

Tier 2 Public Notification Instructions and Templates

The pages that follow contain instructions and templates for issuing Tier 2 public notification. Along with each template are specific instructions, including the required method of delivery and suggestions for completing individual sections of the notice. The following templates are provided:

- Revised Total Coliform Rule (RTCR) Failure of a Seasonal System to Complete Start-Up Procedures - Template 2-16
- Revised Total Coliform Rule (RTCR) Failure to Perform any Level 1 Assessment or a Level 2 Assessment that is Not Triggered by *E. coli* MCL violations or the Related Corrective Actions - Template 2-21 (use after March 31, 2016)
- Revised Total Coliform Rule (RTCR) Failure to Perform a Level 2 Assessment Triggered by an *E. coli* MCL violation or the Related Corrective Actions - Template 2-22 (use after March 31, 2016)

Each template also includes the mandatory health effects language from Appendix B to 40 CFR 141 Subpart Q (presented in italics in each notice, with an asterisk on each end). This information must be included as written, without the asterisks, with additional violation or situation specific information added in the brackets.

You must also include the following italicized language in all notices, where applicable [40 CFR 141.205(d)]. This language is included in each template. Use of this language does not relieve you of your obligation to take steps reasonably calculated to notify all persons served:

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.

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Instructions for Revised Total Coliform Rule (RTCR) Failure of a Seasonal System to Complete Start-Up Procedures – Template 2-16

Template Follows Instruction Pages

Description of Violation or Situation

Beginning April 1, 2016, a seasonal non-community water system (NCWS) that fails to follow state-approved start-up procedures prior to serving water to the public after the system had been out of service has incurred a treatment technique (TT) violation. This violation requires Tier 2 public notification. Start-up procedures are approved by the state and may include, but are not limited to, activities such as:

- Inspecting all water system components, including source(s), treatment components, distribution lines, and storage tanks and addressing any issues.
- Activating the source and thoroughly flushing water through all pipes in the water system.
- Draining and re-filling storage tanks.
- Chlorinating the water in the system and leaving the chlorinated water in the system for at least 24 hours before flushing the water to waste.
- Collecting water samples at key locations within the system and ensuring the water system is not contaminated by bacteria.

You must provide public notice to persons served as soon as practical but no later than 30 days after you learn of the violation [40 CFR 141.203(b)]. Your state may have more stringent requirements for treatment technique violations (e.g., it may require you to provide water from an alternate source). Check with your state to make sure you meet all its requirements.

NCWSs must use one of the following methods to deliver the notice to consumers [40 CFR 141.203(c)]:

- Posting in conspicuous locations
- Hand delivery
- Mail
- Another method approved in writing by the state

In addition, NCWSs must use another method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)]. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, EPA recommends printing your notice on your system's letterhead, if available.

The notice on the reverse is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required public notice elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below). All posted notices must remain in place for as long as the violation or situation persists but in no case for less than seven days, even if the violation or situation is resolved.

Mandatory Language

Mandatory language on health effects (from 40 CFR 141.205(d)(2)) must be included as written if the required start-up procedure includes collecting coliform bacteria samples. The mandatory language is provided below and is presented in this notice in italics with an asterisk on each end. You will need to update the information presented in brackets with the appropriate information. If monitoring is not required as part of the start-up procedures the italicized mandatory language should be omitted and language must be used to appropriately describe the violation.

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 your 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 your drinking water during that time.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable [40 CFR 141.205(d)]. This language is also presented in this notice in italics with an asterisk on each end.

Corrective Action

In your notice, you must describe corrective actions you are taking [40 CFR 141.205(a)(7)] and when you expect to return to compliance or resolve the situation [40 CFR 141.205(a)(8)]. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with TT violations relating to incomplete start-up procedures. Depending on the corrective action you are taking, you can use the following statement, if appropriate, or develop your own text:

- We have completed the required start-up procedures and provided the appropriate certification to the state. The procedures included [describe what you did, for example, flushed the system, disinfected the system, collected total coliform bacteria samples, etc.].
- We have collected [number] coliform bacteria samples as required and [number] sample results were negative for total coliform bacteria.

