

§ 130A-313. Definitions.

The following definitions shall apply throughout this Article:

- (1) "Administrator" means the Administrator of the United States Environmental Protection Agency.
- (2) "Certified laboratory" means a facility for performing bacteriological, chemical or other analyses on water which has received interim or final certification by either the Environmental Protection Agency or the Department.
- (3) "Contaminant" means any physical, chemical, biological or radiological substance or matter in water.
- (3a) "Department" means the Department of Environmental Quality.
- (4) "Drinking water rules" means rules adopted pursuant to this Article.
- (5) "Federal act" means the Safe Drinking Water Act of 1974, P.L. 93-523, as amended.
- (6) "Federal agency" means any department, agency or instrumentality of the United States.
- (7) "Maximum contaminant level" means the maximum permissible level of a contaminant in water which is delivered to any user of a public water system.
- (8) "National primary drinking water regulations" means primary drinking water regulations promulgated by the Administrator pursuant to the federal act.
- (9) "Person" means an individual, corporation, company, association, partnership, unit of local government, State agency, federal agency or other legal entity.
- (10) "Public water system" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances if the system serves 15 or more service connections or which regularly serves 25 or more individuals. The term includes:
 - a. Any collection, treatment, storage or distribution facility under control of the operator of the system and used primarily in connection with the system; and
 - b. Any collection or pretreatment storage facility not under the control of the operator of the system that is used primarily in connection with the system.

A public water system is either a "community water system" or a "noncommunity water system" as follows:

- a. "Community water system" means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.
- b. "Noncommunity water system" means a public water system that is not a community water system.

A connection to a system that delivers water by a constructed conveyance other than a pipe is not a connection within the meaning of this subdivision under any one of the following circumstances:

- a. The water is used exclusively for purposes other than residential uses. As used in this subdivision, "residential uses" mean drinking, bathing, cooking, or other similar uses.
- b. The Department determines that alternative water to achieve the equivalent level of public health protection pursuant to applicable drinking water rules is provided for residential uses.

- c. The Department determines that the water provided for residential uses 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 drinking water rules.
- (10a) "Secretary" means the Secretary of Environmental Quality.
- (11) "Supplier of water" means a person who owns, operates or controls a public water system.
- (12) "Treatment technique requirement" means a requirement of the drinking water rules which specifies a specific treatment technique for a contaminant which leads to reduction in the level of the contaminant sufficient to comply with the drinking water rules. (1979, c. 788, s. 1; 1983, c. 891, s. 2; 1987, c. 704, s. 2; 1993 (Reg. Sess., 1994), c. 776, s. 14; 1997-30, s. 1; 1997-443, s. 11A.81A; 2012-200, s. 10; 2015-241, ss. 14.30(u), (v).)