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**The Drinking Water Program: An Overview**

The United States Environmental Protection Agency (EPA) established the Public Water System Supervision (PWSS) Program under the authority of the 1974 Safe Drinking Water Act (SDWA). Under the SDWA and the 1996 Amendments to the SDWA, EPA establishes national limits on contaminant levels in public drinking water to ensure that the water is safe for human consumption. These limits are known as Maximum Contaminant Levels (MCLs) and the Maximum Residual Disinfectant Levels (MRDLs). For some drinking water issues, EPA establishes treatment techniques in lieu of an MCL to control unacceptable levels of contaminants in water. EPA also regulates how often public water systems (PWSs) monitor produced water for contaminants and report the monitoring results to the states or EPA. Generally, the larger the population served by a water system, the more frequent the monitoring and reporting (M/R) requirements. In addition, EPA requires PWSs to monitor for unregulated contaminants to provide data for possible future regulatory development. Finally, EPA requires PWSs to notify consumers when a violation of these regulations has occurred. The 1996 Amendments to the SDWA require consumer notification to include a clear and understandable explanation of the nature of the violation, its potential adverse health effects, steps that the PWS is undertaking to correct the violation and the possibility of available alternative water supplies during the occurrence of the violation.

The SDWA applies to the 50 states, the District of Columbia, Indian Lands, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

The SDWA allows states and territories to seek EPA approval to administer their own PWSS Programs. The authority to manage a PWSS Program is called primacy. For a state to receive primacy, EPA must determine that the state meets certain requirements laid out in the SDWA and the regulations, including the adoption of the rule requirements in the state drinking water regulations which are at least as stringent as the federal regulations, and a demonstration that the state has the authority to enforce the program requirements. Of the 56 states and territories, all but Wyoming and the District of Columbia have primacy. The EPA Regional Offices administer the PWSS Programs within these two jurisdictions.

The 1986 SDWA Amendments gave Indian Tribes the right to apply for and receive primacy. EPA currently administers PWSS Programs on all Indian lands except the Navaho Nation, which was granted primacy in late 2000.

### **Annual State PWS Report**

Each quarter, states that have SDWA rule primacy submit data to the Safe Drinking Water Information System (SDWIS/FED), a database maintained by EPA. The data submitted include, but are not limited to, PWS inventory information, the incidence of Maximum Contaminant Level, Maximum Residual Disinfectant Level, monitoring and reporting, and treatment technique violations; and information on enforcement activity related to these violations. Section 1414(c) (3) of the Safe Drinking Water Act requires states to provide EPA with an annual report of violations of the primary drinking water standards. This report provides the numbers of violations in each of six categories: MCLs, MRDLs, treatment techniques, variances and exemptions, significant monitoring and reporting violations, and significant consumer notification violations. The EPA Regional Offices report the information for Wyoming, the District of Columbia, and all Indian Lands but the Navaho Nation. EPA Regional offices also report Federal enforcement actions taken. Data retrieved from SDWIS/FED form the basis of this report.

### **Public Water System**

A Public Water System (PWS) is defined as a system that provides water via piping or other constructed conveyances for human consumption to at least 15 service connections or serves an average of at least 25 people for at least 60 days each year. There are three types of PWSs. PWSs can be community (such as towns), non-transient non-community (such as schools or factories), or transient non-community systems (such as rest stops or parks). For this report, when the acronym PWS is used it means systems of all types unless specified in greater detail.

### **Maximum Contaminant Level**

Under the Safe Drinking Water Act (SDWA), the EPA sets national limits on contaminant levels in drinking water to ensure that the water is safe for human consumption. These limits are known as Maximum Contaminant Levels (MCLs).

### **Maximum Residual Disinfectant Level**

The EPA sets national limits on residual disinfectant levels in drinking water to reduce the risk of exposure to disinfectant byproducts formed, when public water systems add chemical disinfectant for either primary or residual treatment. These limits are known as Maximum Residual Disinfectant Levels (MRDLs).

### **Treatment Techniques**

For some contaminants, the EPA establishes treatment techniques (TTs) in lieu of an MCL to control unacceptable levels of certain contaminants. For example, treatment techniques have been established for viruses, some bacteria, and turbidity

## **Variations and Exemptions**

A primacy state can grant a PWS a variance from a primary drinking water regulation if the characteristics of the raw water sources reasonably available to the PWS do not allow the system to meet the MCL. To obtain a variance, the system must agree to install the best available technology, treatment techniques, or other means of limiting drinking water contamination that the Administrator finds are available (taking costs into account), and the state must find that the variance will not result in an unreasonable risk to public health. The variance shall be reviewed not less than every 5 years to determine if the system remains eligible for the variance.

A primacy state can grant an exemption temporarily relieving a PWS of its obligation to comply with an MCL or treatment technique or both if the system's noncompliance results from compelling factors (which may include economic factors) and the system was in operation on the effective date of the MCL or treatment technique requirement. The state will require the PWS to comply with the MCL or treatment technique as expeditiously as practicable, but not later than 3 years after the otherwise applicable compliance date.

## **Monitoring and Reporting**

A PWS is required to monitor and verify that the levels of contaminants present in the water do not exceed the MCL or MRDL. If a PWS fails to have its water tested as required or fails to report test results correctly to the primacy agent, a monitoring and reporting violation occurs.

### **Significant Monitoring and Reporting Violations**

For this report, significant monitoring and reporting violations are generally defined as any significant monitoring violation that occurred during the calendar year of the report. A significant monitoring and reporting violation, with rare exceptions, occurs when no samples were taken or no results were reported during a compliance period.

## **Consumer Notification**

Every Community Water System is required to deliver to its customers a brief annual water quality report, called the Consumer Confidence Report (CCR). The CCR includes some educational material, and will provide information on the source water, the levels of any detected contaminants, and compliance with drinking water regulations.

### **Significant Consumer Notification Violations**

For this report, a public notification violation occurred if a community water system completely failed to provide its customers the required annual water quality report (CCR).

## **Public Notification Violations**

The Public Notification Rule requires all PWS to notify their consumers any time a PWS violated a national primary drinking water regulation or has a situation posing a risk to public

health. The time period that a PWS has to notify the public depends upon the risk posed by the violation or situation. Notices must be provided to persons served (not just billing consumers).

### **Significant Public Notification Violations**

For this report, significant public notification violation occurs when a PWS completely fails to notify its consumers that the PWS violated a national primary drinking water regulation or had a situation posing a risk to public health.

### **OBTAINING A COPY OF 2020 PUBLIC WATER SYSTEMS REPORT**

As required by the Safe Drinking Water Act, Kentucky has made the 2020 Public Water Systems report available to public. Interested individuals can obtain a copy of the 2020 Annual Public Water Systems Report for Kentucky on our website at:

[Annual Compliance Reports - Kentucky Energy and Environment Cabinet](#)

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