

Frequently Asked Questions

Unregulated Contaminant Monitoring Regulation second cycle (UCMR2)

May 2007

The UCMR implementation team received many questions during regulatory development and early implementation. Therefore, the USEPA developed these frequently asked questions (FAQ) to assist stakeholders. Each question, with the associated USEPA response, is categorized by topic as indicated in the Table of Context.

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A. Applicability

A1. **Question:** If public water system (PWS) A treats and sells water to PWS B, who has to monitor for UCMR2 contaminants?

Answer: PWS A is required to monitor. For PWS B, it depends upon how much of their water is purchased from PWS A. If PWS B purchases all its water from PWS A, then PWS B is not required to monitor. If PWS B purchases some of its water from PWS A, but supplements with its own source of water, then PWS B is required to monitor at the entry point(s) to its distribution system. (See also A2.)

A2. **Question:** A PWS purchases water, but has some of its own sources. It mixes the 2 sources before entering the distribution system. Is it required to monitor?

Answer: Yes, since it does not purchase all its water, it must monitor.

A3. **Question:** What are some reasons a PWS would not be subject to UCMR2 monitoring?

Answer: Some specific examples include any PWS that:

- (1) is inactive;
- (2) has merged with another PWS;
- (3) purchases all of its water from another PWS; or
- (4) is a transient non-community water system.

In addition, a small PWS originally selected for monitoring may be relieved of its monitoring if it:

- (1) has changed water source (e.g., from GW to SW); or
- (2) has changed population-size category (i.e., from a very small PWS, serving <500 people to a small PWS serving between 501 and 3,300).

A4. **Question:** If a small PWS selected to monitor has changed population (e.g., from 700 to 2,100), but is still in the same size category (i.e., it is still in the 500-3,300 category) will it still be subject to UCMR2?

Answer: Yes, it will still be subject to UCMR2.

A5. **Question:** If a PWS is under an enforcement action is it still subject to the UCMR2?

Answer: If the PWS has changed source waters as part of the action and is now purchasing 100% of their finished water, then it is not subject to UCMR2. If it is still using the same source, in whole or in part, or is treating a new source, it remains subject to the UCMR2.

A6. **Question:** If PWS A merges or purchases PWS B, does PWS B still need to monitor for UCMR2?

Answer: If the treatment plants for all water sources previously operated by PWS B are taken off-line and now PWS B is 100 % supplied by PWS A, then PWS B is no longer subject to the UCMR2. If only the ownership changes, but the operation of both PWSs remain the same, then both PWS A and B are still subject to the UCMR2.

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- A7. **Question:** How does USEPA determine served population for PWS applicability to UCMR2?
Answer: USEPA relies on the population data in the Safe Drinking Water Information System (SDWIS-Fed), as of June 30, 2005 (the applicability date published in the UCMR2). SDWIS-Fed captures the retail population served by water systems as reported by States, and includes information about PWSs purchasing their water and from whom they purchase.
- A8. **Question:** A PWS purchases 100% of their water and has its own emergency sources. Is it required to monitor?
Answer: No, the UCMR2 only applies to non-emergency sources. Since this PWS purchases all its (non-emergency) water, it is not subject to the UCMR2.

B. Sampling Location and Monitoring Issues

- B1. **Question:** How do I contact USEPA about a change in rule applicability, inventory or schedule?
Answer: You can contact USEPA in writing at:
UCMR Sampling Coordinator;
USEPA, OGWDW, TSC
26 W. Martin Luther King Drive (MS-140)
Cincinnati, OH 45268
By e-mail at:
UCMR_Sampling_Coordinator@epa.gov
By fax at:
(513) 569-7191
- B2. **Question:** If a PWS's status changes during monitoring, does sampling continue at that PWS? For example, a PWS becomes a "consecutive user" of another PWS.
Answer: If the PWS becomes a consecutive system (permanently purchasing all its water from another PWS) it is no longer required to monitor. The USEPA should be notified of this change immediately.
- B3. **Question:** Some States make arrangements with their PWSs to collect compliance monitoring samples and analyze them. Can States still do this for UCMR2?
Answer: The State can collect UCMR2 samples for any PWS. The State laboratory can analyze large PWS's samples, provided they have USEPA approval in the required methods. Samples from small PWSs, i.e., those serving 10,000 or less, must be sent to the USEPA-designated contract laboratories (USEPA pays for the UCMR shipping and analyses costs of selected small PWS).
- B4. **Question:** Where are the UCMR2 sampling locations?
Answer: For all but nitrosamines, the sampling location is designated as the entry point(s) to the distribution system (EP). For nitrosamines, the sampling locations are both the EP and a maximum residence time in the distribution system (MR) point(s) associated with the EP. ____

