

APPENDIX E

Tier 3

Public Notice Templates and Instructions

The templates in this Appendix are designed to help operators create public notices for a variety of violations. However, it is important to note that the templates included here are not inclusive and may not be appropriate for all violations and situations. Depending on the severity of your violation or situation, it may be necessary to modify the instructions you give to consumers or to change the timing of the notice.

- *Monitoring Violations Annual Notice A (Page 2)*
- *Monitoring Violations Annual Notice B (Bromate Example) (Page 4)*
- *Failure to Comply with a Testing Procedure (Page 6)*
- *Special Notice of Availability of Unregulated Contaminants (Page 8)*
- *Fluoride Secondary MCL (Page 10)*
- *Failure to Develop a Profile or Calculate a Benchmarking Notice (Page 12)*

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Appendix E

Tier 3 Public Notice Template

Monitoring Violations Annual Notice

Instructions for Monitoring Violations Annual Notice

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation. Multiple monitoring violations can be serious.

Community systems must use one of the following methods:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

In addition, public water supplies must use *another* method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the next page is appropriate for insertion in an annual notice or the CCR, as long as public notification timing and delivery requirements are met. You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

You may need to modify the notice if you had any monitoring violations for which analyses later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Include in your notice the standard language for monitoring and testing procedure violations in *italics*. If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The result(s) showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The result(s) for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

After Issuing the Notice

Make sure to send the Illinois EPA a copy of each type of notice and a certification that you have met all the public notice requirements within 10 days after issuing the notice.

Monitoring Violations Annual Notice Template A

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for [System]

Our water system violated several drinking water standards over the past year. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the last year, how often we are supposed to sample for [this contaminant/these contaminants], how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples were or will be taken
VOCs ¹ (example)	1 sample every three years	0	1996-1998	February 1999

What happened? What is being done?

[Describe corrective action.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. Water System ID# _____ Date distributed _____

¹VOCs, also known as volatile organic compounds, are tested by collecting one sample and testing that sample for all the VOCs. VOCs are commonly used in industrial and manufacturing processes. VOCs include benzene, carbon tetrachloride, chlorobenzene, o-dichlorobenzene, p-dichlorobenzene, 1,2-dichloroethane, cis-dichloroethylene, trans-dichloroethylene, dichloromethane, 1,2-dichloropropane, ethylbenzene, styrene, tetrachlorethylene, 1,1,1-trichloroethane, trichloroethylene, toluene, 1,2,4-trichlorobenzene, 1,1-dichloroethylene, 1,1,2-trichloroethane, vinyl chloride, and xylene.

Instructions for Monitoring Violations Annual Notice B

Template on Reverse

The template on reverse is another example of a monitoring violation. The example in this template is for Bromate under the Stage 2 DBPR. All instructions of previous template apply.

Monitoring Violations Annual Notice B

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for [System]

On [give date] we became aware that our system recently failed to collect the correct number of drinking water samples. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we [‘did no monitor or test’ or ‘did not complete all monitoring or testing’] for bromate and therefore cannot be sure of the quality of our drinking water during that time. We were allowed to take 1 sample per quarter rather than 1 sample per month. In [give date], we no longer qualified for reduced quarterly bromate monitoring. Beginning in [give date], we failed to begin monitoring monthly for bromate.

What should I do?

There is nothing you need to do. You do not need to boil your water or take other corrective actions. You may continue to drink the water. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours. We will announce any emergencies on [give TV and/or radio stations where they can get additional information]. We will also post this information on our web site at www.ourwatersystem.com.

What is being done?

[Describe corrective action.] We began monitoring monthly for bromate on [give date] and will continue monitoring on this schedule until (unless) we qualify for reduced monitoring.

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____.

Date Distributed: _____.

Instructions for Failure to Comply with a Testing Procedure Notice

Template on Reverse

Failure to comply with a testing procedure requires Tier 3 notification. You must provide public notice to persons served within one year after you learn of the violation. Multiple testing violations can be serious, and your primary agency may have more stringent requirements. Check with your primary agency to make sure you meet its requirements.

Community systems must use one of the following :

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following:

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least seven days. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR), as long as public notification timing and delivery requirements are met.

This example is for a holding time violation. It will need to be modified for other types of testing violations. However, you must include in your notice the standard language for monitoring and testing procedure violations. If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below is a step commonly taken by water systems with a holding time violation. You can use the following language, if appropriate, or develop your own that is specific to your testing violation:

- On (date) we collected (will collect) a new sample of our finished water in order to have it analyzed for (contaminant). We sent (will sent) the sample to the certified laboratory via courier to ensure that the sample arrived within the allowed holding time.

After Issuing the Notice

Make sure to send your primary agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice .

Failure to Comply with a Testing Procedure Notice

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Failure to Comply With a Testing Procedure

Our water system [name of system] recently failed to comply with a required testing procedure. Even though this was not an emergency, as our customers, you have a right to know what happened and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we did not complete all monitoring or testing for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time. Any sample we collect must be sent and analyzed by a certified laboratory within a specified amount of time. We collected the sample on [give date], but did not get our sample to the laboratory within the allowed holding time.

What should I do?

