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New Hampshire Code of Administrative Rules
Env-Ws 351-359

PART Env-Ws 351 GENERAL VIOLATION NOTIFICATION

Env-Ws 351.01 Summary of Public Notice Requirements.

(a) The owner of a public water system who fails to comply with an applicable standard maximum contaminant level (MCL), maximum residual disinfectant level (MRDL), treatment technique, or monitoring requirement established by RSA 485, Env-Ws 301 through Env-Ws 349, or Env-Ws 380 through Env-Ws 382 shall notify persons served by the system as set forth in Table 351-1 below:

Table 351-1
Timing of Public Notice of Violations

Type of Violation	TIME FRAME TO GIVE NOTICE TO CUSTOMERS Electronic or Written within 24 hours of learning of the violation	Written within 24 hours of learning of the violation	Written within 30 days of learning of the violation
Notice of Acute Violation	X	X	
Notice of Standard Violation			X
Monitoring Violation			X

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.02 Elements of a Public Notice.

(a) Except as provided in (b), (c) and (d) below, a public notice shall:

(1) Describe the violation or the situation, which shall include the contaminant(s) of concern and the contaminant level;

(2) Identify when the violation or situation occurred;

(3) Describe any potential adverse health effects from drinking water using the applicable health effects language for that contaminant as specified in Env-Ws 354 through Env-Ws 358;

(4) Identify the population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in the drinking water;

(5) Advise whether alternative water supplies should be used;

(6) Identify what action a consumer should take, including when one should seek medical help, if known;

(7) Describe actions the owner of the public water system is conducting to correct the violation or situation;

(8) Identify when the public water system is expected to return to compliance or resolve the situation;

(9) Identify the name, business address, and telephone number of the owner of the public water system or designee as a source of additional information concerning the notice;

(10) Include the following statement, if the public notice is mailed or delivered door-to-door to customers:

"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 by mail."; and

(11) Include the following statement, if the public notice is issued for a monitoring violation as set forth in Env-Ws 321 through Env-Ws 330:

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

(b) The owner of a public water system who exceeds the secondary MCL for fluoride as defined in Env-Ws 319 shall issue public notice as specified in Env-Ws 359.

(c) The owner of a public water system who is subject to a variance or exemption granted under RSA 485:42 shall issue public notice as specified in Env-Ws 351.07.

(d) The owner of a public water system subject to the requirements of the unregulated contaminant monitoring rule identified in 40 CFR 141.35 shall issue public notice as specified in Env-Ws 358.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.03 Acute Violation Public Notice.

(a) The owner of a public water system shall notify persons served by the system as specified in (f) below, of any of the following acute violations:

(1) Any violation specified by the department as posing an acute risk to human health as identified in Env-Ws 300;

(2) Any violation of the MCL for total coliforms, when fecal coliforms or E. coli are present in the water distribution system, as specified in Env-Ws 315.01 and determined according to Env-Ws 325.01 through Env-Ws 325.19;

(3) The failure to test for fecal coliform or E. coli when any sample tests positive for total coliform as specified in Env-Ws 325;

(4) A violation of the MCL for nitrate, nitrite, or total nitrate and nitrite as defined in Env-Ws 316.01 and determined according to Env-Ws 326.30 and Env-Ws 326.39;

(5) The failure to collect a confirmation sample of nitrate, nitrite, or total nitrate and nitrite within 24 hours of the water system's receipt of the first sample results showing an exceedance of the nitrate or nitrite MCL;

(6) An occurrence of a waterborne disease outbreak, as defined in Env-Ws 380.02(v);

(7) A violation of the turbidity MCL specified in Env-Ws 315 if the system owner fails to consult with the department within 24 hours of learning of the violation pursuant to (b) below;

(8) A violation of a treatment technique requirement specified in Env-Ws 380 resulting from a single exceedance of the maximum allowable turbidity limit of 5 nephelometric turbidity units (NTU) as specified in Env-Ws 315 if the system owner fails to consult with the department within 24 hours of learning of the violation pursuant to (b), below;

(9) A violation of the chlorine dioxide MRDL as specified in Env-Ws 317.70 and Env-Ws 317.80, where:

a. The required samples were not collected in the distribution system; or

b. One or more samples collected in the distribution system the day following an exceedance of the MRDL at the entrance of the distribution system exceed the MRDL; and

(10) An occurrence of a waterborne emergency, including, but not limited to:

a. A failure or significant interruption in key water treatment processes;

b. A natural disaster that disrupts the water supply or distribution system; or

c. A chemical spill into the source water that significantly increases the potential for drinking water contamination.

(b) For the violations listed in (a)(7) and (a)(8) above, the system owner shall consult with the department within 24 hours of learning of the violation. For purposes of this section, "consult with the department" means direct communication between the water system owner and the department to determine the potential health risk of the violation(s).

(c) The department, after consultation with the owner, shall determine the appropriate method of public notice based on:

(1) The length of the violation;

(2) The severity of the violation; and

(3) The potential health risk of the violation.

(d) The appropriate method of public notice shall:

(1) Be issued by the system owner as specified in (f) below; or

(2) Be issued by the system owner within 30 days as specified in Env-Ws 351.04 and Env-Ws 351.05.

(e) For all other acute violations listed in (a) above, the owner of a public water system shall initiate consultation with the department within 24 hours of learning of the violation or situation to determine what, if any, additional public notice shall be performed. For purposes of this section, "initiate consultation" means an effort by the water system owner to communicate with the department, whether or not the water system owner was successful in speaking with the department.

(f) The owner of a public water system shall notify persons served by the water system of any of the acute violations listed in (a) above within 24 hours of learning of the violation or situation by providing one or more of the following:

(1) Electronic notice to each customer receiving a bill and to each service connection to which water is delivered by furnishing a copy of the public notice for broadcast to radio and television stations that serve the area served by the public water system; or

(2) Written notice to system customers using one or more of the following methods:

a. If the area is served by a daily newspaper of general circulation, by publication in 3 consecutive issues of a daily newspaper;

b. By mail delivery or by door-to-door hand delivery for each customer or consumer served by the water system;

c. If the area served by the system is not served by a daily newspaper of general circulation, notice shall be given by mail delivery or by door-to-door hand delivery for each customer or consumer served by the water system; or

d. By posting the public notice in such a manner that is calculated to reach the greatest percentage of the affected population.

(g) An owner of a water system using the method in (2)d., above shall post the public notice for as long as the violation exists, but in no case no fewer than 7 days.

(h) Within 10 days of providing notice to each consumer, each owner of a public water system shall submit to the department the certification specified in Env-Ws 351.13.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.04 Standard Violation Public Notice for Community Water Systems.

(a) The owner of a community water system who fails to comply with an applicable standard MCL, MRDL, treatment technique, or monitoring requirement established by RSA 485, Env-Ws 300 through Env-Ws 349, or Env-Ws 380 through Env-Ws 382, shall notify persons served by the system within 30 days of learning of the violation or situation by mailing or delivering the public notice door-to-door to each consumer receiving a bill and to other service connections to which water is delivered.

(b) If the owner of a community water system determines that its customers were not reached using the delivery method in (a) above, the water system shall issue notice to its customers using one of the methods specified in Env-Ws 351.03 (f)(1) and (f)(2).

(c) Within 10 days of providing notice to its customers, each owner of a public water system shall submit to the department the certification specified in Env-Ws 351.13.

(d) If the water system owner elects to provide public notice by door-to-door delivery, notice by door-to-door delivery shall be repeated at least every 3 months for as long as the violation exists.

(e) If a water system owner is unable to provide public notice within 30 days as specified in this section, the water system owner may submit in writing to the department a request for an extension.

