

**Public Meeting on EPA's
Proposed Public Notification Rule and Handbook**

FINAL REPORT – JULY 16, 1999

**EPA Headquarters
Washington, DC**

June 3, 1999

**Public Notification Public Meeting
Washington, DC
June 3, 1999**

The U.S. Environmental Protection Agency (EPA) is proposing changes to its drinking water public notification (PN) regulations (64 *FR* 25963, May 13, 1999). The PN regulations apply to owners and operators of public water systems that fail to comply with the drinking water standards and related regulations under the Safe Drinking Water Act. EPA is also developing a draft *Public Notification Handbook* (EPA 816-R-99-004) to aid water systems in their efforts to prepare effective public notices.

EPA held a meeting to take comment on its proposed public notification (PN) rule and the *Public Notification Handbook* at EPA Headquarters in Washington, DC on June 3, 1999. (This was one of a series of meetings EPA held throughout the country; the other meetings were in Madison, WI, Allentown, PA, and Phoenix, AZ. EPA announced the public meetings in the *Federal Register*, 64 *FR* 27942, May 24, 1999.) Thirty people attended the Washington meeting (see Attachment 1). EPA had three major objectives during the meeting.

- *Invite public comment on the proposed rule:* EPA presented a summary of the requirements under the proposed PN rule. Participants asked clarifying questions during this presentation. Following the presentation, EPA invited people to submit formal public comments for the record.
- *Discuss the draft Public Notification Handbook in a workgroup setting:* In a plenary session, EPA solicited input on how easy the handbook is to use, its appropriateness for small systems, and its helpfulness for writing public notices. During breakout sessions, participants worked together to create draft notices and provided feedback on the usefulness of the templates and handbook as well as the effectiveness of their notice and chosen delivery method.
- *Obtain comment on sample public notices:* In an evening session, EPA asked a small group of people to review two sample notices created using the handbook. The group provided feedback on how effectively the notices communicated their message.

Introduction

Carl Reeverts, U.S. EPA Office of Ground Water and Drinking Water, the rule manager for the PN rule, welcomed the participants. Mr. Reeverts explained that the PN rule is an important part of the right-to-know provisions of the 1996 Amendments of the Safe Drinking Water Act (SDWA) and that public feedback is valuable to EPA as it finalizes the rule and handbook.

Patti Kay Wisniewski of EPA's Region 3 office also welcomed the group. She thanked them for attending, and asked the participants to introduce themselves. Ms. Wisniewski emphasized that feedback on the handbook was very important.

Rule Summary

Mr. Reeverts gave a summary of the public notification rule. (Attachment 2 is a copy of the presentation). During and after his presentation, participants asked clarifying questions and provided official comments for the record. (A transcript of this session is included as Attachment 3.)

Rule comment (141.202(b)(1)): Twenty-four hours is too long a deadline for Tier 1 notice; the Maryland Department of the Environment requires notice be given by the end of the day. If a system has 24 hours to distribute a notice, it might wait that long hoping that the violation would be resolved. (Richard Kolish, City of Baltimore).

Mr. Reeverts explained that EPA hopes that notice would be given as soon as possible, but explained that 24 hours is the maximum amount of time allowed.

Question: What does EPA mean by posting as a method of delivery? Do they mean the Internet or paper notices?

Carl Reeverts gave examples of places where posting of paper notices should occur, such as hotels and mobile home parks. He added that the rule is open-ended on the issue of method of delivery. However, it sets a measurable performance standard, rather than prescribing methods of delivery for every type of public notice. The performance standard is that systems must take all steps reasonably calculated to reach all persons served.

Rule comment (141.202(c), 141.203(c), 141.204(c)): Mail is often the only practical way to reach everybody served; not everybody is connected to the Internet or watches TV. (Adrianna Quintero, NRDC)

Question: How does EPA plan to measure the performance standard of reaching all persons served?

Carl Reeverts said this will primarily be the primacy agencies' responsibility and that states could determine whether the standard was met during sanitary surveys or other onsite inspections. Rich Alonso from EPA's Office of Enforcement and Compliance Assurance clarified that for Tier 1, there is a choice of delivery methods and that a primacy agency would determine whether posting was adequate. He added that systems would be required to consult with primacy agencies for Tier 1 violations and that the agencies could approve the methods a system wants to use at that time.

