

a wholesale system. Rather, the system that actually produces the finished water is responsible for wholesale system requirements under the proposed Stage 2 DBPR.

A *consecutive system entry point* is defined as a location at which finished water is delivered at least 60 days per year from a wholesale system to a *consecutive system*. Section V.I. presents the relationship between consecutive system entry points and proposed Stage 2 DBPR monitoring requirements. The *combined distribution system* is the interconnected distribution system consisting of the distribution systems of wholesale systems and of the consecutive systems that receive finished water from those wholesale system(s).

b. *Monitoring.* For consecutive systems that both purchase finished water and treat source water to produce finished water for at least part of the year, EPA is proposing monitoring requirements under a treatment plant-based approach, described in section V.I. This is the approach proposed for non-consecutive systems under the Stage 2 DBPR as well. Under this approach, the sampling requirements for consecutive systems will be influenced by both the number of treatment plants operated by the system and the number of consecutive system entry points, as well as population served and source water type.

For consecutive systems that purchase all of their finished water year-round, EPA is proposing monitoring requirements under a population-based approach, also described in section V.I. Under the population-based approach, the population of the consecutive system will determine the sampling requirements. EPA believes this approach is more appropriate than plant-based monitoring because these consecutive systems do not have treatment plants. As noted in section V.I., EPA is requesting comment on extending population-based monitoring to all systems, including non-consecutive systems. EPA has prepared draft guidance for implementing the IDSE monitoring requirements (described in section V.H.) using the population-based approach (USEPA 2003j).

EPA is also proposing that States have the opportunity to specify alternative monitoring requirements for multiple consecutive systems in a combined distribution system. This option allows States to consider complex consecutive system configurations for which alternative monitoring strategies might be more appropriate. As a minimum

under such an approach, each consecutive system must collect at least one sample among the total number of samples required for the combined distribution system and will base compliance on samples collected within its distribution system. The consecutive system is responsible for ensuring that required monitoring is completed and the system is in compliance. The consecutive system may conduct the monitoring itself or arrange for the monitoring to be done by the wholesale system or another outside party. Whatever approach it chooses, the consecutive system must document its monitoring strategy as part of its DBP monitoring plan.

Finally, EPA is proposing that consecutive systems not conducting disinfectant residual monitoring comply with the monitoring requirements and MRDLs for chlorine and chloramines.

c. *Compliance schedules.* EPA is proposing that consecutive systems of any size comply with the requirements of the Stage 2 DBPR on the same schedule as required for the largest system in the combined distribution system. This includes the schedule for carrying out the IDSE, described in section V.H, and for meeting the Stage 2B MCLs for TTHM and HAA5, described in section V.D. As discussed later in this section, EPA is proposing simultaneous compliance schedules under the Stage 2 DBPR for all systems (both wholesalers and consecutive systems) in a combined distribution system because this may allow for more cost-effective compliance with TTHM and HAA5 MCLs. This is also consistent with the recommendations of the Stage 2 M-DBP Advisory Committee. See section V.J for details of compliance schedule requirements.

d. *Treatment.* While consecutive systems often do not need to treat finished water received from a wholesale system, they may need to implement procedures to control the formation of DBPs in the distribution system. For consecutive systems, EPA is proposing that the BAT for meeting TTHM and HAA5 MCLs is chloramination with management of hydraulic flow and storage to minimize residence time in the distribution system. This BAT stems from the recognition that treatment to remove already-formed DBPs or minimize further formation is different from treatment to prevent or reduce their formation. See section V.F for additional information on BATs and their role in compliance with MCLs.

e. *Violations.* Under this proposal, monitoring and MCL violations are assigned to the PWS where the violation

occurred. Several examples are as follows:

- If a consecutive system has hired its wholesale system under contract to monitor in the consecutive system and the wholesale system fails to monitor, the consecutive system is in violation because it has the legal responsibility for monitoring under State/EPA regulations.
- If monitoring results in a consecutive system indicate an MCL violation, the consecutive system is in violation because it has the legal responsibility for complying with the MCL under State/EPA regulations. The consecutive system may set up a contract with its wholesale system that details water quality delivery specifications.
- If a wholesale system has a violation and provides that water to a consecutive system, the wholesale system is in violation. Whether the consecutive system is in violation will depend on the situation. The consecutive system will also be in violation unless it conducted monitoring that showed that the violation was not present in the consecutive system.

f. *Public notice and consumer confidence reports.* The responsibilities for public notification and consumer confidence reports rest with the individual system. Under the Public Notice Rule and Consumer Confidence Report Rule, the wholesale system is responsible for notifying the consecutive system of analytical results and violations related to monitoring conducted by the wholesale system. Consecutive systems are required to conduct appropriate public notification after a violation (whether in the wholesale system or the consecutive system). In their consumer confidence report, consecutive systems must include results of the testing conducted by the wholesale system unless the consecutive system conducted equivalent testing that indicated the consecutive system was in compliance, in which case the consecutive system reports its own compliance monitoring results.

g. *Recordkeeping and reporting.* Consecutive systems are required to keep all records required of PWSs regulated under this rule. They are also required to report to the State monitoring results, violations, and other actions, and are required to consult with the State after a significant excursion.

h. *State special primacy conditions.* EPA is aware that due to the complicated wholesale system-consecutive system relationships that