There is nothing you need to do. You do not need to boil your water or take other corrective actions. You may continue to drink the water. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours. We will announce any emergencies on [give TV and/or radio stations where they can get additional information]. We will also post this information on our web site at www.ourwatersystem.com.

What is being done?

On (date) we collected (will collect) a new sample of our finished water in order to have it analyzed for (contaminant). We sent (will send) the sample to the certified lab via courier to ensure that the sample arrived within the allowed holding time. (The sample was analyzed and (contaminant) was not found at detectable levels.)

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#:_____.

Date Distributed:_____.

Instructions for Special Notice for Availability of Unregulated Contaminant Monitoring Data

Template on Reverse

If you are required to monitor under 141.40 for unregulated contaminants, you must provide Tier 3 notification to persons served within one year after you receive the monitoring results. Check with your primary agency to make sure you meet its requirements.

Community systems must use one of the following:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following :

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method . Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR), as long as public notification timing and delivery requirements are met.

After Issuing the Notice

Make sure to send your primary agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice.

Special Notice for Availability of Unregulated Contaminant Monitoring Data

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Availability of Monitoring Data for Unregulated Contaminants for [System]

Our water system has sampled for a series of unregulated contaminants. Unregulated contaminants are those that don't yet have drinking water standards set by USEPA. The purpose of monitoring for these contaminants is to help EPA decide whether the contaminants should have a standard. As our customers, you have a right to know that this data is available. If you are interested in examining the results, please contact [name of contact] at [phone number] or [mailing address].

This notice is being sent to you by [system]. State Water System ID#: _____.

Date Distributed: _____.

Fluoride Secondary MCL Notice

Instructions for Fluoride Secondary MCL Notice

For any exceedance of the fluoride secondary maximum contaminant level (SMCL), you must provide public notice to persons served as soon as practical but within 12 months after you learn of the exceedance, using the provided mandatory language and filling in the blanks. Because fluoride at levels above the SMCL can permanently discolor children's teeth, you are urged to issue this notice as soon as practical. Non-community systems that monitor for fluoride (federal law does not require non-community systems to monitor) are encouraged to notify their consumers if they exceed the SMCL, especially at water systems serving children. If you exceed the MCL of 4 mg/l this is a Tier 2 violation and you must provide notice within 30 days of learning of the violation.

Community systems must use one of the following methods:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

In addition, you must use *another* method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the exceedance is resolved. If the exceedance has been resolved, you must post the notice for at least one week. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the next page is appropriate for insertion in an annual notice or the CCR, as long as public notification timing and delivery requirements are met, as well as for a separate individual notice. The language on the template is mandatory and may not be modified, although you may add to the notice, as suggested below.

Explaining the Situation

Use the following language, if applicable:

- Fluoride occurs naturally in some areas and is found in high concentrations in the aquifer in our source water.

If the fluoride levels in the water have returned to below the SMCL, be sure to make this clear in your notice.

Corrective Actions

In your notice, you should describe corrective actions you took or are taking, if any.

After Issuing the Notice

Make sure to send the Illinois EPA a copy of each type of notice and a certification that you have met all the public notice requirements within 10 days after issuing the notice.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER
Elevated Fluoride Levels Detected

This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/L) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/L.

Dental fluorosis in its moderate or severe forms may result in a brown staining and or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use of fluoride-containing products for young children. Older children and adults may safely drink the water.

Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/L of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/L because of this cosmetic dental problem.

For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. Water System ID# _____ Date distributed _____

Instructions for Failure to Develop a Profile or Calculate a Benchmark Notice

Template on Reverse

Failure to develop a disinfection profile for *Giardia lamblia* and viruses (a profile for viruses may be applicable under LT1ESWTR and is required under LT2ESWTR) or calculate a benchmark prior to making a significant change to your disinfection practice requires Tier 3 notification. You must provide public notice to persons served within one year after you learn of the violation. Failure to develop a profile or calculate a benchmark can be serious and your state may have more stringent requirements. Check with your state to make sure you meet all requirements.

Community systems must use one of the following:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following:

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least seven days. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR), as long as public notification timing and delivery requirements are met.

Include in your notice the standard language for monitoring and testing procedure violations in *italics* with blanks filled in. If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below is a step commonly taken by water systems with a profiling and benchmarking violation. You can use the following language, if appropriate, or develop your own that is specific to your violation:

- We are in the process of developing our disinfection profile and will calculate a benchmark as soon as the profile is complete.

After Issuing the Notice

Make sure to send your primary agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice.

Failure to Develop a Profile or Calculate a Benchmark Notice

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring requirements not met for [system]

We violated a drinking water requirement. Even though this is not an emergency, as our customers, you have the right to know what happened and what we are doing to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we did not complete all monitoring or testing for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time

We did not develop a year-long profile of our disinfection system to determine our inactivation levels for certain pathogenic organisms. Since we made (are making) a change to our disinfection practice, we are (were) also required to calculate a benchmark to determine our lowest monthly inactivation level over the year. We did not calculate a benchmark.

What should I do?

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. You may continue to drink the water and use it for cooking and bathing. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours. We will announce any emergencies on [give TV and/or radio stations where they can get additional information].

What is being done?

[Describe corrective action.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#:_____.

Date Distributed:_____.