(f) The request shall:

(1) Identify the water system name;

(2) Identify the water system EPA identification number;

(3) Explain why an extension is necessary; and

(4) Identify any hardship that would result if the water system complies with the rules.

(g) The department shall respond to the extension request in writing and shall approve the extension request if it finds that the alternative(s) proposed adequately protect human health and the environment.

(h) An extension granted by the department shall be no longer than 3 months.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.05 Standard Violation Public Notice for Non-Community Water Systems.

(a) The owner of a non-community water system who fails to comply with an applicable standard MCL, MRDL, treatment technique, or monitoring requirement established by RSA 485, Env-Ws 300 through Env-Ws 349, or Env-Ws 380 through Env-Ws 382 shall notify persons served by the system within 30 days of learning of the violation or situation by mailing or by hand delivering the public notice to each customer receiving a bill and other to service connections to which water is delivered.

(b) If the owner of a non-community water system determines that customers cannot be reached using the delivery method in (a) above, the water system shall issue notice to its customers using one of the methods specified in Env-Ws 351.03(f)(2).

(c) Within 10 days of providing notice to its customers, each owner of a non-community water system shall submit to the department the certification specified in Env-Ws 351.13.

(d) If the water system owner elects to provide public notice by posting the notice, posting shall continue for as long as the violation exists but in no case less than 7 days.

(e) If the water system owner elects to provide public notice by door-to-door hand delivery, notice by hand-delivery shall be repeated at least every 3 months for as long as the violation exists.

(f) If a water system owner is unable to provide public notice within 30 days as specified in this section, the water system owner may submit in writing to the department a request for an extension.

(g) The request shall:

(1) Identify the water system name;

(2) Identify the water system EPA identification number;

(3) Explain why an extension is necessary; and

(4) Identify any hardship that would result if the water system complies with the rules.

(h) The department shall respond to the extension request in writing and shall approve the extension request if it finds that the alternative(s) proposed adequately protect human health and the environment.

(i) An extension granted by the department shall be no longer than 3 months.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.06 Limiting Notice of Violation. If a public water system has a distribution system separable from other parts of the distribution system with no interconnections, only that part of the system that exceeds the MCL, as specified in Env-Ws 310 through Env-Ws 319 as appropriate, shall be deemed as out of compliance. The department shall allow the system owner to give public notice to only that portion of the system which is out of compliance.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.07 Notices of Variances and Exemptions.

(a) The owner of a public water system for which a variance or exemption has been granted under RSA 485:42 shall notify persons served by the system as follows:

(1) Except as provided in (d) below, the owner of a public water system shall give notice within 3 months of the granting of a variance or exemption by publication in a daily newspaper of general circulation in the area served by the system; and

(2) If the area served by a public water system is not served by a daily newspaper of general circulation, notice shall instead be given by publication in a weekly newspaper of general circulation serving the area.

(b) Except as provided in (d), following the initial notice given under paragraph (a) of this section, the owner of the public water system shall give notice of the existence of a variance or exemption every 3 months for as long as the variance or exemption remains in effect.

(c) In lieu of the requirements of (a) and (b) above, the owner of a community water system in an area that is not served by a daily or weekly newspaper of general circulation shall give notice, within 3 months of the granting of the variance or exemption, by hand delivery or by continuous posting in conspicuous places within the area served by the system. Posting shall continue for as long as the violation exists or a variance or exemption remains in effect. Notice by hand delivery shall be repeated at least every 3 months for as long as the violation exists or a variance or exemption remains in effect.

(d) In lieu of the requirements of (a) and (b) above, the owner of a non-community water system shall give notice, within 3 months of the violation or the granting of the variance or exemption, by hand delivery or by continuous posting in conspicuous places within the area served by the system. Posting shall continue for as long as the violation exists or the variance or exemption remains in effect. Notice by hand delivery shall be repeated at least every 3 months for as long as the violation exists or a variance or exemption remains in effect.

(e) The public notice shall contain the information specified in Env-Ws 352.14.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.08 Notice to New Billing Units. The owner of a community or non-community water system shall give a copy of the most recent public notice for any outstanding violation of any MCL, MRDL, treatment technique requirement, monitoring violation, or any variance or exemption schedule to all new billing units or new hookups prior to or at the time service begins.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.09 Goals of a Public Notice.

(a) Where these rules do not provide specific language for a condition requiring public notice, the notice shall be prepared in consultation with the department.

(b) Each public notice shall be displayed in a conspicuous manner where it is printed or posted and shall not contain unduly technical language, unduly small print, nor be formatted in a way which nullifies the purpose of the notice.

(c) Where more than 20% of the water system users do not speak English, the public notice shall contain the telephone number and address, in the appropriate language, where a translated notice or further information regarding the notice can be obtained.

(d) When public notice is to be issued to children or to adults of impaired understanding, the notice may be given to the legal guardian of the users.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.10 Action of the Department When Owner Fails to Notify.

(a) The department shall issue public notice on behalf of the owner of the public water system if the department determines that:

(1) The owner of the public water system failed to issue public notice as required by this part;

(2) The failure to issue public notice may pose a risk to human health as identified in Env-Ws 300; or

(3) The owner fails to recognize or acknowledge any other violation of Env-Ws 300 or situation posing a risk to human health.

(b) The owner of the public water system shall comply with the requirements of this part.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.11 Responsibility for Notification to Renters. The owner of rental property shall provide a copy of any notification received from the water system to the renter occupying the property in question.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.12 Responsibility for Notification by Consecutive Systems.

(a) The owner of any public water system who sells or otherwise provides drinking water to a subsequent water system, known as a consecutive system, shall give public notice to the owner of the consecutive system.

(b) The owner of the consecutive system shall provide public notice to the persons it serves in accordance with this part.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 351.13 Certification of Public Notice.

(a) The owner of a public water system shall submit to the department a certification stating that they have fully complied with the public notice requirement as specified by this part.

(b) The certification in (a) above shall consist of:

(1) A representative copy of each type of public notice made available to the public, including any initial and repeat notices; and

(2) A statement signed by the water system owner certifying when, where, how, and by whom public notice was given.

(c) If a water system provides public notice by publication in a newspaper as specified in Env-Ws 351.03(f)(2)a., the water system owner, in addition to (b) above, shall submit to the department the complete newspaper page which shall include the newspaper name and publication date of each of the 3 consecutive issues.

(d) The water system owner shall submit a re-certification to the department for any repeat public notices.

(e) A public water system owner shall retain a copy of the public notice and accompanying certification for at least 3 years after issuance.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

PART Env-Ws 352 RULES PERTAINING TO THE CONSUMER CONFIDENCE REPORT

Env-Ws 352.01 Purpose and Applicability.

(a) The purpose of this part is to establish the minimum requirements for the content of the consumer confidence report.

(b) The purpose of the consumer confidence report is to:

(1) Provide water quality information as specified in this part to customers of community water systems; and

(2) Characterize the risks, if any, from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

(c) This part shall apply only to community water systems.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 352.02 Definitions.

(a) "Action level" (AL) means the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a community water system must follow.

(b) "Consumer confidence report" (CCR) means an annual report supplied by a community water system owner to customers which contains information on the quality of their drinking water.

(c) "Community water system" (CWS) means "community water system"as defined in RSA 485:1-a,I, namely "a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents".

(d) "Customers" means billing units or service connections to which water is delivered by a CWS.

(e) "Department" means the department of environmental services.

(f) "Detected" means the presence of any primary and secondary drinking water contaminant including:

(1) Microbiological;

(2) Radiological;

(3) Inorganics;

(4) Volatile organics; and

(5) Synthetics organics.