Rule comment (141.202(c)): There should not be just one method of delivery for Tier 1. Shouldn't there be a combination of methods, or maybe even all three should be required? (Diana Neidel, Consumer Federation of America)

Carl Reeverts responded that the consultation with the primacy agency was intended to be a backstop.

Question: Are any of the methods of delivery structured based on system size? For instance, a trailer park versus New York City?

Carl Reeverts responded that the methods for Tiers 2 and 3 vary for community and non-community systems. He said that the rule preamble discussed the kinds of actions a system might want to take that would be reasonably calculated to reach all persons served in Tier 1 notification. EPA does expect systems to use common sense but also relies on the primacy agency to determine what is effective. The intent was to not make the rule too complex. Carl Reeverts encouraged comments on Tier 1 methods of delivery.

Question: Do primacy agencies monitor systems that extend the deadline for notification for Tiers 2 and 3? What situations would merit an extension?

Carl Reeverts clarified that systems can get extensions only from primacy agencies. The primacy agencies will need to specify the criteria they will use to grant extensions when they adopt their own rules. He explained that when states adopt their own rules, they must apply to EPA for primacy, and EPA will approve these criteria. Extensions will be on a case by case basis. Rich Alonso pointed out the citations in the rule that apply to primacy requirements. He added that the rule also allows extensions for repeat notices and these flexibilities were added because not all situations were identical.

Question: What in the proposed rule demonstrates that EPA is tracking enforcement? Under the current rule, the GAO study showed that systems could not comply with the 72-hour deadline. But EPA did not have this information itself because it did not track public notification. What assurances are there in the new rule that systems will comply, and how will EPA know that systems are complying? Although it is natural for systems and states to hope a violation will be resolved if they delay giving notice, enforcing compliance is important to help prevent health risks.

Carl Reeverts said that first of all, the proposed rule requires systems to certify they have met the public notification requirements. They will not have to say how the requirements were met, just that they were met. Systems also are required to submit copies of the notices to the primacy agencies, and primacy agencies would follow up on any violations from that point. Primacy agencies will also be required to report certain compliance information to EPA, and EPA will make this information public. Rick Brown from the Virginia Rural Water Association added that operators face a maximum \$20,000 fine and

five-year prison sentence for falsifying records. Carl Reeverts added that the rule will reduce the labor burden on systems for public notification, making it easier to comply.

Rule comment (141.202(a)): Turbidity should be a Tier 1 violation. In Milwaukee, turbidity levels were elevated at the time of the disease outbreak. (Adrianna Quintero, Natural Resources Defense Council)

Carl Reeverts answered that new turbidity limits were set under the Enhanced Surface Water Treatment Rule. The limit for a single exceedance went from 5 NTU to 1 NTU, and the limit for a monthly exceedance went from 0.5 to 0.3 NTU.

Question: Does this mean EPA is suggesting that any turbidity exceeding 1 NTU be considered an acute violation?

Carl Reeverts replied that under the proposed rule turbidity exceedances would be Tier 2, unless the primacy agency determines they should be elevated.

Question: Does a turbidity exceedance of 5 NTU qualify as a Tier 1 violation?

Carl Reeverts said no, but that EPA is requesting comment on this issue.

Rule comment (141.202(a)): If turbidity becomes Tier 1, there will be many such violations over a short time. Historically, even an exceedance of 5 NTU was not considered an emergency if a system added a lot of chlorine and no coliform bacteria were present. This may not have been the right assumption all the time, but it should be kept in mind when assigning a tier to turbidity exceedances. (Richard Kolish, City of Baltimore)

Rule comment (141.202(a)): People died during the *Cryptosporidium* outbreak in Milwaukee. Turbidity should be Tier 1. At a meeting on June 2, a presenter described eight *Cryptosporidium* outbreaks where fecal coliform was not present. Only elevated turbidity levels were indicated in these situations. Although not every turbidity exceedance indicates the presence of *Cryptosporidium*, protecting public health should be EPA's objective. (Diana Neidel, Consumer Federation of America)

Carl Reeverts responded that he would take this comment, but that the preamble explains that the intent of the rule is also to not cause a lot of false alarms.

