

## [42 USCS § 300f](#)

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### **§ 300f. Definitions**

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For purposes of this [title \[42 USCS §§ 300f et seq.\]](#):

- (1) The term "primary drinking water regulation" means a regulation which--
  - (A) applies to public water systems;
  - (B) specifies contaminants which, in the judgment of the Administrator, may have any adverse effect on the health of persons;
  - (C) specifies for each such contaminant either--
    - (i) a maximum contaminant level, if, in the judgment of the Administrator, it is economically and technologically feasible to ascertain the level of such contaminant in water in public water systems, or
    - (ii) if, in the judgment of the Administrator, it is not economically or technologically feasible to so ascertain the level of such contaminant, each treatment technique known to the Administrator which leads to a reduction in the level of such contaminant sufficient to satisfy the requirements of section 1412 [\[42 USCS § 300g-1\]](#); and
  - (D) contains criteria and procedures to assure a supply of drinking water which dependably complies with such maximum contaminant levels; including accepted methods for quality control and testing procedures to insure compliance with such levels and to insure proper operation and maintenance of the system, and requirements as to (i) the minimum quality of water which may be taken into the system and (ii) siting for new facilities for public water systems.

At any time after promulgation of a regulation referred to in this paragraph, the Administrator may add equally effective quality control and testing procedures by guidance published in the Federal Register. Such procedures shall be treated as an alternative for public water systems to the quality control and testing procedures listed in the regulation.
- (2) The term "secondary drinking water regulation" means a regulation which applies to public water systems and which specifies the maximum contaminant levels which, in the judgment of the Administrator, are requisite to protect the public welfare. Such regulations may apply to any contaminant in drinking water (A) which may adversely affect the odor or appearance of such water and consequently may cause a substantial number of the persons served by the public water system providing such water to discontinue its use, or (B) which may otherwise adversely affect the public welfare. Such regulations may vary according to geographic and other circumstances.
- (3) The term "maximum contaminant level" means the maximum permissible level of a contaminant in water which is delivered to any user of a public water system.
- (4) Public water system.
  - (A) In general. The term "public water system" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals. Such term includes (i) any collection,

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

**(B) Connections.**

(i) In general. For purposes of subparagraph (A), a connection to a system that delivers water by a constructed conveyance other than a pipe shall not be considered a connection, if--

**(I)** the water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, and cooking, or other similar uses);

**(II)** the Administrator or the State (in the case of a State exercising primary enforcement responsibility for public water systems) determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulation is provided for residential or similar uses for drinking and cooking; or

**(III)** the Administrator or the State (in the case of a State exercising primary enforcement responsibility for public water systems) determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

(ii) Irrigation districts. An irrigation district in existence prior to May 18, 1994, that provides primarily agricultural service through a piped water system with only incidental residential or similar use shall not be considered to be a public water system if the system or the residential or similar users of the system comply with subclause (II) or (III) of clause (i).

**(C) Transition period.** A water supplier that would be a public water system only as a result of modifications made to this paragraph by the Safe Drinking Water Act Amendments of 1996 shall not be considered a public water system for purposes of the Act until the date that is two years after the date of enactment of this subparagraph [enacted Aug. 6, 1996]. If a water supplier does not serve 15 service connections (as defined in subparagraphs (A) and (B)) or 25 people at any time after the conclusion of the 2-year period, the water supplier shall not be considered a public water system.

- (5) The term "supplier of water" means any person who owns or operates a public water system.
- (6) The term "contaminant" means any physical, chemical, biological, or radiological substance or matter in water.
- (7) The term "Administrator" means the Administrator of the Environmental Protection Agency.
- (8) The term "Agency" means the Environmental Protection Agency.
- (9) The term "Council" means the National Drinking Water Advisory Council established under section 1446 [[42 USCS § 300j-5](#)].
- (10) The term "municipality" means a city, town, or other public body created by or pursuant to State law, or an Indian Tribe.
- (11) The term "Federal agency" means any department, agency, or instrumentality of the United States.
- (12) The term "person" means an individual, corporation, company, association, partnership, State, municipality, or Federal agency (and includes officers, employees, and agents of any corporation, company, association, State, municipality, or Federal agency).
- (13) (A) Except as provided in subparagraph (B), the term "State" includes, in addition to the several States, only the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.
- (B) For purposes of section 1452 [[42 USCS § 300j-12](#)], the term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

- (14) The term "Indian Tribe" means any Indian tribe having a Federally recognized governing body carrying out substantial governmental duties and powers over any area. For purposes of sections 1452, 1459A, and 1459B [[42 USCS §§ 300j-12](#), 300j-19a, 300j-19b], the term includes any Native village (as defined in section 3(c) of the Alaska Native Claims Settlement Act ([43 U.S.C. 1602\(c\)](#))).
- (15) Community water system. The term "community water system" means a public water system that--
- (A) serves at least 15 service connections used by year-round residents of the area served by the system; or
  - (B) regularly serves at least 25 year-round residents.
- (16) Noncommunity water system. The term "noncommunity water system" means a public water system that is not a community water system.

## History

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(July 1, 1944, ch 373, Title XIV, Part A, § 1401, as added Dec. 16, 1974, [P.L. 93-523](#), § 2(a), [88 Stat. 1660](#); June 23, 1976, [P.L. 94-317](#), Title III, § 301(b), [90 Stat. 707](#); Oct. 12, 1976, [P.L. 94-484](#), Title IX, § 905(b)(1), [90 Stat. 2325](#); Nov. 16, 1977, [P.L. 95-190](#), § 8(b), [91 Stat. 1397](#); June 19, 1986, [P.L. 99-339](#), Title III, § 302(b), [100 Stat. 666](#); Aug. 6, 1996, [P.L. 104-182](#), Title I, § 101(a), (b)(1), [110 Stat. 1615](#).)

(As amended Dec. 16, 2016, [P.L. 114-322](#), Title II, Subtitle A, § 2111, [130 Stat. 1729](#).)

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