(g) "Maximum contaminant level"(MCL) means "maximum contaminant level" as defined in RSA 485:1-a, VII, namely "the maximum permissible level of a contaminant in water which is delivered to the free flowing outlet of the ultimate user of a public water system, except in the case of turbidity where the maximum permissible level is measured at the point of entry to the distribution system. Contaminants added to the water under circumstances controlled by the user, except those resulting from corrosion of piping and plumbing caused by water quality, are excluded from the definition."

(h) "Maximum contaminant level goal" (MCLG) means "maximum contaminant level goal" as defined in RSA 485:1-a, VIII, namely "that level of a contaminant in water at which no known or anticipated adverse health effects on the health of consumers occur and which allows an adequate margin of safety, as determined by federal and state agencies."

(i) "Regulated contaminant" means a contaminant that is subject to an MCL, action level, MRDL, or treatment technique (TT).

(j) "Unregulated contaminant" means a contaminant specified in Env-Ws 318.

Source. #7545, eff 1-1-02

Env-Ws 352.03 Effective Dates.

(a) By July 1, 2002, and annually thereafter, each CWS owner shall provide a copy of the CCR to the department.

(b) By October 1, 2002, and annually thereafter, a CWS owner shall certify to the department that:

(1) The CCR has been distributed to customers; and

(2) The information in the CCR is correct and consistent with the compliance monitoring data previously submitted to the department.

(c) The owner of a new CWS shall file the first CCR by July 1 of the year after its first full calendar year in operation and annually thereafter.

(d) A CWS owner who sells water to another CWS shall provide the buyer with applicable information required in this part to the consecutive system:

(1) No later than April 1 of each year; or

(2) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

Source. #7545, eff 1-1-02

Env-Ws 352.04 Content of the CCR.

(a) The water system shall prepare the CCR.

(b) The CCR shall contain the information specified in this part.

Source. #7545, eff 1-1-02

Env-Ws 352.05 Contact Information.

(a) The CCR shall contain:

(1) The name, telephone number of the owner, primary operator, or designee of the CWS owner; and

(2) Information about opportunities for public participation in decisions which affect the quality of water which includes, but is not limited to, the time and place of regularly scheduled water utility board meetings.

(b) In a community where the population of non-English speaking residents exceeds 20% of the community population, the CCR shall contain:

(1) Information in the appropriate language(s) regarding the importance of the CCR; or

(2) A telephone number and address, in the appropriate language, where a translated notice or further information regarding the notice can be obtained.

(c) A CWS owner may include such additional information in the CCR as the owner deems necessary for public education consistent with, and not detracting from, the CCR.

Source. #7545, eff 1-1-02

Env-Ws 352.06 Source Water.

(a) A CWS owner shall identify the source of the system's water in the CCR.

(b) The source water shall be identified by:

(1) The type of water, such as surface water or ground water;

(2) The commonly used name of the source, if any;

(3) If surface water, the location of the body or bodies of water; and

(4) If groundwater, the street address or other location identifier.

(c) If a CWS owner has received a source water assessment from the department, the CCR shall:

(1) Include a brief summary of the CWS's susceptibility to potential sources of contamination, using language written by the department contained in the source water assessment, or include a brief summary of the CWS's susceptibility to potential sources of contamination written by the owner; and

(2) Notify customers of the availability of the assessment and how to obtain it.

Source. #7545, eff 1-1-02

Env-Ws 352.07 Health Information.

(a) The CCR shall contain the following health statements:

"Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791)."

(b) The CCR shall contain an explanation regarding contaminants which might be expected to be found in drinking water, including bottled water.

(c) A CWS owner shall use its own language to satisfy the requirements of (b) above or shall use the following:

"The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

Inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining or farming.

Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

Radioactive contaminants, which can be naturally- occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. The United States Food and Drug Administration (FDA) regulations establish limits for contaminants in bottled water which must provide the same protection for public health."

Source. #7545, eff 1-1-02

Env-Ws 352.08 Technical Definitions in the CCR.

(a) The CCR shall contain the following definitions:

"Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety."

"Maximum Contaminant Level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology."

(b) If the CCR contains any of the following terms, then each term shall be defined using the following applicable definition:

"Treatment technique: A required process intended to reduce the level of a contaminant in drinking water."

"Action level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow."

"Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants."

"Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants."

Source. #7545, eff 1-1-02

Env-Ws 352.09 Detected Contaminants.

(a) The CCR shall contain data in the manner specified in Env-Ws 352.11 if the CWS owner detects, as defined in Env-Ws 352.02 (f), any:

(1) Regulated contaminant(s);

(2) Unregulated contaminant(s); or

(3) Disinfection by-products or microbial contaminants for which monitoring is required by Env-Ws 327.70 through 327.73, and which are detected in the finished water except for cryptosporidium.

(b) The CCR shall identify the probable source of the contaminant, using the language specified in Env-Ws 352.16, if the CWS owner lacks specific information on the likely source(s) of contamination.

Source. #7545, eff 1-1-02

Env-Ws 352.10 Reporting of Violations.

(a) If drinking water monitoring requirement , public notice requirement, MCL, MRDL, or treatment technique has been violated, the CCR shall, in a table format in the manner specified in Env-Ws 352.11:

(1) Provide a clear, understandable explanation of the violation;

(2) Identify the MCL, MRDL, MCLG and MRDLG, if applicable, in the manner specified in (c) below;

(3) Identify the length of the violation;

(4) Describe the potential health effects of the MCL, MRDL, or treatment technique violation by using the applicable health effects language as specified in Env-Ws 352.17; and

(5) Describe the action(s) taken by the CWS to address the violation.

(b) If a violation of filtration or disinfection processes as specified in Env-Ws 380 is reported, the CCR shall contain the following statement:

"Inadequately treated water may contain disease causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

(c) The MCL, MRDL, MCLG, and MRDLG for a contaminant shall be expressed in identical units as a number equal to or greater than 1.0, as contained in Appendix I.

Source. #7545, eff 1-1-02

Env-Ws 352.11 Data Presentation.

(a) The CCR shall contain the contaminant information specified in Env-Ws 352.09 and Env-Ws 352.10 in a table format.

(b) If a CWS owner chooses to include data not required to be reported in the CCR as specified in this part, a separate table shall be used for such data.

(c) The CCR shall be based on data collected during the previous calendar year that was used to determine compliance with EPA's monitoring and analytical requirements as specified in 40 CFR 141 and 40 CFR 143 and the department's monitoring and analytical requirements as specified in Env-Ws 300, except:

(1) Where a CWS owner monitors for regulated contaminants less frequently than once a year:

a. The CCR shall include the date and results of the most recent sampling period;

b. The CCR shall include a brief statement indicating that the data presented in the CCR is from the most recent sampling period in accordance with department rules; and

c. No data older than 5 years shall be included in the CCR; and

(2) Results of monitoring in compliance with Env-Ws 315 - Env-Ws 319 need only be included for 5 years from the date of the last sample or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first.