Rule comment (141.202(a)): The linkage of turbidity to *Cryptosporidium* is an important one, but it is also important to consider the water source before requiring public notification for increased turbidity. If *Cryptosporidium* has not been detected in the raw water at that time or previously, turbidity may not be significant. (Richard Kolish, City of Baltimore)

Question: What situation would merit an extension of the Tier 2 deadline to 90 days?

Carl Reeverts gave the example of a fluoride MCL where the fluoride is naturally occurring and is chronic. If the public had previously been notified several times, an extension of the deadline may be appropriate. However, it is the state's decision to determine whether an extension should be granted.

Question: If EPA is recommending the use of the CCR for monitoring violations, isn't there a possibility that delivery could take longer than the 12 months required for Tier 3 notification?

Carl Reeverts said the rule would specify that if delivery of the notice would exceed 12 months, the CCR could not be used. The rule also says systems must meet the public notice requirements. Ed Hallock from the State of Delaware added that states would require systems to meet public notification distribution requirements if they were going to use the CCR. They would not be able to make use of the CCR small system waiver.

Comment: Allowing systems to use the CCR for Tier 3 notification might let them fall through the cracks from a state perspective. Extensions also are hard to track. Tracking of 230,000 violations annually is a large burden on states. (Renee Hall, Virginia Department of Health)

Carl Reeverts said this was a valid comment and would have to be considered in the rule or at the very least during implementation.

Comment/Question (141.204): It makes sense to combine reporting of monitoring violations rather than sending out one notice at a time for minor violations. However, if tests are not done, consumers do not know whether they were at greater risk. Does the proposal allow for elevating those violations?

Carl Reeverts responded that the rule does not address these situations, but it gives the primacy agency the authority to elevate them.

Question: Would the annual report differentiate between violations where results were mailed late as opposed to samples not taken?

Carl Reeverts said all notices are required to specify the nature of the violation. Rich Alonso added that there is one monitoring violation that is Tier 1 in the rule—failure to test for *E. coli* or fecal coliform as required when total coliform is detected. Ed Hallock said that, for example, Delaware would make failure to monitor a Tier 2 violation, but taking 40 of 45 required samples would remain in Tier 3.

Rule comment (141.203(a)): The rule should make major monitoring violations Tier 2 if that is how some states will be implementing it anyway. Then states will not have to worry about deadlines and will be able to focus on the important violations. (Adrianna Quintero, Natural Resources Defense Council)

Carl Reeverts said he accepted that comment and explained that if major monitoring violations were in Tier 2, the term “major” would have to be further defined.

Rule comment (141.202(a)): Failure to monitor for turbidity should be a Tier 1 violation (William Slade, DC Environmental Health Administration)

Question: How many Tier 1 violations occur?

Carl Reeverts said he thought about 3,300 Tier 1 violations occurred in 1996, although he did not have the exact numbers in front of him.

Question: Does it follow that a majority of these situations happened in systems serving less than 10,000?

Carl Reeverts said this was the case. He clarified that small systems did not have a disproportionate share of these violations, rather they happen to make up a majority of water systems.

Question: Did these Tier 1 violations actually result in acute health risks?

Carl Reeverts replied that EPA does not claim that the next drink of water will make people sick. However, the reason those violations were regulated that way was that they could lead to illnesses. He added that the difference in definition between Tier 1 and Tier 2 was in the rule.

Question: What is the penalty for violations of the PN rule?

Carl Reeverts answered that EPA has strong penalty authority. Because this is considered a national primary drinking water regulation, the enforcement authority under section 1414 of the Safe Drinking Water Act would apply. Rich Alonso added that there is a statutory maximum fine of \$25,000 a day.

Comment: The real surprise is that administrative enforcement actions are hardly ever taken for public notification violations.

Carl Reeverts said that is why EPA is trying to make the rule more understandable, enforceable, and simpler.

Comment: Those criteria are important, but the most important purpose of the proposed rule should be prevention of waterborne disease and public health protection.

Question: Will states be required to adopt the standard health effects language?

Carl Reeverts said the states must be no less stringent, but that they can modify the language. Whatever the state adopts, however, must be used by the water system.

Question: Who decides whether the language is “no less stringent?”

Carl Reeverts clarified that EPA would review the language as it reviews the state’s application for primacy. Rich Alonso added that the state could only change the language by promulgating a rule.