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- B5. **Question:** How many times should a system with both groundwater and surface water sources monitor at their EPs under UCMR2?
Answer: If the surface water source enters the distribution system at locations separate from the groundwater sources, the surface water EPs must be monitored every 3 months for 4 consecutive quarters and the groundwater entry points must be monitored twice, 5 to 7 months apart. If the surface water and groundwater are mixed or blended before the water enters the distribution system, then the monitoring must be done every 3 months for 4 consecutive quarters (i.e., on the surface water schedule) at the EP.
- B6. **Question:** If I am subject to Assessment Monitoring (List 1) and the Screening Survey (List 2), what can I do to lessen the financial burden of collecting both List 1 and List 2 samples at the same time?
Answer: You could complete Assessment Monitoring in one year and then complete Screening Survey the next year. As long you complete each monitoring type (Assessment Monitoring or Screening Survey) in a consecutive 12-month period. You must adjust your sample schedule in SDWARS by August 2, 2007 to reflect this change. After this date, the PWS must request the change from USEPA and receive written approval (see B1 for contact information).
- B7. **Question:** Can I change sample collection dates to match up with other monitoring already scheduled?
Answer: Yes, provided UCMR2 monitoring is completed within the monitoring period (2008–2010). PWSs can change their schedules in SDWARS until August 2, 2007, which is 210 days from publication of the regulation. After this date, the PWS must request the change from USEPA (see B1 for contact information).
- B8. **Question:** Since some PWSs don't have all their wells on-line all the time, what should a PWS do if one or more wells are not operational at the time they are scheduled to monitor?
Answer: Sampling for UCMR2 is required at those plants (wells) which are in operation during the monitoring period. PWSs should strive to have two sets of monitoring data from their groundwater EP locations.
- B9. **Question:** Does monitoring need to be within the same calendar year?
Answer: No, monitoring does not need to fall within a specific calendar year, but it does need to be within a consecutive 12-month period.
- B10. **Question:** Can we sample at the source water monitoring locations, rather than EP?
Answer: While this was allowed in UCMR 1, UCMR2 explicitly forbids it. The only exception is at entry point locations where no treatment is used.
- B11. **Question:** My State requires additional sampling after a positive contaminant is measured during compliance monitoring. Can I substitute those data for the original sample results?
Answer: Results of the original analysis must be reported to USEPA to fulfill the requirements of the UCMR2. If your State requires additional monitoring, the results of that follow-up monitoring should be reported directly to your State. You should not report such results to USEPA. The Rule expressly prohibits the substitution of supplemental sample results for original sample results.

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- B12. **Question:** I just received my PWS monitoring results from my laboratory, and they are reporting a positive result for one of the UCMR2 contaminants. Even though the laboratory indicates all quality control passed, I don't believe these results. Can I recollect that sample to verify the result and only report the result from the re-sampling?

Answer: No, a PWS may not replace valid contaminant results from one collection event with results from re-sampling. Many variables may impact the observed result in the subsequent sampling. For instance, if the PWS utilizes a surface water source that happens to be a river, the subsequent sample collection may not reveal any contaminant since the contaminant-containing plume may have already passed the PWS's intake. The PWS should bring any questions regarding results to the attention of the laboratory but recollection will bias the UCMR2 data set.

- B13. **Question:** I have 25 entry points at which I must sample. Can I spread the sampling out over time, in order to cut annual costs?

Answer: Yes, but you have to notify USEPA of the schedule change. As long as sampling at each entry point is completed in a consecutive 12-month period, the PWS is free to monitor anytime over the 3-year monitoring period, consistent with the approved schedule.

C. EPA Notification of Requirements

- C1. **Question:** Will USEPA directly notify PWSs about UCMR2 and provide guidance materials?

Answer: This depends on the responsibilities a State assumed to assist with UCMR2 implementation under their partnership agreement (PA) with USEPA. In States that did not accept responsibility for notification, USEPA issued notification letters and guidance materials to all affected PWSs on January 9, 2007. USEPA provided a template letter with supplemental guidance materials to all the States that agreed to notify their respective PWSs. USEPA is also providing UCMR2 guidance material on their Web site. See the UCMR2 main Web page at <http://www.epa.gov/safewater/ucmr/ucmr2/index.html>, and click on "Basic Information."

- C2. **Question:** When will List 2 (Screening Survey) PWSs be notified?

Answer: They were notified at the same time as List 1 (Assessment Monitoring) PWSs. USEPA issued List 1 and List 2 notifications to PWSs in non-notifying States on January 9, 2007. States that partnered with USEPA to distribute these letters to their PWSs issued their List 1 and List 2 notification letters during the first calendar quarter of 2007.