(d) If any one or more of the following contaminants is detected, the table shall:

(1) For fecal or E. coli coliform:

a. Identify the total number of positive samples;

b. Provide information on the likely source of the fecal or E. coli coliform which may be available in sanitary survey reports and source water assessments; and

c. Provide the source information language specified in Env-Ws 352.16 for fecal or E. coli coliform, if the CWS owner lacks specific information on the likely source(s) of contamination;

(2) For total coliform:

a. Identify the highest monthly number of positive samples for a CWS collecting fewer than 40 samples per month;

b. Identify the highest monthly percentage of positive samples for a CWS collecting 40 samples per month or greater; and

c. Provide the source information language specified in Env-Ws 352.16, if the CWS owner lacks specific information on the likely source(s) of total coliform;

(3) For lead and copper:

a. Identify the 90th percentile value of the most recent round of sampling;

b. Identify the number of sampling sites exceeding the action level as defined in Env-Ws 381.03; and

c. Identify the source of the lead, copper, or both, using the source information language specified in Env-Ws 352.16;

(4) For turbidity:

a. When a CWS owner reports turbidity to the department pursuant to Env-Ws 380.25, identify:

1. The highest average monthly value; and

2. The highest monthly value including an explanation of the reasons for measuring turbidity;

b. Identify the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in Env-Ws 380.20 for the filtration technology being used; and

c. When a CWS owner is required to monitor in b. above, an explanation of the reasons for measuring turbidity;

(5) For unregulated contaminants, except for cryptosporidium, for which monitoring is required:

a. Identify the average and the range at which the contaminant was detected; and

b. Explain the reasons for monitoring for unregulated contaminants;

(e) If there is no MCL violation for a detected contaminant, the CCR shall:

(1) Describe the treatment technique being used, if any, to treat that particular contaminant;

(2) Identify the action level applicable to that contaminant; and

(3) Include the definitions of treatment technique, action level, or both, as specified in Env-Ws 352.08(b).

(f) For contaminants subject to an MCL, except turbidity and total coliforms, the highest contaminant level used to determine compliance with Env-Ws 315- Env-Ws 319 and the range of detected levels shall be calculated as follows:

(1) When compliance with the MCL is determined annually, or less than annually, the CCR shall identify the highest detected level at any sampling point and the range of detected levels expressed in the same units as the MCL;

(2) When compliance with the MCL is determined by calculating a running annual average of all samples taken at a sampling point, the CCR shall identify the highest average of any of the sampling points and the range of all sampling points expressed in the same units as the MCL; and

(3) When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all sampling points, the CCR shall identify the average and range of detection expressed in the same units as the MCL.

(g) When rounding results to determine compliance with an MCL is allowed by rule, rounding shall be calculated prior to multiplying the results by the factor listed in Appendix I.

(h) If a CWS distributes water from multiple hydraulically-independent distribution systems that are fed by different raw water sources, the CCR shall contain, in table form:

(1) A separate column for each service area; and

(2) The identity of each separate distribution system.

Source. #7545, eff 1-1-02

Env-Ws 352.12 Cryptosporidium and Radon.

(a) When monitoring performed pursuant to Env-Ws 315.60 indicates that cryptosporidium might be present in the source water or the finished water, the CCR shall:

(1) Include a summary of the results of the monitoring; and

(2) Explain the significance of the results.

(b) If radon is present in the finished water, the CCR shall:

(1) Include the results of the monitoring;

(2) Explain the significance of the results; and

(3) Include the following statement: "Presently, the Environmental Protection Agency is determining a standard for radon in drinking water. Radon gas which is inhaled has been linked to lung cancer; however, it is not clear that at what level radon in your drinking water contributes to this health effect."

Source. #7545, eff 1-1-02

Env-Ws 352.13 Monitoring and Reporting of Compliance Data. A CWS owner shall include in the CCR any of the following, if applicable:

(a) If a CWS owner has failed to install adequate filtration or disinfection equipment or processes, or has had a failure of such equipment or processes which constitutes a violation, the following language shall be used as part of the explanation of potential adverse health effects: "Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

(b) If a CWS owner has failed to take one or more actions specified by the lead and copper corrosion control requirements of Env-Ws 381, an explanation of the violation and the applicable health effects information as specified in Env-Ws 352.17(c) for lead, copper, or both.

(c) If a CWS owner uses treatment techniques for acrylamide and epichlorohydrin which violate Env-Ws 317.90, an explanation of the violation and the applicable health effects information for acrylamide, epichlorohydrin , or both as specified in Env-Ws 352.17(e).

(d) If the CWS owner has performed additional monitoring which indicates the presence of other contaminants in the finished water, the water system owner shall contact the bureau of health risk assessment of the Department of Health and Human Services (DHHS) for an assessment of health risk.

(e) Where such risk is excessive, the CWS owner shall provide a brief explanation of those contaminants to include:

(1) The results of the monitoring; and

(2) An explanation of the significance of the results noting the existence of a health advisory or a proposed regulation.

Source. #7545, eff 1-1-02

Env-Ws 352.14 Variance and Exemption. If a CWS owner is operating under the terms of a variance or an exemption issued pursuant to Env-Ws 340 through Env-Ws 349, the CCR shall:

(a) Include the date on which the variance or exemption was issued;

(b) Include the date the variance or exemption is to be renewed;

(c) Explain why the variance or exemption was granted;

(d) Provide a brief status report on the steps the CWS owner has taken to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption;

(e) Include a notice of any opportunity for public input in the review or renewal of the variance or exemption; and

(f) Include the following definition:

"Variances and Exemptions: State or EPA permission not to meet an MCL or treatment technique under certain conditions."

Source. #7545, eff 1-1-02

Env-Ws 352.15 Detections of Arsenic, Nitrate, Lead, and Total Trihalomethanes.

(a) Beginning with the CCR due by July 1, 2002, a CWS owner who detects arsenic above 0.005 mg/L and up to and including 0.010 mg/L shall include in the CCR the following:

(1) The source information language for arsenic as specified in Env-Ws 352.16; and

(2) The following informational statement: "While your drinking water meets EPA's standard for arsenic, it does contain low levels of arsenic. EPA's standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. EPA continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems."

(b) Beginning with the CCR due by July 1, 2002 a CWS owner who detects arsenic above 0.01 mg/L and up to and including 0.05 mg/L shall include the health effects language for arsenic as specified in Env-Ws 352.17(c)(2).

(c) A CWS owner in (a) or (b) above, may draft its own informational statement for the CCR, but only after consultation with the department.

(d) A CWS owner who detects nitrate at levels above 5 mg/L, but below the MCL shall include in the CCR:

(1) The source information language for nitrate as specified in Env-Ws 352.16; and

(2) The following statement: "Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider."

(e) A CWS owner who detects lead above the action level as defined in Env-Ws 381.02 in more than 5%, and up to and including 10% of homes sampled shall include in the CCR:

(1) The source information language for lead as specified in Env-Ws 352.16; and

(2) The following statement:

"Infants and young children are typically more vulnerable to lead in drinking water than the general population. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. If you are concerned about elevated lead levels in your home's water, you may wish to have your water tested and flush your tap for 30 seconds to 2 minutes before using tap water. Additional information is available from the Safe Drinking Water Hotline (800-426-4791)."

(f) A CWS owner who detects total trihalomethanes (TTHMs) above 0.080 mg/l, but below the MCL as defined in Env-Ws 317.70, and monitored and calculated under the provisions of Env-Ws 327.70 shall include in the CCR the health effects language for TTHMs as specified in Env-Ws 352.17(d).