Rule comment (141.205(a)(8)): How can a system know when it will be compliant again when it has an outbreak and it is doing additional testing? The notice could say “in a few weeks.” But what if the problem is still going on in a few weeks? (Renee Hall, Virginia Department of Health)

Carl Reeverts replied that a system might have to give a subsequent notice when the violation is resolved. But there is an obligation to say something about the prognosis on return to compliance, even if it may take months.

Rule comment (no citation): Perhaps there could be a notice that a system has returned to compliance. (Renee Hall, Virginia Department of Health)

Carl Reeverts said that although the rule does not require a follow up notice, EPA is recommending such a notice, especially for Tier 1 violations. He invited comment on this issue.

Question: Where EPA is the primacy agency, is the effective date for the final rule 90 days after promulgation as stated in the proposed rule, or 60 days, as stated in the briefing?

Carl Reeverts clarified that 90 days was the correct deadline.

Question: Systems have a moral obligation to report fluoride secondary MCL or primary MCL exceedances. Is EPA leaning towards regulating fluoride?

Carl clarified that the public notification rule cannot require nontransient non-community systems to monitor for fluoride, although the risk may be similar to the risk in community water systems. Therefore, EPA is recommending that if non-community systems voluntarily monitor fluoride and have an SMCL exceedance, they do public notification.

Comment: For the 21 to 33 percent of the population that have a level 1 reading ability or lower, the notices EPA is suggesting are useless. Notices need to be written in very simple language, and must be multilingual as well, at a minimum in Spanish (Susan Williams, Florida Cooperative Extension Service). (The commenter provided a re-written fecal coliform notice; this is included as Attachment 4.)

Comment: Blind and deaf people need notices in alternate formats, such as braille and large-type. There are media outlets for reaching deaf citizens. (Mary Ann Rozum, U.S. Department of Agriculture)

Rule comment (141.204(d)): CCRs should not be used for reporting Tier 3 violations. CCRs contain so much other distracting information that consumers would not pay attention to the monitoring violations. Isn't the idea of the public notification rule that the notice be accessible and quick and easy to read, no matter what tier the violation falls into? (Adrianna Quintero, Natural Resources Defense Council)

Rule comment (141.203(b)): If there are already problems notifying the public of Tier 2 violations in 14 days, as required currently, EPA should not be relaxing this deadline further. If systems do not comply with the new 30-day deadline or get an extension of up to 90 days, most notices will not make the 30-day deadline. (Diana Neidel, Consumer Federation of America)

Patti Kay Wisniewski clarified that a 90-day extension is not automatic, and encouraged people to comment to EPA if they feel the requirements in the rule are not expressed clearly.

Comment: Water system operators should provide consumers with a daily water quality index report, similar to the UV index published each day in the paper and on the news. (Davie Renshaw)

Discussion of the *Public Notification Handbook*

Mr. Reeverts described EPA's *Public Notification Handbook* to the group. Participants asked questions about and offered comments on the handbook. Bridget O'Grady of the Association of State Drinking Water Administrators (ASDWA) explained that the handbook was developed by a steering committee of staff from several agencies representing drinking water interests. Ms. O'Grady questioned participants about the ease with which the handbook can be used. The group asked questions and offered comment on the handbook and the PN rule.

First, Ms. O'Grady asked the group if they liked the handbook. They offered the following comments and questions:

- If the handbook and the CCR guidance are so similar, why are they two separate documents?
- One participant mentioned that as a test of the handbook, she tried to think of questions operators would likely ask. She said she found all the answers in the handbook.

Next, Ms. O'Grady asked participants to review Chapter 1 on how to use the handbook and Chapter 2, the summary of requirements. They replied with the following.

- Why are turbidity violations listed under both Tier 1 and Tier 2?
- The handbook should include a notice for violations of the PN rule.
- EPA should consider adding multi-lingual messages in the templates.

Rule comment (141.205(c)(2)): What are the population criteria for requiring multi-lingual notices?

Response: There is no specific cutoff in the rule. The rule allows states to set these criteria. Edward Hallock, State of Delaware Office of Drinking Water mentioned that if a certain population exceeds 10 percent of the consumers, multi-lingual messages might be required. However, States generally defer to system operators.

