.544 What if my system uses chloramines, ozone, or chlorine dioxide for primary disinfection?

The provisions of 40 Code of Federal Regulations § 141.544 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.550 Is my system required to meet subpart T combined filter effluent turbidity limits?

The provisions of 40 Code of Federal Regulations § 141.550 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.551 What strengthened combined filter effluent turbidity limits must my system meet?

The provisions of 40 Code of Federal Regulations § 141.551 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.552 My system consists of ``alternative filtration'' and is required to conduct a demonstration--what is required of my system and how does the State establish my turbidity limits?

The provisions of 40 Code of Federal Regulations § 141.552 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.553 My system practices lime softening--is there any special provision regarding my combined filter effluent?

The provisions of 40 Code of Federal Regulations § 141.553 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.560 Is my system subject to individual filter turbidity requirements?

The provisions of 40 Code of Federal Regulations § 141.560 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.561 What happens if my system's turbidity monitoring equipment fails?

The provisions of 40 Code of Federal Regulations § 141.561 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.562 My system only has two or fewer filters--is there any special provision regarding individual filter turbidity monitoring?

The provisions of 40 Code of Federal Regulations § 141.562 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.563 What follow-up action is my system required to take based on continuous turbidity monitoring?

The provisions of 40 Code of Federal Regulations § 141.563 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.564 My system practices lime softening--is there any special provision regarding my individual filter turbidity monitoring?

The provisions of 40 Code of Federal Regulations § 141.564 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.570 What does subpart T require that my system report to the State?

The provisions of 40 Code of Federal Regulations § 141.570 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0420.571 What records does subpart T require my system to keep?

The provisions of 40 Code of Federal Regulations § 141.571 as revised and codified as of July 1, 2002 are hereby adopted by reference.

III AMERICAN SAMOA PRIMARY DRINKING WATER REGULATIONS IMPLEMENTATION

25.0430.1 Entry and Inspection

Whether or not AS-EPA has evidence that a public water system has violated an applicable legal requirement, upon the presentation of his credentials the Director or his authorized representative shall have the right, at all reasonable times, to:

(1) Enter premises on which any public water system is located.
(2) Inspect any equipment, operation, or sampling or any public water system;
(3) Take water samples from any public water system; and
(4) Have access to and copy any record required to be kept pursuant to these regulations.

AS-EPA may enter into cooperative agreements with Federal Agencies to assure the implementation of this section on Federal Facilities.

25.0430.2 Appeal

Persons aggrieved by actions of the AS-EPA pursuant to these regulations may file an appeal in the High Court, appellate division, in accordance with the American Samoa Administrative Procedures Act, 4.1001 et seq. A.S.C.A.

25.0430.3 Conflicts with Standards and Regulations.

In the event any previously adopted territorial rules or regulations conflict with the provisions of the Standards and Regulations set forth in this chapter, the provisions of this chapter shall apply.

25.0430.4 Severability Clause

If any provision of these regulations, or its application to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of these regulations, shall not be affected thereby.

IV. AMERICAN SAMOA SECONDARY DRINKING WATER REGULATIONS

25.0440.1 Purpose.

The provisions 40 Code of Federal Regulations § 143.1 as revised and codified as of July 1, 2002 are hereby adopted by reference.

25.0440.2 Definitions.

The provisions 40 Code of Federal Regulations §143.2 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0440.3 Secondary Maximum Contaminant Levels.

The provisions 40 Code of Federal Regulations § 143.3 as revised and codified as of July 1, 2002, are hereby adopted by reference.

25.0440.4 Monitoring

(1) The parameters in these regulations shall be monitored at intervals no less frequent than the monitoring performed for inorganic chemical contaminants listed in the National Interim Primary Drinking Water Regulations as applicable to community water systems. More frequent monitoring may be appropriate for specific parameters such as pH, color, odor or others under certain circumstances as directed by AS-EPA.

(2) Measurement of pH, copper and fluoride to determine compliance under 25.0603.3 may be conducted with one of the methods in 40 Code of Federal Regulations § 141.23(k)(1). Analyses of aluminum, chloride, foaming agents, iron, manganese, odor, silver, sulfate, total dissolved solids (TDS) and zinc to determine compliance under 25.0603.3 may be conducted with the methods in the following table. Criteria for analyzing aluminum, copper, iron, manganese, silver and zinc samples with digestion or directly without digestion, and other analytical test procedures are contained in Technical Notes on Drinking Water Methods, EPA-600/R-94-173, October 1994, which is available at NTIS PB95-104766.

Contaminant	EPA	ASTM[3]	SM[4]	Other
Aluminum.....	[2]200.7		3120B	
	[2]200.8		3113B	
	[2]200.9		3111D	
Chloride.....	[1]300.0	D4327 - 91	4110B	
			4500 - Cl--D	
		D512-89B	4500 - Cl - D	
Color.....			2120B	
Foaming Agents.....			5540C	
Iron.....	[2]200.7		3120B	
	[2]200.9		3111B	
			3113B	
Manganese.....	[2]200.7		3120B	
	[2]200.8		3111B	
	[2]200.9		3113B	
Odor.....			2150B	
Silver.....	[2]200.7		3120B	[5]I - 3720 -855
	[2]200.8		3111B	

	[2]200.9		3113B	
Sulfate.....	[1]300.0	D4327 - 91	4110	
	[1]375.2		4500 - SO_4^2 - F	
			4500 - SO_4^2 - C,D.	
		D-516-90	4500 - SO_4^2 - E	
TDS			2540 C	
Zinc.....	[2]200.7		3120B	
	[2]200.8		3111B	

The procedure shall be performed in accordance with the documents listed below. The incorporation by reference of the following documents was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 Code of Federal Regulations part 51. Copies of the documents may be obtained from the sources listed below. Information regarding these documents can be obtained from the Safe Drinking Water Hotline at (800) 426-4791. Document may be inspected at EPA's Drinking Water Docket, 401 M Street, SW, Washington DC 20460 (Telephone: 202-260-3027); or at the Office of Federal Register, 800 North Capitol Street, NW Suite 700, Washington D.C. 20408.