Source. #7545, eff 1-1-02

Env-Ws 352.16 Contaminant Source Information. If a CWS owner reports in the CCR a detection of a contaminant as specified in Env-Ws 352.09, the CCR shall contain the likely source of the detected contaminant to the best of the owner's knowledge, or, if the owner lacks specific information on the likely source of the detected contaminants, the following applicable contaminant source information as specified below in Table 352-1:

Table 352-1
Contaminant Origin

Contaminant	Major sources in drinking water
Total Coliform Bacteria	Naturally present in the environment
Fecal coliform and E. coli	Human and animal fecal waste
Turbidity	Soil Runoff
Beta/photon emitters	Decay of natural and man-made deposits
Alpha emitter	Erosion of natural deposits
Combined radium	Erosion of natural deposits
Uranium	Erosion of natural deposits
Antimony	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder
Arsenic	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
Asbestos	Decay of asbestos cement water mains; erosion of natural deposits

Barium	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Beryllium	Discharge from metal refineries and coal-burning factories; discharge from electrical, aerospace, and defense industries
Cadmium	Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints
Chromium	Discharge from steel and pulp mills; erosion of natural deposits
Copper	Corrosion of household plumbing systems; Erosion of natural deposits; leaching from wood preservatives
Cyanide	Discharge from steel/metal factories; discharge from plastic and fertilizer factories
Fluoride	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Lead	Corrosion of household plumbing systems, erosion of natural deposits
Mercury (inorganic)	Erosion of natural deposits; discharge from refineries and factories; runoff from landfills; runoff from cropland
Nitrate (as Nitrogen)	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Nitrite (as Nitrogen)	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Selenium	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines
Thallium	Leaching from ore-processing sites; discharge from electronics, glass, and drug factories
2,4-D	Runoff from herbicide used on row crops
2,4,5-TP (Silvex)	Residue of banned herbicide
Acrylamid	Added to water during sewage/wastewater treatment
Alachlor	Runoff from herbicide used on row crops
Atrazine	Runoff from herbicide used on row crops
Benzo(a)pyrene (PAH) (nanograms/I)	Leaching from linings of water storage tanks and distribution lines
Carborfuran	Leaching of soil fumigant used on rice and alfalfa
Chlordane	Residue of banned termiticide
Dalapon	Runoff from herbicide used on rights of way

Di(2-ethylhexyl) adipate	Discharge from chemical factories
Di(2-ethylhexyl) phthalate	Discharge from rubber and chemical factories
Dibromochloropropane	Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards
Dinoseb	Runoff from herbicide used on soybeans and vegetables
Diquat	Runoff from herbicide use
Dioxin [2,3,7,8-TCDD]	Emissions from waste incineration and other combustion; Discharge from chemical factories
Endothall	Runoff from herbicide use
Endrin	Residue of banned insecticide
Epichlorohydrin	Discharge from industrial chemical factories; an impurity of some water treatment chemicals
Ethylene dibromide	Discharge from petroleum refineries
Glyphosate	Runoff from herbicide use
Heptachlor	Residue of banned pesticide
Heptachlor epoxide	Breakdown of heptachlor
Hexachlorobenzene	Discharge from metal refineries and agricultural chemical factories
Hexachlorocyclopentadie-ne	Discharge from chemical factories
Lindane	Runoff/leaching from insecticide used on cattle, lumber, gardens
Methoxychlor	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock
Oxamyl [Vydate]	Runoff/leaching from insecticide used on apples, potatoes and tomatoes
PCBs [Polychlorinated biphenyls]	Runoff from landfills; discharge of water chemicals
Pentachlorophenol	Discharge from wood preserving factories
Picloram	Herbicide runoff
Simazine	Herbicide runoff
Toxaphene	Runoff/leaching from insecticide used on cotton and cattle
Benzene	Discharge from factories; leaching from gas storage tanks and landfills
Chlorobenzene	Discharge from chemical and agricultural chemical factories

o-Dichlorobenzene	Discharge from industrial chemical factories
p-Dichlorobenzene	Discharge from industrial chemical factories
1,2-Dichlorethane	Discharge from industrial chemical factories
1,1-Dichloroethylene	Discharge from industrial chemical factories
cis-1,2-ichloroethylene	Discharge from industrial chemical factories
trans-1,2-Dichloroethylene	Discharge from industrial chemical factories
Dichloromethane	Discharge from pharmaceutical and chemical factories
1,2-Dichloropropane	Discharge from industrial chemical factories
Ethylbenzene	Discharge from petroleum refineries
MtBE	Residual from gasoline spill or leakage
Styrene	Discharge from rubber and plastic factories; leaching from landfills
Tetrachloroethylene	Leaching from PVC pipes; discharge from factories and dry cleaners
1,2,4-Trichlorobenzene	Discharge from textile-finishing factories
1,1,1-Trichloroethane	Discharge from metal degreasing sites and other factories
1,1,2-Trichloroethane	Discharge from industrial chemical factories
Trichloroethylene	Discharge from metal degreasing sites and other factories
TTHM (Total trihalomethanes)	By-product of drinking water chlorination
Toluene	Discharge from petroleum factories
Vinyl Chloride	Leaching from PVC piping; discharge from plastics factories
Xylenes	Discharge from petroleum factories; discharge from chemical factories

Source. #7545, eff 1-1-02

Env-Ws 352.17 Health Effects Language. If a CWS owner reports in the CCR an MCL, MRDL, or a treatment technique violation as specified in Env-Ws 310 through Env-Ws 319, the CCR shall contain the applicable health effects language for the following:

(a) Microbiological contaminants:

(1) Total coliform: "Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.";

(2) Fecal coliforms/E.coli: "Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes

can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely-compromised immune systems";

(3) Total organic carbon: "Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THM) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer";

(4) Turbidity: "Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.";

(b) Radioactive contaminants:

(1) Beta/photon emitters: "Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.";

(2) Alpha emitters: "Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.";

(3) Combined radium 226/228: "Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.";

(4) Uranium: "Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.";

(c) Inorganic contaminants:

(1) Antimony: "Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.";

(2) Arsenic: "Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.";

(3) Asbestos: "Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.";

(4) Barium: "Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.";

(5) Beryllium: "Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.";

(6) Cadmium: "Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.";

(7) Chromium: "Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.";

(8) Copper: "Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.";

(9) Cyanide: "Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.";

(10) Fluoride: "Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums.";

(11) Lead: "Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.";

(12) Inorganic mercury: "Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.";

(13) Nitrate: "Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome.";

(14) Nitrite: "Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome.";

(15) Selenium: "Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.";

(16) Thallium: "Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.";

(d) Volatile organic contaminants:

(1) 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.";

(2) Bromate: "Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.";

(3) Carbon tetrachloride: "Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.";

(4) Chloramines: "Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.";

(5) Chlorine: "Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.";

(6) Chlorite: "Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant mothers who drink water containing chlorite in excess of the MCL. Some people may experience anemia.";

(7) Chloride dioxide: "Some infants and young children who drink water containing chloride dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant mothers who drink water containing chloride dioxide in excess of the MRDL. Some people may experience anemia.";

(8) Chlorobenzene: "Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.";

(9) O-dichlorobenzene: "Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory system.";

(10) P-dichlorobenzene: "Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.";

(11) 1,2-dichloroethane: "Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.";

(12) 1,1-dichloroethylene: "Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.";

(13) Cis-1,2-dichloroethylene: "Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.";

(14) Trans-1,2-dicholoroethylene: "Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.";

(15) Dichloromethane: "Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.";

(16) 1,2-dichloropropane: "Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.";

(17) Ethylbenzene: "Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.";

(18) Haloacetic Acids: "Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of developing cancer.";

(19) Styrene: "Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.";

(20) Tetrachloroethylene: "Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.";

(21) 1,2,4-Trichlorobenzene: "Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.";

(22) 1,1,1,-Trichloroethane: "Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.";

(23) 1,1,2-Trichloroethane: "Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.";

(24) Trichloroethylene: "Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.";

(25) Total trihalomethanes (TTHMs): "Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.";

(26) Toluene: "Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.";

(27) Vinyl chloride: "Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.";

(28) Xylenes: "Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.";

(e) Synthetic organic contaminants, including pesticides and herbicides:

(1) 2,4-D: "Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.";

(2) 2,4,5-TP, Silvex: "Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.";

(3) Acrylamide: "Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.";

(4) Alachlor: "Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.";

(5) Atrazine: "Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.";

(6) Benzo(a)pyrene (PAH): "Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.";

(7) Carbofuran: "Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.";