Rule comment (141.205(c)(2)): Multi-lingual notices should be there for everyone who needs one; this is the only way to meet the requirement to reach all persons served. The decision on what languages need to be used would be an implementation issue. (Adrianna Quintero, NRDC)

- The handbook is inconsistent with the rule on the phrase “must reach all persons served” vs “reasonably calculated to reach all persons served.”
- A participant noted that New York City works with community associations to spread information to special populations.
- Is notice required for exceedances of the secondary MCL for fluoride?

Response: This is not a violation, but notice is required. The questioner responded by suggesting that this not be listed along with the National Primary Drinking Water Regulation violations in the handbook.

The group had the following comments on Chapter 4, Making Public Notification Work.

- The handbook should be clearer on Food and Drug Administration standards for bottled water. For example, if bottled water is not sold over state lines, it needs to meet state standards only.
- Chapter 4 should include a discussion of reaching community organizations for the blind, deaf, or non-English speaking citizens.

Rule comment (141.205(a)): Notices should include the source of the contamination.

Rule comment (141.205(d)(2)): The standard monitoring language as written opens the door for legal claims tying dates the system did not monitor to dates illnesses were reported.

- The shorter discussion of requirements in Chapter 8, Special Needs of Non-Community Systems, was favorably received.

Breakout Sessions

Participants spent the afternoon session in small groups creating sample public notices based on three different scenarios (described below). The group re-convened to discuss the notices they created and talk about suggestions and ideas for improving the handbook and templates. The sample notices each group created are in Attachment 5.

Group 1–Fecal Coliform

Scenario: A large CWS serves 500,000 people itself and sells water to five suburban systems each serving 50,000. *E. coli* were detected in five samples taken the day before yesterday not far from the treatment plant. The water system uses a reservoir as its water source.

The group said that, in a retail-wholesale relationship, it is important to identify responsibilities for public notification ahead of time. Participants suggested that this be spelled out in the systems' retail-wholesale agreement. Some members felt that the producer is probably in the best position to write the notice, though they reached no agreement on who should be responsible for distributing the notice.

The group discussed ideas for easily identifying the correct people to notify, either in a retail-wholesale situation or where only those consumers in certain portions of the distribution system are impacted. The group agreed that it was better to “over-warn” than risk not notifying all affected people. They suggested that systems maintain copies of street-level maps identifying which consumers receive water from each water source, i.e., a purchased source. Such a map could quickly be distributed to the media or copied for inclusion in a notice. (Handbook, Ch. 5)

The group agreed that the notice should be eye-catching and quickly convey the important message that all water needs to be boiled before drinking. Several suggestions were offered:

- Put the word “WARNING” in large letters at the top of the notice, along with pictures of a glass of water with a slash through it and a pot of boiling water. (Handbook, p. 28)
- The instructions at the first bullet should be stronger and stand out more. The group liked the simple-text notice provided by a commenter in the morning session. (Handbook, p. 28)
- The notice should more clearly state that consumers need to continue boiling their water until further notice. The group felt that this point is lost at the end of the sentence of instructions and at the bottom of the notice under “What is the water system doing?” (Handbook, p. 28)

- People should be warned to not boil the water for too long (i.e., 30 minutes), since this action may concentrate other substances in the water to levels above drinking water standards. (Handbook, p. 28)

The group felt that it may be difficult for the system to provide a specific date on which the problem will be resolved (especially if they have not yet identified the source of the problem), and suggested that systems may want to be more general, e.g., within a few days.

The group suggested that operators inform consumers of any effects they may notice during the corrective action, such as an increased smell of chlorine in the water. (Handbook, p. 27)

One participant offered an additional example of a corrective action to include in the instructions for the notice: “we are switching to an alternate drinking water source.” This is likely to occur at systems in retail-wholesale agreements with other systems. (Handbook, p. 27)

One participant said that the word “Aviso” at the top the Spanish-language notice does not adequately convey a warning, saying this word means “notice” and would be expected at the top of a legal notice, not on a warning about potentially serious health effects. She suggested the word “Atención” instead. (Handbook, p. 30)

The group offered several suggestions for preparing in advance for 24-hour notices and distributing the notices as efficiently as possible:

- The handbook should include templates with blanks for operators to fill in the specifics of their situation. This would be especially useful in situations where the system is experiencing a power failure affecting both their water supply and their computers, or for the many operators who do not have computers. The handbook could also suggest using white-out on the templates to provide spaces for hand writing needed information.
- Operators should ask local media outlets about their deadlines for including a story on the evening news. Participants also agreed with the handbook on the importance of maintaining contacts with media outlets to ensure accurate reporting. (Handbook, Ch. 4)
- Water system operators should prepare for the possibility that a violation could occur in the middle of the night, over a weekend, or on a holiday. Operators should have 24 hour contacts at the primacy agency and at the media so that time is not wasted trying to make essential contacts. Operators should ensure that they are available 24 hours a day to labs or state officials trying to inform them of a Tier 1 violation. (Handbook, Ch. 4)
- When systems have a total coliform positive sample, operators should be encouraged to “gear up” for the possibility of having to prepare and distribute a notice in the event that repeat testing indicates the presence of fecal coliform or *E. coli*. (Handbook, Ch. 4)

- Other suggestions for effective communication included sound trucks (one participant noted that this was an essential communications tool during Hurricane Andrew), and billboards posted on main roads on or off of islands. (Handbook, Ch. 4)

Group 2– Surface Water Treatment Rule Treatment Technique

Scenario: A large surface water system using conventional filtration and serving 300,000 had 10 percent of its turbidity samples exceeding 0.5 NTU during one month. None of the exceedances was over 1.5 NTU. The system gets its water from a river.

According to the proposed rule, this violation would fall under Tier 2. George Rizzo thought a primacy agency might elevate this to a higher tier, but it would depend on how high the exceedance was and whether the exceedances occurred consecutively or sporadically throughout the month. The group assumed the exceedances were spread out over the month. One would also need to have other analytical information available, including concurrent and background *Cryptosporidium* levels, time of year, and other operational information. In light of this, one participant suggested that states might want to issue guidelines on when they may elevate a violation to a higher tier so systems would not be caught by surprise.

In the second paragraph of the notice, which describes the violation, group members suggested adding a sentence about current and historical turbidity levels. This would give some perspective on what the levels normally are and reassure consumers that turbidity is no longer a problem. They also recommended listing the specific dates turbidity was above the limit. Finally, the group members recommended including results of any testing for microorganisms where useful to explain potential risks. (Handbook, p. 54)

A few group members objected to the language, “This is not an emergency. . .” They thought it contradicted the sentence in the same paragraph, “Turbidity levels are relatively low but their persistence is a concern,” and the standard health effects language. They suggested changing the word “persistence” to “presence,” since turbidity levels have since returned to normal. (Handbook, p. 54)

The group also suggested some modifications to the health effects language. “Turbidity has no health effects” should be changed to, “Turbidity itself has no health effects.” Members also thought that the language describing turbidity as an indicator of the presence of microorganisms was inaccurate. They suggested combining the second and third sentences of the health effects language to say, “Turbidity can interfere with disinfection and may provide a medium for the growth of disease causing organisms.” (Handbook, p. 54)

The population at risk language (“Some people, including immuno-compromised. . .”) seemed to fit better under, “What should I do?” following the phrase, “However, if you have specific health concerns, consult your doctor.” In addition, the language implies that the populations at risk are at increased risk only due to this violation, when in reality, these groups are at increased risk whether there is a violation or not. It also was less inflammatory when put in this section. Some

participants felt that the population at risk also varied with exposure to turbidity; therefore, this language was not accurate for every turbidity exceedance. (Handbook, p. 54)

The group added “we are washing the filters” as an option for describing corrective actions. (Handbook, p. 53)

Group 3–Monitoring–Multiple Violations, Inclusion in CCR

Scenario: A small community water system has not monitored for total coliform three non-consecutive times during the last year (it is required to monitor monthly). The system uses ground water and does not disinfect at the source. The system also did not monitor for VOCs (it was required to sample once during the last compliance period, which ended 12/98).

- The group thought the handbook was unclear whether “population at risk” refers to subgroups of the population as a whole or people living in specific areas of the distribution system.
- If a system publishes its CCR in July or October, it could include notice of violations from outside the calendar year for which the CCR is reporting. (Handbook, Ch. 7)

Rule comment (no specific citation): Who is responsible for giving notice at a system that purchases water? The group suggested that systems need memoranda of agreement to clarify responsibilities. Also, one person asked when the clock starts for a purchasing system on getting a PN to its customers.