D. Laboratory Approval/Analytical Methods

- D1. **Question:** Our State laboratory normally coordinates and performs all routine compliance monitoring analyses for our large PWS, but the State laboratory has yet to become USEPA-approved for the methods we require. Should the State identify commercial laboratories?

Answer: Even if a State laboratory normally does monitoring for its PWSs, the State laboratory must be approved by the USEPA to analyze samples for UCMR2. Consult with your State. If your State laboratory is not coordinating or performing the analyses, you will need to contact an USEPA-

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approved laboratory by reviewing the list posted on the UCMR2 Web page at http://www.epa.gov/safewater/ucmr/ucmr2/pdfs/list_ucmr2_approvedlabs.pdf. If the State is collecting samples for UCMR2, they need to ensure analyses are performed by a laboratory that has USEPA approval in the proper methods for UCMR2.

- D2. **Question:** Does USEPA approval of a laboratory for UCMR2 analysis depend on that laboratory's certification status in a particular State?
Answer: No, but only certified drinking water laboratories are permitted to participate in the UCMR2 Laboratory Approval Program. That certification may be by any certifying authority (State, Region, or other primacy agency). EPA-approval in UCMR2 methods has national reciprocity.

E. Data Handling and Review

- E1. **Question:** Will USEPA provide small PWSs with their data for review and record keeping?
Answer: USEPA will coordinate delivery of the results in hard copy to the small PWSs and will send a copy to their State.
- E2. **Question:** If a small PWS does not understand their monitoring results and does not respond to USEPA within their 60-day review period, what will USEPA do?
Answer: There is no "acceptance" per se. Small PWSs are entitled to review their data, but do not approve it. Once the results are available and the USEPA quality control review is complete, the data are considered valid after the 60-day review period. Small PWSs with questions about their data are asked to contact the implementation contractor, Great Lakes Environmental Center [GLEC] (231-941-2230).
- E3. **Question:** Will USEPA provide a copy of data to the States?
Answer: USEPA will provide the States with a hard copy of the small PWSs' monitoring results, concurrent with issuance of the report to the small PWS. States may view the PWS approved monitoring results from large PWSs via the electronic reporting system (SDWARS). If the State would like an electronic copy of their small or large PWS's data, they can contact the USEPA (see B1.)
- E4. **Question:** What am I required to put in my Consumer Confidence Report (CCR) about UCMR?
Answer: For community water systems (CWSs), any positive result (above the UCMR2 defined minimum reporting level [MRL]) for a UCMR contaminant must be included in its CCR. The PWS may include a brief explanation of the reason for monitoring. For that purpose, the USEPA recommends the following statement:
Unregulated contaminants are those that don't yet have a drinking water standard set by the USEPA. The purpose of monitoring for these contaminants is to help EPA decide whether the contaminants should have a standard.
More information on CCR can be found at www.epa.gov/safewater/ccr.

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- E5. **Question:** Are the PWSs in States that have not entered into a Partnership Agreement required to report UCMR results on their CCR report?
Answer: Yes, all PWSs must report their positive UCMR results in their CCRs.
- E6. **Question:** What Public Notification (PN) requirements apply to UCMR?
Answer: For UCMR, the PN Rule requires CWSs and non-transient non-community water systems (NTNCWS) to provide public notice of the availability of UCMR monitoring data and notice of any UCMR monitoring or reporting violations. More information on PN requirements is available at <http://www.epa.gov/safewater/pws/pn/handbook.pdf>.
- E7. **Question:** If a UCMR contaminant becomes regulated, would data from UCMR be "grandfathered" as the initial monitoring profile for the PWS?
Answer: This would be determined as part of the rule-making process toward establishing a National Primary Drinking Water Standard for the contaminant in question.
- E8. **Question:** My PWS has been collecting data for one of the contaminants on the UCMR2 list. Can we "grandfather" this data to meet the requirements of UCMR2?
Answer: No. UCMR2 has a no grandfather clause, because new methods are being used and a new laboratory approval process is being implemented.