(8) Chlordane: "Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.";

(9) Dalapon: "Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.";

(10) Di (2-ethylhexyl) adipate: "Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience general toxic effects or reproductive difficulties.";

(11) Di (2-ethylhexyl) phthalate: Some people who drink water containing di (2-ethylhexyl) phthalate in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer.";

(12) Dibromochloropropane (DBCP): Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.";

(13) Dinoseb: "Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.";

(14) Dioxin (2,3,7,8-TCDD): "Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.";

(15) Diquat: "Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.";

(16) Endothall: "Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.";

(17) Endrin: "Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.";

(18) Epichlorohydrin: "Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.";

(19) Dibromide (EDB): "Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.";

(20) Gyphosate: "Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.";

(21) Heptachlor: "Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.";

(22) Heptachlor epoxide: "Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.";

(23) Hexachlorobenzene: "Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.";

(24) Hexachlorocyclopentadiene: "Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.";

(25) Lindane: "Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.";

(26) Methoxychlor: "Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.";

(27) Oxamyl: "Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.";

(28) Polychlorinated biphenyls (PCBs): "Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.";

(29) Pentachlorophenol: "Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.";

(30) Picloram: "Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.";

(31) Simazine: "Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood."; and

(32) Toxaphene: "Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer."

Source. #7545, eff 1-1-02

Env-Ws 352.18 Report Delivery and Recordkeeping.

(a) A CWS owner, except as specified in (c) below, shall:

(1) Mail or directly deliver one copy of the CCR to each customer by the date specified in Env-Ws 352.03;

(2) Provide a copy of the CCR to any other agency or clearinghouse upon request; and

(3) Provide a copy of the CCR to the public upon request.

(b) A CWS owner shall make a good faith effort to provide a copy of the CCR to customers who do not receive water bills.

(c) A good faith effort to reach such customers identified in (b) above, shall include, but is not limited to, one or more of the following:

(1) Posting the CCR on the internet;

(2) Mailing the CCR to postal patrons in metropolitan areas;

(3) Advertising the availability of the CCR in the news media;

(4) Publishing the CCR, or notice of its availability, in a newspaper of general circulation;

(5) Posting the CCR, or notice of its availability, in public places such as cafeterias or lunch rooms of public buildings;

(6) Delivering multiple copies of the CCR for distribution by single-bill customers such as apartment buildings or large private employers; and

(7) Delivering the CCR to community organizations.

(d) A CWS owner serving 100,000 or more persons shall post the most current CCR on a publicly-accessible site on the Internet.

(e) A CWS owner shall retain the CCR for at least 3 years.

Source. #7545, eff 1-1-02

PART Env-Ws 353 - RESERVED

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97

PART Env-Ws 354 MANDATORY HEALTH EFFECTS LANGUAGE

Env-Ws 354.01 Requirement to Use Specific Notice Language. When providing the information on potential adverse health effects required by Env-Ws 351.02, the owner of a public water system shall include the language specified in Env-Ws 355 through Env-Ws 359 below for each contaminant. If language for a particular contaminant is not specified at the time notice is required, this paragraph shall not apply and the system owner shall contact the department.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

PART Env-Ws 355 SCHEDULE, VERIFICATION OF NOTICE ISSUANCE, AND NOTICE LANGUAGE FOR MICROBIOLOGY, TURBIDITY, AND RADIOLOGICAL

Env-Ws 355.01 Public Notice - Microbiological.

(a) The schedule for giving public notice when a bacterial MCL or monitoring and reporting violation has occurred shall be that specified in Env-Ws 351.01.

(b) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for a bacterial MCL violation as specified in Env-Ws 325:

(1) For fecal coliform or E. coli presence:

"Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems."; and

(2) For total coliform presence:

"Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems."

(c) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects when there is a violation of the treatment technique for filtration and disinfection as specified in Env-Ws 380:

"Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 355.02 Public Notice - Exceedance of the Copper Action Level. Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects of water quality results which exceeds the copper action level as defined in Env-Ws 381:

"Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult with their doctor."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 355.03 Public Notice - Failure to Install Optimal Corrosion Control. Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of corrosion control treatment techniques required for lead, copper, or both pursuant to Env-Ws 381:

For lead: "Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure."

For copper: "Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult with their doctor."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 355.04 Public Notice - Turbidity. Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of the turbidity MCL specified in Env-Ws 315 or for treatment technique violations of Env-Ws 380:

"Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 355.05 Public Notice - Alpha Radionuclides.

(a) Pursuant to Env-Ws 351.02(a)(3), the following statements shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of radioactive contaminants specified in Env-Ws 315.51 and Env-Ws 315.60:

(1) For compliance gross alpha, the statement shall read as follows:

"Certain minerals are radioactive and may emit forms of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer."

(2) For uranium the statement shall read as follows:

"Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity."

(3) For radium 226 and radium 228, the statement shall read as follows:

"Some people who drink water containing radium 226 or radium 228 in excess of the MCL over many years may have an increased risk of getting cancer."

(4) For beta and photon emitters the statement shall read as follows:

"Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02; ss by #8040, eff 2-14-04

Env-Ws 355.06 Public Notice - Beta Radionuclides.

(a) The following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of beta radionuclides as specified in Env-Ws 315.60 through Env-Ws 315.79:

(1) For beta and photon emitters the statement shall read as follows:

"Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer."

(2) For radium 226, radium 228, or both, the statement shall read as follows:

"Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer."

(3) For alpha emitters, the statement shall read as follows:

"Certain minerals are radioactive and may emit forms of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

PART Env-Ws 356 PUBLIC NOTICE FOR INORGANICS

Env-Ws 356.01 Regulated Inorganic Chemicals.

(a) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of inorganic MCLs as specified in Env-Ws 316.01(a):

(1) For arsenic the statement shall read as follows:

"Some people who drink water containing arsenic in excess of the MCL over many years, could experience skin damage or problems with their circulatory system and may have an increased risk of getting cancer."

(2) For asbestos the statement shall read as follows:

"Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps."

(3) For barium the statement shall read as follows:

"Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure."

(4) For cadmium the statement shall read as follows:

"Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage."

(5) For chromium or total chromium the statement shall read as follows:

"Some people who drink water containing chromium well in excess of the MCL over many years could experience allergic dermatitis."

(6) For a secondary MCL exceedance of fluoride, as defined in Env-Ws 319, the statement shall read as follows:

"This is an alert about your drinking water and a cosmetic dental problem that might affect children under 9 years of age. At low levels, fluoride can help prevent cavities, but children drinking water 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 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 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 the proper use by young children of fluoride-containing products. 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 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 [telephone number]. Some home water treatment units are available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-800-8-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."

(7) For a violation of the MCL for fluoride, as defined in Env-Ws 316, the statement shall read as follows:

"Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth, before they erupt from the gums."

(8) For mercury the statement shall read as follow:

"Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage."

(9) For nitrate the statement shall read as follows:

"Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome."

(10) For nitrite the statement shall read as follows:

"Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.";

(11) For total nitrate and nitrite the statement shall read as follows:

"Infants below the age of six months who drink water containing nitrate and nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome."; and

(12) For selenium the statement shall read as follows:

"Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation."

(b) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of inorganic MCLs listed in Env-Ws 316.01(b):

(1) For antimony the statement shall read as follows:

"Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar."

(2) For beryllium the statement shall read as follows:

"Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions."

(3) For cyanide the statement shall read as follows:

"Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid."

(4) For thallium the statement shall read as follows:

"Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver."

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02; amd by #7645, eff 2-8-02

PART Env-Ws 357 PUBLIC NOTICE FOR ORGANICS

Env-Ws 357.01 Regulated Organic Chemicals.