[1]"Methods for the Determination of Inorganic Substances in Environmental Samples", EPA-600/R-93-100, August 1993. Available at NTIS, PB94-121811.

[2]"Methods for the Determination of Metals in Environmental Samples—Supplement I", EPA-600/R-94-111, May 1994. Available at NTIS, PB94-184942.

[3]The procedures shall be done in accordance with the Annual Book of ASTM Standards, 1994, Vols. 11.01 and 11.02, American Society for Testing and Materials. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 Code of Federal Regulations Part 51. Copies may be obtained from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103. Copies may be inspected at EPA's Drinking Water Docket, 401 M Street, S.W., Washington D.C. 20460; or at the Office of the Federal Register, 800 North Capitol Street, N.W., Suite 700, Washington D.C.

[4]The procedures shall be done in accordance with the 18th edition of Standard Methods for the Examination of Water and Wastewater, 1992, American Public Health Association. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 Code of Federal Regulations Part 51. Copies may be obtained from the American Public Health Association, 1015 Fifteenth Street N.W., Washington DC 20005. Copies may be inspected at EPA's Drinking Water Docket, 401 M Street, S.W., Washington DC 20460; or at the Office of the Federal Register, 800 North Capitol Street, N.W., Suite 700, Washington DC.

[5]Available from Books and Open-File Reports Section, U.S. Geological Survey, Federal Center, Box 25425, Denver, CO 80225-0425.

V. ASPDWR DETERMINATION OF SUITABILITY

25.0450.1 Suitability Determination

If any publication adopted by reference under this chapter Part 25.0420 is revised, the Director of AS-EPA may review the revision to determine its suitability for this Territory. If the Director of AS-EPA determines that the revision is not suitable, the Director shall hold a public hearing

within 30 days of making his determination. If, after the hearing, the Director of AS-EPA does not revise his determination, he shall give notice that the revision is not suitable for the Territory within thirty (30) days of the hearing. If the Director does not give such notice, the revision becomes part of the publication adopted by reference pursuant to this chapter, Part 25.0420.

VI. AS-EPA WATER QUALITY LABORATORY FEE

25.0460.1 Establishment of fee:

(A) The AS-EPA Water Quality Laboratory shall establish a set of fees for services provided to private enterprises and government organizations.

(B) The lab fee rates shall be calculated on an annual basis and may include the following criteria:

1. Cost of labor,
2. Cost of electricity and other utilities,
3. Cost of materials used,
4. Cost of transportation,
5. Facility maintenance and operation,
6. Other applicable service fees.

(C) Fees may be less than or equal to the calculated cost but in no case shall the fees charged exceed the actual amount required to perform the service provided.

25.0460.2 Public Notice of fees:

(A) When new fees are to be introduced, they shall be published in the government newspaper as well as at least one local printed news publication for at least 5 consecutive days. A breakdown of the calculation used to establish the rates shall be available for public inspection at the offices of AS-EPA.

(B) Laboratory fees shall be posted in a conspicuous place within AS-EPA and be available to the public upon request.

25.0460.3 Samples accepted and charged:

(A) No samples will be accepted without prior approval from the AS-EPA Director, and only those samples delivered in laboratory approved containers will be accepted and analyzed by the laboratory. The AS-EPA laboratory has the right to refuse service to anyone and is not obligated to provide laboratory services to anyone.

(B) The AS-EPA Water Quality Laboratory may charge fees for any additional sample(s) required beyond the initial sample(s) needed to establish compliance with AS-EPA or ASDOH rules or regulations.

(C) The AS-EPA Water Quality Laboratory may charge fees for any sample requested to be analyzed by the public or by governmental agencies, departments or entities.

25.0460.4 Payment of Lab Fees:

(A) AS-EPA's administrative staff shall have the authority to collect the laboratory fees and deposit the same into an account with the Department of Treasury labeled "AS-EPA Water Quality Lab Fee Fund" for the use of running the AS-EPA Water Quality Laboratory.

(B) Payment of fees shall be made in the form of money order at the time lab services are requested and shall be made at the main office of AS-EPA. All money orders shall be made out to "AS-EPA".

25.0460.5 Creation of Lab Fee Fund Account:

(A) There shall be created within the Department of Treasury under the AS-EPA Cost Center a sub-account labeled "AS-EPA Water Quality Lab Fee Fund" for the receipt of all funds received by the AS-EPA Water Quality Lab.

(B) All funds collected or received into the AS-EPA Water Quality Lab Fee Fund shall be used solely by AS-EPA for the direct and indirect costs of administration and implementation of the AS-EPA Water Quality Lab for providing staff and resources to provide water quality laboratory services to private enterprises and government organizations.

(C) AS-EPA shall maintain independent records and accounts of all revenues and expenditures of the AS-EPA Water Quality Lab Fee Fund.