F. Data Reporting: Safe Drinking Water Accession and Review System (SDWARS)

- F1. **Question:** How do I gain access to the SDWARS?
Answer: Large PWSs and USEPA-approved laboratories must initially establish a Central Data Exchange (CDX) account for the SDWARS. To establish a CDX account, you must use a customer retrieval key (CRK) exclusively issued by USEPA for UCMR2. If your PWS has yet to establish a CDX account, contact the CDX Help Desk at 888-890-1995 and request a CRK specifically for UCMR2. The USEPA will issue CRKs to USEPA-approved laboratories after they successfully complete the UCMR2 Laboratory Approval Program later in 2007. States wishing to have a State CDX account for SDWARS should contact the UCMR Sampling Coordinator (see B1.)
- F2. **Question:** What is the electronic reporting process for large PWSs during UCMR2?
There are immediate UCMR2 reporting requirements for large PWS as well as reporting requirements during the UCMR2 monitoring period (2008-2010). Once the large PWS has access to SDWARS through their CDX account, they must immediately enter both an official and a technical contact in SDWARS. Next, the large PWS should review their sampling location inventory and their sampling schedule. During the UCMR2 monitoring period, samples are sent to an USEPA-approved laboratory for analysis. That laboratory will post the PWS monitoring data to SDWARS. The PWS then has 60 days to review these results. After 60 days, if the PWS has not reviewed their UCMR2 data, it automatically becomes PWS approved and released to the USEPA (and concurrently to the State) as officially reported UCMR2 results. More information on the process for using SDWARS is described at <https://cdx.epa.gov>. This Web site has its own FAQ sections.

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G. Compliance/Enforcement

- G1. **Question:** Who is responsible for tracking PWS compliance and offering compliance assistance?
Answer: PWS compliance tracking and assistance will be coordinated among USEPA Headquarters, USEPA Regional offices and also with partnered States, as determined by their Partnership Agreement.
- G2. **Question:** Who has enforcement authority, i.e., who will issue Administrative Orders (AOs) or Penalty Orders (POs)?
Answer: As this is a direct implementation rule, USEPA Regional Offices have enforcement authority.

H. State Questions about Data

- H1. **Question:** Can a State require their PWSs to immediately submit UCMR2 data, directly to their office, in advance of the SDWARS laboratory posting and subsequent 60-day PWS review period?
Answer: A State wishing to request these data earlier must do so using State authority (e.g., there are specific State regulations which the PWS must follow in the event of a detection). In those cases, it is the responsibility of the PWS, in those respective States, to meet the requirement. The UCMR does not mandate any immediate State reporting requirements.
- H2. **Question:** Can States that are concerned about data going directly to USEPA from the PWSs be copied on this exchange?
Answer: For large PWSs, once data are reviewed and approved by the PWS, States and USEPA will have the ability to concurrently review the data directly on-line within the electronic reporting system (SDWARS). States wishing to implement additional reporting requirements must do so using State authority.
- H3. **Question:** What is USEPA doing about the CCR language for detects reported under the UCMR, and what is USEPA doing to prepare for citizen concerns when detects are reported in the CCRs?
Answer: USEPA has written fact sheets on the UCMR2 contaminants and their potential health effects. These are posted at <http://www.epa.gov/safewater/ucmr/ucmr2/utilities.html> and will also be available through the Safe Drinking Water Hotline.
- H4. **Question:** Are States required to maintain their PWSs' UCMR2 monitoring data?
Answer: No, a State is not required to keep any UCMR2 data. The reporting relationship is between the PWS and the USEPA. States may use State authority to request specific data reports from their PWSs, they will have the small system monitoring reports issued by USEPA and they can access the SDWARS to review the large PWS approved monitoring results.

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- H5. **Question:** Do States enter inventory data elements into SDWARS?
Answer: States cannot enter inventory data into SDWARS. Well in advance of monitoring, USEPA requested a list of sample location inventory from States. The inventory returned by the State to USEPA was loaded into SDWARS for PWSs and laboratories to review.
- H6. **Question:** How will USEPA know where to send sample kits for small systems? For States that intend to collect small PWS samples, will the partnership agreement (PA) serve as notification to USEPA that sample kits for small PWSs should be sent to the State or will the State have to contact the contract lab with that request?
Answer: The logistics of small PWS sampling will be resolved in the six months prior to the start of the monitoring period. For partnered States that are collecting small PWS samples, as long as the State provides USEPA with a contact and mailing address for the kits, no additional notification is needed. If the State is not engaged in collecting samples from small systems, the USEPA will be contacting the selected small system to attain the correct shipping address. The USEPA contract labs are not responsible for sample collection and should not be contacted.
- H7. **Question:** Can the State get one account in SDWARS to approve data or will the State need to get separate authorization for each PWS?
Answer: There is no need for a State to approve data on behalf of the large PWSs in SDWARS. The data become PWS-approved if a PWS approves the data themselves in SDWARS or if the data have not been reviewed and reside in SDWARS for over 60 days after laboratory posting. Once the data become PWS-approved, the State is able to review it in SDWARS.
- H9. **Question:** Will the States be able to review data for both large and small PWSs?
Answer: Yes. States have the ability to review large PWS's data in SDWARS. As an integral part of USEPA's oversight of the contract laboratories performing small system sample analyses, USEPA performs a rigorous QC review of the small PWS data, after which States will be provided a hard copy for review and comment, as was done in UCMR1.