(a) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of organic MCLs specified in Env-Ws 317.01(a):

(1) For benzene the statement shall read as follows:

"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 in getting cancer."

(2) For carbon tetrachloride the statement shall read as follows:

"Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer."

(3) For 1,2-dichloroethane the statement shall read as follows:

"Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer."

(4) For trichloroethylene the statement shall read as follows:

"Some people who drink water containing trichlorothylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer."

(5) For p-dichlorobenzene the statement shall read as follows:

"Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood."

(6) For 1,1-dichloroethylene the statement shall read as follows:

"Some people who drink water containing 1,1 dichloroethylene in excess of the MCL over many years could experience problems with their liver."

(7) For 1,1,1-trichloroethane the statement shall read as follows:

"Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, kidneys, or immune systems."; and

(8) For vinyl chloride the statement shall read as follows:

"Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer."

(b) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of organic MCLs specified in Env-Ws 317.01(b):

(1) For cis-1,2-dichloroethylene the statement shall read as follows:

"Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver."

(2) For 1,2-dichloropropane the statement shall read as follows:

"Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer."

(3) For ethylbenzene the statement shall read as follow:

"Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys."

(4) For monochlorobenzene**,** also known as chlorobenzene, the statement shall read as follows:

"Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys."

(5) For o-dichlorobenzene the statement shall read as follow:

"Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys or circulatory systems."

(6) For styrene the statement shall read as follows:

"Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system."

(7) For tetrachloroethylene the statement shall read as follows:

"Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer."

(8) For toluene the statement shall read as follows:

"Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver."

(9) For trans-1,2-dichloroethylene statement shall read as follows:

"Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver."; and

(10) For xylene the statement shall read as follows:

"Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system."

(c) Pursuant to Env-Ws 352.02(a)(3), the following statement shall be used in the public notice to describe the adverse health effects by a water system owner for violations of organic MCLs in Env-Ws 317.01(c):

(1) For 1,2,4 trichlorobenzene the statement shall read as follows:

"Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands."

(2) For 1,1,2 trichloroethane the statement shall read as follows:

"Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could experience problems with their liver, kidneys, or immune systems."

(3) For dichloromethane the statement shall read as follows:

"Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; amd by #7261, eff 5-4-00; ss by #7545, eff 1-1-02

Env-Ws 357.02 Regulated Synthetic Organics Chemicals.

(a) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of synthetic organic MCLs specified in Env-Ws 317.40(a):

(1) For alachlor the statement shall read as follows:

"Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer."

(2) For aldicarb the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climate conditions (eg sandy soil and high rainfall), aldicarb may leach into ground water after normal agricultural application to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb at 0.003 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb."

(3) For aldicarb sulfoxide the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb sulfoxide is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfoxide in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climate conditions (eg sandy soil and high rainfall) aldicarb sulfoxide may leach into groundwater after normal agricultural

application to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface water runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb sulfoxide at 0.004 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfoxide."

(4) For aldicarb sulfone the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone is formed from the breakdown of aldicarb and is considered for registration as a pesticide under the name aldoxycarb. Under certain soil and climate conditions (eg sandy soil and high rainfall) aldicarb sulfone may leach into groundwater after normal agricultural application to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb sulfone at 0.002 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone."

(5) For atrazine the statement shall read as follows:

"Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties."

(6) For carbofuran the statement shall read as follows:

"Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems."

(7) For chlordane the statement shall read as follows:

"Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver, or nervous system, and may have an increased risk of getting cancer."

(8) For dibromochloropropane (DBCP) the statement shall read as follows:

"Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer."

(9) For ethylene dibromide (EDB) the statement shall read as follows:

"Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer."

(10) For heptachlor the statement shall read as follows:

"Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer."

(11) For heptachlor epoxide the statement shall read as follows:

"Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer."

(12) For lindane the statement shall read as follows:

"Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver."

(13) For methoxchlor the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that methoxchlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climate are favorable methoxchlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. EPA has set the drinking water standard for methoxchlor at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to methoxchlor."

(14) For polychlorinated biphenyls (PCB's) the statement shall read as follows:

"Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer."

(15) For pentachlorophenol the statement shall read as follows:

"Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer."

(16) For toxaphene the statement shall read as follows:

"Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer."

(17) For 2,4,5-TP the statement shall read as follows:

"Some people who drink water containing 2,4,5-TP (silvex) in excess of the MCL over many years could experience liver problems."; and

(18) For 2,4-D the statement shall read as follows:

"Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands."

(b) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of synthetic organic MCLs specified in Env-Ws 317.40(b):

(1) For benzo(a)pyrene the statement shall read as follows:

"Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer."

(2) For dalapon the statement shall read as follows:

"Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes."

(3) For di (2-ethylhexyl)adipate the statement shall read as follows:

"Some people who drink water containing di (2-ethylhexyl) adipate in excess of the MCL over many years could experience general toxic effects or reproductive difficulties."

(4) For di (2-ethylhexyl)phthalate the statement shall read as follows:

"Some people who drink water containing di (2-ethylhexyl) phthalate in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer."

(5) For dinoseb the statement shall read as follows:

"Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties."

(6) For diquat the statement shall read as follows:

"Some people who drink water containing diquat in excess of the MCL over many years could get cataracts."

(7) For endothall the statement shall read as follows:

"Some people who drink water containing endothall in excess of the MCL over may years could experience problems with their stomach or intestines."

(8) For endrin the statement shall read as follows:

"Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems."

(9) For glyphosate the statement shall read as follows:

"Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with kidneys or reproductive difficulties."

(10) For hexachlorobenzene the statement shall read as follows:

"Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer."

(11) For hexachlorocyclopentadiene the statement shall read as follows:

"Some people who drink water containing hexachlorocyclopentadiene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer."

(12) For oxamyl the statement shall read as follows:

"Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system defects."

(13) For picloram the statement shall read as follows:

"Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver."

(14) For simazine the statement shall read as follows:

"Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood."; and

(15) For 2,3,7,8-TCDD, Dioxin, the statement shall read as follows:

"Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 357.03 Regulated Disinfectant Byproducts and Residuals.

(a) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of the maximum disinfection byproducts (DBPs) and maximum disinfectant residuals (MRDLs) specified in Env-Ws 317.70 and Env-Ws 317.80:

(1) For chlorine the statement shall read as follows:

"Some people who use drinking water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort."

(2) For chloramines the statement shall read as follows:

"Some people who use drinking water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia."

(3) For chlorine dioxide, where any 2 consecutive daily samples collected at the entrance to the distribution system exceed the MRDL, the statement shall state:

"Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.

The chlorine dioxide violations reported today are the result of exceedances at the treatment facility only, not within the distribution system which delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers."

(4) For chlorine dioxide, where one or more distribution samples are above the MRDL, the statement shall state:

"Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.

The chlorine dioxide violations reported today include exceedances of the EPA standard within the distribution system which delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure."

(5) For disinfectant by-product precursors, the statement shall read as follows:

"Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection by-products. These by-products include trihalomehtanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer."

(6) For total trihalomethanes the statement shall read as follows:

"Some people who drink water containing trihalmethanes in excess of the MCL over many years can experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer."

(7) For Haloacetic Acids (HAA) the statement shall read as follows:

"Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer."

(8) For bromate the statement shall read as follows:

"Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer."; and

(9) For chlorite the statement shall read as follows:

"Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia."

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Env-Ws 357.04 Special Treatment Chemicals.

(a) Pursuant to Env-Ws 351.02(a)(3), the following statement shall be used in the public notice by a public water system owner to describe the adverse health effects for violations of the acrylamide/epichlorhydrin MCLs specified in Env-Ws 317.90(a):

(1) For acrylamide the statement shall read as follows:

"Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer."; and

(2) For epichlorohydrin the statement shall read as follows:

"Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

PART Env-Ws 358 PUBLIC NOTICE UNREGULATED CONTAMINANT MONITORING RULE

Env-Ws 358.01 Applicability.