- Table 2 of the Handbook should reference the more detailed information in Appendix A. (Handbook, p. 7)
- The group developed additional language describing corrective actions to be included in the handbook. (Handbook, p. 67)

“We still have not monitored/sampled, but we will take samples on [date]. We will notify you if a problem is found.”

“We did not monitor on [date], but historical data show [results].”

- Timing is critical in the relationship between CCRs and PNs. Some members of the group preferred separate documents (in this case, the CCR should refer to the “PN issues we reported earlier this year”). There was some concern that this approach could confuse consumers.

Final Feedback

Participants offered a few final comments on the PN rule.

Rule comment (no specific citation): The requirements pose a large burden on systems who do not have adequate money and staff. (Richard Kolish, City of Baltimore Water Department)

Rule comment (141.202(b)): The 24 hour Tier 1 notification requirement is a positive change from the current PN rule.

Rule comment (141.203(b)): Extending the deadline for Tier 2 notification to 90 days poses too great a health risk. (Adrianna Quintero, NRDC)

Attachment 1
Participants at Washington, DC Public Notification Meeting

Annette Barnett
US Army Corps of Engineers
Washington Aqueduct
5900 MacArthur Blvd. NW
Washington, DC 20315
Phone: (202) 764-0038
Fax: (202) 764-2401
E-mail: Annette.m.barnett@wad01.usace.army.mil

Neal Fitzpatrick
Audubon Naturalist Society
8940 Jones Mill Road
Chevy Chase, MD 20815
Phone: (301) 652-9188, ext. 34
Fax: (301) 951-7179
E-mail: neal@audubonnaturalist.org

Seema Bhat
DC Water and Sewer Authority
Water Quality Division
6301 Hidden Clearing
Columbia, MD 21045
Phone: (202) 673-4588
Fax: (202) 673-6552
E-mail: sbhat@dcwasa.com

Renee Hall
Virginia Dept of Health
5700 Thurston Ave. #203
Virginia Beach, VA 23455
Phone: (757) 363-3876
Fax: (757) 363-3955
E-mail: rhall@vdh.state.va.us

Rick Brown
Virginia Rural Water Association
2138 Sycamore Avenue
Buena Vista, VA 24416
Phone: (540) 261-7178
Fax: (540) 261-2465
E-mail: cmdrbrown@rockbridge.net

Edward Hallock
State of Delaware
Office of Drinking Water
Jesse Cooper Building
PO Box 637
Dover, DE 19903
Phone: (302) 739-5410
Fax: (302) 739-3839
E-mail: ehallock@state.de.us

Curtis Cochrane
DC Water and Sewer Authority
5000 Overlook Avenue SW
Washington, DC 20032
Phone: (202) 645-6276
Fax: (202) 645-6245
E-mail: ccochran@dcwasa.com

Richard Kolish
City of Baltimore Water Department
3901 Hillen Road
Baltimore, MD 21218
Phone: (410) 396-0287
Fax: (410) 383-8478

Capt. Greg Durand
HQ US Air Force/ILEVQ
The Pentagon
Washington, DC 20330-1260
Phone (703) 607-0132
Fax (703) 604-3740

Libby Lawson
DC - WASA
5000 Overlook Ave. SW
Washington, DC 20032
Phone: (202) 645-6296
E-mail: Llawson@dcwasa.com

Robert Luther
Army National Guard
111 South George Mason Drive
Arlington, VA 22041
Phone: (703) 607-7980
Fax: (703) 607-7993
E-mail: lutherr@ngb-arng.ngb.army.mil

Diana Neidle
Consumer Federation of America
1424 16th Street, NW Suite 604
Washington, DC 20036
Phone: (202) 667-9280

Christine O'Brien
U.S. EPA Office of Ground Water and Drinking
Water
401 M Street SW
Mail Code 4606
Washington, DC 20460
Phone: (202) 260-4275
Fax: (202) 260-4656
E-mail: obrien.christine@epa.gov

Bridget O'Grady
Association of State Drinking Water
Administrators
1120 Connecticut Avenue, NW / Suite 1060
Washington, D.C. 20036
Phone: (202) 293-7655
Fax: (202) 293-7656
E-mail: asdwa@erols.com

Adrianna Quintero
Natural Resources Defense Council
1200 New York Ave. NW
Washington, DC 20005
Phone:(202) 289-6868
E-mail: aquintero@nrdc.org

