

**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH
CONCISE STATEMENT OF PROPOSED NON-TEHCNICAL AMENDMENTS
(AMENDMENTS TO EXISTING REGULATIONS)**

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.7(b)(8), the following is a concise statement of proposed non-technical amendments to *Public Drinking Water (216-RICR-50-05-1)*.

Section	Rationale/Summary of Change
Universal	Changed "his/her" to "their"
1.1(A)	<ul style="list-style-type: none"> Added "and R.I. Gen. Laws Chapter 23-1, including §§ 23-1-17 and -18," Added "providing minimum standards and conditions for the location, construction, and sanitary quality of all drinking water supplies, and providing minimum standards consistent with human health for the quality of public drinking water;"
1.2(A)(77)	Added "or "MCL"
1.11.2(A)(3)(f)	Changed "20 ppt as defined in" to "the MCL provided in"
1.11.2(A)(4)	Added "PFAS"
1.16.2(E)	<ul style="list-style-type: none"> Changed "Maximum Contaminant Levels" to "State Requirements" Changed section number to "the following table:"
1.16.2(E)(1)	Added "of the six (6) PFAS for Total PFAS "
1.16.2(E)(2)	Replaced "the effective date of 1.16.2(E)" with the actual effective date.
1.16.2(E)	Updated internal citations
1.16.2(E)(8)	<ul style="list-style-type: none"> Changed reporting requirement from forty-eight to twenty-four (24) hours and added "in accordance with § 1.11.2(A)(3) of this Part" Relocated extension wording and reworded for clarity.
1.16.2(E)(9)	Replaced "the effective date of 1.16.2(E)" with the actual effective date.
1.16.2(E)(10)	Added internal references
1.16.2(E)(12)	Added internal references
1.16.2(E)(19)	Replaced "the effective date of 1.16.2(E)" with the actual effective date.
1.16.6(A)	<ul style="list-style-type: none"> Added "state public drinking water regulations (SDWR) and" Added internal citation Added "SDWR and" Added "Section 1.16.6 of this Part details some specific instances in which special public notice is required and the associated requirements for such notice; however, those instances are not exclusive of other violations or situations that the Director may determine require special public notice. The Director has discretion to determine other violations and situations that require a public

	notice and the appropriate tier of public notice for such violation or situation."
1.16.6	<ul style="list-style-type: none"> Added "SDWR and" in several locations Updated citation to "§ 1.16.7 of this Part."
1.16.6(C)(1)	Added "(5) Other violations or situations with potential to have serious adverse effects on human health, as determined by the Director in § 1.16.7 of this Part or on a case-by-case basis. "
1.16.1(D)(8)	Added "(8) Other SDWR and NPDWR violations and situations not included in Tier 1 and Tier 2, as determined by the Director either in § 1.16.7 of this Part or on a case-by-case basis."
1.16.1(E)	Added "SDWR or"
1.16.7	Added "SDWR AND" to table header
1.16.8	Added "SDWR AND" to table header
1.16.9(A)(25)	Added "SDWR – State Public Drinking Water Regulation"
1.16.11	Changed "Annual reports" to "Consumer Confidence Reports (CCR)"
1.16.11(A)(1)	Added "Section 1.16.11 of this Part also includes requirements for PWSs serving more than 100,000 persons to develop and annually update a plan for providing assistance to consumers with limited English proficiency."
1.16.11(A)	Changed citations to 1.16.11
1.16.11(A)(3)	Added "For the purposes of § 1.16.11 of this Part, consumers are defined as people served by the PWS, including customers, and people that do not receive a bill."
1.16.11(A)(4)	Added ", at or above the levels prescribed in § 1.16.2(E)(1) of this Part for the PFAS listed in § 1.16.2(E)(1) of this Part"
1.16.11(B)(1) - (3)	Added new sections and replaced existing wording.
1.16.11(B)(4)	Removed "and annually thereafter."
1.16.11(B)(5)	Changed "April 1, 2000" to "April 1, 2027" and "annually thereafter"
1.16.11(B)(5)(c)	Added "A community water system that sells water to another community water system that is required to provide CCRs biannually according to §1.16.11(E)(8) must provide the applicable information required in §1.16.11(E)(9) by October 1, 2027, to the buyer system, and annually thereafter, or a date mutually agreed upon by the seller and the purchaser, included in a contract between the parties."
1.16.11(C)(1)	Added "§1.16.11(C) of this Part and §1.16.11(D) of this Part, and a summary as specified in §1.16.11(F) of this Part."
1.16.11(C)(2)	Added ", the year it was completed or most recently updated,"
1.16.11(C)(3)(a)(3)	Added "Contaminant: Any physical, chemical, biological, or radiological substance or matter in water."
1.16.11(C)(3)(d) and (e)	Added new sections
1.16.11(C)(4)(a)(3)	Removed section