(a) T he system owner shall notify persons served by the public water system of the availability of the results of sampling conducted under the unregulated contaminant monitoring rule pursuant to 40 CFR 141.35.

(b) The public notice shall identify a person and telephone number to contact for information on the monitoring results.

(c) A community water system owner shall issue public notice to persons served by the water system within 12 months of the receipt of the results by mailing or delivering the public notice door-to-door to each customer receiving a bill and any other service connection to which water is delivered.

(d) If a community water system owner determines that customers cannot be reached using the delivery method of (c) above, the water system shall issue notice to its customers using one of the methods specified in Env-Ws 351.04.

(e) A non-community water system owner shall issue public notice to persons served by the water system within 12 months of the receipt of the results by using one or more of the delivery methods specified in Env-Ws 351.05.

(f) Within 10 days of providing notice to its customers, each owner of a community and non-community water system shall submit to the department the certification specified in Env-Ws 351.13.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

PART Env-Ws 359 NOTIFICATION FOR SECONDARY MCLs

Env-Ws 359.01 Compliance with Secondary Maximum Contaminant Level and Public Notification for Fluoride.

(a) A community water system and non-transient non-community public water system owner who exceeds the secondary MCL for fluoride as determined by Env-Ws 329 but does not exceed the fluoride

MCL as specified by Env-Ws 316.01 shall provide the notice prescribed in paragraph (b) to all billing units annually, to all new billing units at the time service begins, and to the New Hampshire public health officer.

(b) The notice required by paragraph (a) shall contain the language provided in Env-Ws 356.01(a)(6).

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7545, eff 1-1-02

Appendix I
Converting MCL Water Quality Compliance Values

Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by....	MCL in Whole Numbers	MCLG in Whole Numbers
Microbiological Contaminants				
Total Coliform Bacteria (% positive samples)			CWS that collect 40 or more samples per month; not more then 5% of monthly samples are allowed to be positive. CWS that collect fewer then 40 samples per month; not more then 1 postive monthly sample.	0
Turbidity			TT (NTU)	n/a
Fecal coliform and E coli			a routine sample and repeat sample are total coliform positive, and one is also fecal coliform or E. coli positive.	0
Radioactive Contaminants				
Beta/photon emitters	4 mrem/yr		4 mrem/yr	0
Alpha emitters	15 pCi/l		15 pCi/l	0
Combined radium	5 pCi/l		5 pCi/l	0
Inorganic Contaminants				
Antimony	.006	1,000	6 ppb	6
Arsenic	.05	1,000	50 ppb	n/a
Asbestos	7 MFL		7 MFL	7
Barium	2		2 ppm	2
Beryllium	.004	1,000	4 ppb	4
Cadmium	.005	1,000	5 ppb	5
Chromium	.1	1,000	100 ppb	100
Copper	AL=1.3		AL=1.3 ppm	1.3
Cyanide	.2			

Fluoride	4		4 ppm	4
Lead	AL=.015	1,000	AL=15 ppb	0
Mercury (inorganic)	.002	1,000	2 ppb	2
Nitrate (as Nitrogen)	10		10 ppm	10
Nitrite (as Nitrogen)	1		1 ppm	1
Selenium	.05	1,000	50 ppb	50
Thallium	.002	1,000	2 ppb	0.5
Synthetic Organic Contaminants including Pesticides and Herbicides				
2,4-D	.07	1,000	70 ppb	70
2,4,5-TP (Silvex)	.05	1,000	50 ppb	50
Acrylamid			TT	0
Alachlor	.002	1,000	2 ppb	0
Atrazine	.003	1,000	3 ppb	3
Benzo(a)pyrene (PAH)	.0002	1,000,000	200 ppt	0
Carborfuran	.04	1,000	40 ppb	40
Chlordane	.002	1,000	2 ppb	0
Dalapon	.2	1,000	200 ppb	200
Di(2-ethylhexyl) adipate	.4	1,000	400 ppb	400
Di(2-ethylhexyl) phthalate	.006	1,000	6 ppb	0
Dibromochloropropane	.0002	1,000,000	200 ppt	0
Dinoseb	.007	1,000	7 ppb	7
Diquat	.02	1,000	20 ppb	20
Dioxin [2,3,7,8-TCDD]	.00000003	1,000,000,000	30 ppq	0
Endothall	.1	1,000	100 ppb	100
Endrin	.002	1,000	2	2
Epichlorohydrin			TT	0

Ethylene dibromide	.00005	1,000,000	50 ppt	0
Glyphosate	.7	1,000	700 ppb	700
Heptachlor	.0004	1,000,000	400 ppt	0
Heptachlor epoxide	.0002	1,000,000	200 ppt	0
Hexachlorobenzene	.001	1,000	1 ppb	0
Hexachlorocyclopentadiene	.05	1,000	50 ppb	50
Lindane	.0002	1,000,000	200 ppt	200
Methoxychlor	.04	1,000	40 ppb	40
Oxamyl [Vydate]	.2	1,000	200 ppb	200
PCBs [Polychlorinated biphenyls]	.0005	1,000,000	500 ppt	0
Pentachlorophenol	.001	1,000	1 ppb	0
Picloram	.5	1,000	500 ppb	500
Simazine	.004	1,000	4 ppb	4
Toxaphene	.003	1,000	3 ppb	0
Volatile Organic Contaminants				
Benzene	.005	1,000	5 ppb	0
Bromate	.010	1,000	10 ppb	***0***
Carbon tetrachloride	.005	1,000	5 ppb	0
Chloramines	MRDL = 4	……	MRDL = 4 ppm	MRDLG = 4
Chlorine	MRDL = 4	……	MRDL = 4 ppm	MRDLG = 4
Chlorite	1	……..	1	0.8
Chlorine dioxide	MRDL = .8	1,000	MRDL = 800 ppb	MRDL = 800
Chlorobenzene	.1	1,000	100 ppb	100
o-Dichlorobenzene	.6	1,000	600 ppb	600
p-Dichlorobenzene	.075	1,000	75 ppb	75
1,2-Dichlorethane	.005	1,000	5 ppb	0
1,1-Dichloroethylene	.007	1,000	7 ppb	7
cis-1,2-ichloroethylene	.07	1,000	70 ppb	70

trans-1,2-Dichloroethylene	.1	1,000	100 ppb	100
Dichloromethane	.005	1,000	5 ppb	0
1,2-Dichloropropane	.005	1,000	5 ppb	0
Ethylbenzene	.7	1,000	700 ppb	700
MtBE	0.013	1,000	13 ppb	13
Styrene	.1	1,000	100 ppb	100
Tetrachloroethylene	.005	1,000	5 ppb	0
1,2,4-Trichlorobenzene	.07	1,000	70 ppb	70
1,1,1-Trichloroethane	.2	1,000	200 ppb	200
1,1,2-Trichloroethane	.005	1,000	5 ppb	3
Trichloroethylene	.005	1,000	5 ppb	0
TTHM [Total trihalomethanes]	.10	1,000	100 ppb	n/a
Toluene	1		1 ppm	1
Vinyl Chloride	.002	1,000	2 ppb	0
Xylenes	10		10 ppm	10

Abbreviations: AL = Action Level; MRDL = Maximum Residual Disinfectant Level; MFL = Million Fibers per Liter; NTU = Nephelometric Turbidity Unit; ppb = Parts per billion; ppm = parts per million; ppq = parts per quadrillion; ppt = Parts per trillion; pCi/l = picocuries per liter; TT = Treatment Technique