

- (5) Materials and products which come into contact with drinking water supplied by public water systems or which come into contact with drinking water treatment chemicals used by public water systems shall meet the requirements of **NSF Standard 61 Drinking Water System Components - Health Effects (Revised October 1988)** or equivalent. These materials and products include but are not limited to process media, protective materials, joining and sealing materials, pipes and related products, and mechanical devices used in treatment, transmission, and distribution systems.
- (6) Products added to public water systems for treatment, purposes including but not limited to disinfection, oxidation, filtration, scale control, corrosion control, pH adjustment, softening, precipitation, sequestering, fluoridation, coagulation, flocculation, and water well treatment shall meet the requirements of **NSF Standard 60 - Drinking Water Treatment Chemicals - Health Effects (Revised October 1988)** or equivalent.
- (7) Point-of-use reverse osmosis drinking water treatment systems and materials and components used in these systems designed to be used for the reduction of specific contaminants from public water supplies shall meet the requirements of **NSF Standard 58 - Reverse Osmosis Drinking Water Treatment Systems** - or equivalent.
- (8) Point-of-use and point-of-entry drinking water treatment units, other than reverse osmosis units, designed to be used for the reduction of specific contaminants from public water supplies shall meet the requirements of **NSF Standards 53 - Drinking Water Treatment Units -Health Effects** - or equivalent.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.115, 448.131

333-061-0090

Penalties

- (1) Violation of these rules shall be punishable as set forth in ORS 448.990 which stipulates that violation of any section of these rules is a Class A misdemeanor.
- (2) Pursuant to ORS 448.280, 448.285 and 448.290, any person who violates these rules shall be subject to a civil penalty. Each and every violation is a separate and distinct offense, and each day's violation is a separate and distinct violation.
- (3) The civil penalty for the following violations shall not exceed \$1,000 per day for each violation:
 - (a) Failure to obtain approval of plans prior to the construction of water system facilities;
 - (b) Failure to construct water system facilities in compliance with approved plans;
 - (c) Failure to take immediate action to correct maximum contaminant level violations;
 - (d) Failure to comply with sampling and analytical requirements;
 - (e) Failure to comply with reporting and public notification requirements;

- (f) Failure to meet the conditions of a compliance schedule developed under a variance or permit;
 - (g) Failure to comply with cross connection control requirements;
 - (h) Failure to comply with the operation and maintenance requirements;
 - (i) Failure to comply with an order issued by the Authority; and
 - (j) Failure to utilize an operator in direct responsible charge of a water system.
- (4) Civil penalties shall be based on the population served by public water systems and shall be in accordance with Table 51 below:

Table 51

Population Served	Civil Penalty
10 to 100	\$ 50/day
101 to 300	\$ 100/day
301 to 1,500	\$ 250/day
1,501 to 10,000	\$ 500/day
Over 10,000	\$ 1,000/day

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 431.120, 431.150, 448.150, 448.280, 448.285, 448.290, & 448.990

333-061-0095

Severability

These rules are severable, if any rule or part thereof or the application of such rule to any person or circumstance is declared invalid, that invalidity shall not affect the validity of any remaining portion of these rules.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.131

333-061-0097

Adverse Health Effects Language

When providing the information on potential adverse health effects required by these rules in notices of violations of maximum contaminant levels, maximum residual disinfectant levels, treatment technique requirements, or notices of the granting or the continued existence of variances or permits, or notices of failure to comply with a variance or permit schedule, the owner or operator of a public water system shall include the language specified below for each contaminant.

(1) Adverse Health Effects for Organic Chemicals:

(a) Volatile Organic Chemicals (VOCs):

- (A) **Benzene.** Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.
- (B) **Carbon tetrachloride.** Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could