1.16.11(C)(4)(b)	Replaced existing wording with "the CCRs in a manner that is clear and understandable for consumers. For example, the data may be displayed in one (1) table or in several adjacent tables. Any additional monitoring results which a community PWS chooses to include in its CCR must be displayed separately."
1.16.11(C)(4)(c)	Replaced existing wording with " or the most recent calendar year before the previous calendar year, except that:"
1.16.11(C)(4)(c)(1)	Replaced "table(s)" with "contaminant data section(s)"
1.16.11(C)(4)(c)(2)	Removed section
1.16.11(C)(4)(d)(4)	Added "contaminant data section(s) must contain the" and "provided in §§1.16.11(C)(4)(d)(4)(AA)-(BB) of this Part."
1.16.11(C)(4)(d)(4)(BB)	Added "individual sampling results for"
1.16.11(C)(4)(d)(4)(CC)	Removed section
1.16.11(C)(4)(d)(6)	Changed "value" to "concentration" and added ", and the range of tap sampling results."
1.16.11(C)(4)(d)(7)	Added "total" and "E. coli" and "and"
1.16.11(C)(4)(d)(8)	Added "The likely source(s) of detected contaminants to the best of the operator's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and should be used when available to the operator. If the operator lacks specific information on the likely source, the CCR must include one or more of the typical sources for that contaminant listed in §1.16.12 of this Part that is most applicable to the PWS."
1.16.11(C)(4)(e)	Replaced existing wording with "the contaminant data section(s) should differentiate contaminant data for each service area and the CCR should identify each separate distribution system. For example, if displayed in a table, it should contain a separate column for each service area. Alternatively, PWSs could produce separate CCRs tailored to include data for each service area."
1.16.11(C)(4)(g)	Added section
1.16.11(C)(4)(h)	Added section
1.16.11(C)(5)(a)	Removed "including monitoring performed to satisfy the requirements of [RESERVED for future rulemaking 40 C.F.R. § 141.143 equivalent]"
1.16.11(C)(5)(c)	Added "contacting EPA" and "or an alternative method identified on the website epa.gov/safewater ."
1.16.11(C)(6)	Changed "year" to "period"
1.16.11(C)(8)(a)(1)	Reworded for clarity
1.16.11(C)(8)(a)(2)	Added "Contaminants are any physical, chemical, biological, or radiological substance or matter in water."
1.16.11(C)(8)(a)(2)(BB)	Revised wording to read "occur naturally in the soil or groundwater"
1.16.11(C)(8)(a)(3)	Added "tap"
1.16.11(C)(8)(a)(4)	Updated method of contact