Repeat Notices

For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out any previous notices.

After Issuing the Notice

Make sure to send a copy of each type of notice and a certification that you have met all the public notification requirements to your state within 10 days after the original or any repeat notice(s) [40 CFR 141.31(d)].

Revised Total Coliform Rule (RTCR) Failure of a Seasonal System to Complete Start-Up Procedures – Template 2-16

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[Water System Name] Failed to Complete Seasonal Start-Up Procedures

Before we open each year and serve water to the public we are required to complete certain start-up procedures to make sure the water we provide is safe to drink. This year we failed to [describe what you failed to do, for example, disinfect the water system or collect the required number of coliform bacteria samples] before providing water. As our customers, you have a right to know what happened and what we are doing to correct this situation.

Inadequately treated or inadequately protected water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches.

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 your 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 your drinking water during that time.

What should I do?

- If you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, are pregnant, or are elderly, you may be at increased risk and should seek advice from your healthcare provider about drinking this water. You should also seek advice from your healthcare provider about using the water if you have an infant. General guidelines on ways to lessen the risk of infection by bacteria and other disease-causing organisms are available from EPA’s Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

This is not an emergency, as we have completed the start-up procedures. If it had been, you would have been notified within 24 hours.

Failure to perform the required start-up procedures prior to serving water to the public has the potential to distribute contaminated water. When our system shuts down operation, the lack of pressure in our pipes can allow the entry of bacteria and other disease-causing microorganisms into the drinking water. By performing start-up procedures such as flushing the pipes, disinfecting the water, and collecting a coliform bacteria sample before we open, we can be sure that we are providing you with safe water.

What is being done?

[Describe corrective action including when you returned to compliance or resolved the situation].

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 [water system name]. State Water System ID#: _____.

Date distributed: _____.



PWS_

CO

_PN

Texas Commission on Environmental Quality

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS: TIER II Public Notice to be posted within **30 days** of initial violation notification

Public Water System (PWS) name: _____

PWS ID: _____ Month / Year of violation(s): _____

Type of Revised Total Coliform Rule, Ground Water Rule, or Surface Water Treatment Rule violation(s) or situation(s):

- Non-Acute Maximum Contaminant Level violation (MCL)
- Non-compliance with Corrective Action Plan or Schedule for a fecal indicator-positive raw groundwater source sample or Significant Deficiency
- Treatment technique violation (Revised Total Coliform Rule, Ground Water Rule, or Surface Water Treatment Rule)

30 TAC 290.122(b) requires that your PWS make an adequate, good-faith effort to reach all consumers served by the system by appropriate methods (check all below that apply):

COMMUNITY WATER SYSTEM:

Mail or directly distribute PN to each customer receiving a bill and to other service connections to which water is delivered by the public water system

and at least one of the following methods if direct delivery may not reach all persons regularly served by the system:

- Publish PN in local newspaper
- Continuous posting in conspicuous places
- Deliver multiple PNs to single-bill addresses serving several persons (e.g., apartment building owners or large private employers)
- Deliver PN to community organizations
- Post PN on the Internet at: *www*. _____

NONCOMMUNITY WATER SYSTEM:

Post PN in conspicuous places within the water system, **or**
 Mail or directly deliver PN to each customer and service connection

and at least one of the following methods if direct delivery or public posting may not reach all persons regularly served by the system:

- Publish PN in local newspaper or newsletter
- Send e-mail to notify students or employees
- Deliver PN to central locations (e.g., community centers)

REQUIRED SIGNATURE ON REVERSE SIDE

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.”

Certified by: (print name): _____ Title: _____

Date of Delivery to Customers: _____ Phone: _____

Signature: _____ Date: _____

Fax to (512) 239-3666 or mail a copy of this completed form, AND copies of the Public Notices given to your customers to: TCEQ – Drinking Water Special Functions Section MC – 155, Attn: Public Notice. P. O. Box 13087 Austin, TX 78711-3087

BOTH SIDES OF THIS FORM, PLUS THE COMPLETED MANDATORY LANGUAGE, MUST BE DELIVERED TO THE TCEQ FOR PUBLIC NOTICE COMPLIANCE.