1.16.11(C)(8)(b)	Added "If a system uses a website or social media to share additional information, PWS are strongly encouraged to include information about how to access such media platforms in the CCR."
1.16.11(C)(8)(c)	Changed "non-English speaking residents" to "consumers with limited English proficiency," and added ", or the CCR must be in the appropriate language(s)."
1.16.11(C)(8)(f)(1)	Changed "report" to "CCR or 6 month update according to §1.16.11(E)"
1.16.11(C)(8)(g)(1)	Added "PWS may use an alternative statement with equivalent information for §1.16.11(C)(8)(g)(1)(BB) and (CC) of this Part if approved by the Director."
1.16.11(C)(8)(g)(1)(BB) and (CC)	Sections reworded
1.16.11(C)(8)(g)(2)	Added "Systems may use an alternative statement with equivalent information for §§ 1.16.11(D)(8)(g)(2)(AA) through (CC) of this part, if approved by the director."
1.16.11(C)(8)(g)(3)	Reworded to "Systems may use an alternative statement with equivalent information for §§ 1.16.11(D)(8)(g)(2)(AA) through (CC) of this Part, if approved by the Director."
1.16.11(C)(8)(g)(3)(AA)	Added ", also known as a Level 2 assessment, "
1.16.11(C)(8)(g)(3)(BB)	Added "detailed assessment of our water system, also known as a "
1.16.11(C)(8)(g)(3)(CC)(ii)	Removed "sanitary"
1.16.11(C)(8)(g)(3)(DD)	Changed "tests" to "tested"
1.16.11(C)(8)(h)	Added section
1.16.11(D)(2)	Removed wording and added "above 0.005 mg/L and up to and including 0.010 mg/L"
1.16.11(D)(2)(a)	Replaced existing wording with "Arsenic is known to cause cancer in humans. Arsenic also may cause other health effects such as skin damage and circulatory problems. [NAME OF UTILITY] meets the EPA arsenic drinking water standard, also known as a Maximum Contaminant Level (MCL). However, you should know that EPA's MCL for arsenic balances the scientific community's understanding of arsenic-related health effects and the cost of removing arsenic from drinking water. The highest concentration of arsenic found in [YEAR] was [INSERT MAX ARSENIC LEVEL per §1.16.11(C)(4)(d)(4)]of this Part "
1.16.11(D)(2)(b)	Revised wording to "May use an alternative educational statement in the CCR if approved by the Director."
1.16.11(D)(3)(a)	Changed section to read "Even though [NAME OF UTILITY] meets the EPA nitrate drinking water standard, also known as a Maximum Contaminant Level (MCL), if you are caring for an infant and using tap water to prepare formula, you may want to use alternate sources of water or ask for advice from your health care provider. Nitrate levels above 10 ppm pose a particularly high health concern for infants under 6 months of age and can interfere with the capacity of the infant's blood to carry oxygen, resulting in a serious illness. Symptoms of

	serious illness include shortness of breath and blueness of the skin, known as “blue baby syndrome.” Nitrate levels in drinking water can increase for short periods of time due to high levels of rainfall or agricultural activity, therefore we test for nitrate [INSERT APPLICABLE SAMPLING FREQUENCY]. The highest level for nitrate found during [YEAR] was [INSERT MAX NITRATE LEVEL per § 5 Section 1.16.11(C)(4)(d)(4)] ppm."
1.16.11(D)(3)(b)	Revised wording to "May use an alternative educational statement in the CCR if approved by the Director."
1.16.11(D)(4)(a)	Revised section
1.16.11(D)(4)(b)	Revised wording to "May use an alternative educational statement in the CCR if approved by the Director."
1.16.11(E)	<ul style="list-style-type: none"> • Removed section • Added ", Reporting," to the section header
1.16.11(E)(1)	Section added
1.16.11(E)(2)	Revised wording to "A good faith effort to reach consumers includes a mix of methods to reach the broadest possible range of persons served by the PWS such as, but not limited to: posting the CCRs on the internet; mailing CCRs or postcards with links to the CCRs to all service addresses and/or postal customers; using an opt in notification system to send emails and/or texts with links to the CCRs to interested consumers; advertising the availability of the CCRs in the news media and on social media; publication in a local newspaper or newsletter; posting a copy of the CCR or notice of availability with links (or equivalent such as Quick Response (QR) codes) in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings or large private employers; delivery to community organizations; holding a public meeting to educate consumers on the CCRs."
1.16.11(E)(3)	Added "ten (10) days after" and "and a certification that the CCR(s)"
1.16.11(E)(5)	Added "PWS should make a reasonable effort to provide the CCRs in an accessible format to anyone who requests an accommodation."
1.16.11(E)(6)	Changed 100,000 to 50,000
1.16.11(E)(8) and (9)	Sections added
1.16.11(E)(8)	Section removed
1.16.11(F)	Section added
1.16.12	Contents of table updated and footnote removed
1.21(B)(2)	Relocated (VOCs)
1.21(B)(2)(a)(1)(AA)	Changed "inorganic" to "organic"
1.21(B)(3)	Relocated (SOCs)
1.21(B)(3)(a)(1)(AA)	<ul style="list-style-type: none"> • Changed "inorganic" to "organic" • Moved this table, but also deleted the PFAS contaminants from this table, and moved them to their own section, below.

1.21(B)(3)(a)(1)(MM)	Moved section to 1.21(B)(6) with minor changes
1.24(F)	Added section