Davelene Renshaw
1245 4th Street SW
E 501
Washington, DC 20024
Phone: (202) 488-1926
E-mail: bendavie@aol.com

Carl Reeverts
U.S. EPA Office of Ground Water and Drinking
Water
401 M Street SW
Mail Code 4606
Washington, DC 20460
Phone: (202) 260-7273
Fax: (202) 260-4656
E-mail: reeverts.carl@epa.gov

Brenda Richardson
Women Like Us
3008 24th Place SE
Washington, DC 20020
Phone: (202) 678-1978
Fax: (202) 889-1917

George Rizzo
EPA Region 3 (3WP-22)
1650 Arch Street
Philadelphia, PA 19103-2029
Phone: (215) 814-5781
Fax: (215) 814-2318
E-mail: rizzo.george@epamail.epa.gov

Alan Roberson
American Water Works Association
1401 New York Ave. NW #640
Washington, DC 20005
Phone:(202) 628-8303
Fax:(202) 628-2846
E-mail: aroberson@awaa.org

Mary Ann Rozum
USDA/CSREES
Stop 2210
Washington, DC 20250-2210
Phone: (202) 401-4533
E-mail: mrozum@reeusda.gov

Tom Schaeffer
American Metropolitan Water Agencies
1717 K St. NW Suite 801
Washington, DC 20036
Phone: (202) 331-2820
E-mail: tom@amwa-water.org

William Slade
Department of Health/
Environmental Health Administration
2100 M.L. King Jr Blvd SE #203
Washington, DC 20020
Phone: (202) 645-6601 EXT 3211
Fax: (202) 645-6301

Lynn Thorp
Campaign for Safe & Affordable Drinking
Water/Clean Water
4455 Connecticut Ave. NW, Ste. 300
Washington, DC 20008
Phone: (202) 895-0420 ext. 109
E-mail: Lthorp@cleanwater.org

Pat Ware
Bureau of National Affairs
1231 25th Street NW Room 338-S
Washington, DC 20037
Phone: (202) 452-4401
Fax: (202) 452-5331
E-mail: pware@bna.com

Susan W. Williams
Florida Cooperative Ext. Service
University of Florida
PO Box 110290
Soil and Water Service Dept
Gainesville, FL 32611-0290
Phone: (352) 392-4508
E-mail: sww@gniv.ifas.ufl.edu

Patti Kay Wisniewski
U.S. EPA Region 3
3WP22
1650 Arch Street
Philadelphia, PA 19103-2029
Phone: (215) 814-5668
Fax: (215) 814-2318
E-mail: wisniewski.patti-kay@epa.gov

Public Notification Meeting Final Report – Washington, DC

Attachment 2
EPA Presentation on PN Rule

Attachment 3
Transcript of Presentation on PN Rule Public Comments/Questions

Public Notification Meeting Final Report – Washington, DC

Attachment 4
Sample Notice Written for Citizens with Low Reading Ability
(Submitted by a Commenter)

Public Notification Meeting Final Report – Washington, DC

Attachment 5
Public Notices Created by Breakout Groups

The notices on the following pages were created by members of the breakout groups. The meeting report provides details on the breakout session discussions.

Public Notification Meeting Final Report – Washington, DC

Fecal Coliform Notice (Group 1)

WARNING
Effective Immediately

People served by [system]

BOIL YOUR WATER BEFORE USING

Fecal coliform [or *E. coli*] bacteria were found in your water supply on [date].

Do not use your water to:

- Drink
- Brush your teeth
- Cook
- Wash Dishes
- Make Ice

Until further notice.

- Bring all water to a boil, let it boil for one minute, **DO NOT OVERBOIL**. Let cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice.

What does this mean to me?

- *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 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.*
- The symptoms above are not caused only by organisms in drinking water, but may be caused by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice. People at increased risk should seek advice about drinking water from their health care providers.

What is the water system doing?

We are chlorinating the water system

- We will inform you when tests show no bacteria and you no longer need to boil your water. We anticipate resolving the problem by [date.]
- For more information on this situation, please contact ___ at _____. Guidelines on ways to lessen the risk of infection by microbes are available from the Safe Drinking Water Hotline at 1(800) 426-4791.

If other people, such as tenants, residents, patients, students, or employees, receive water from you, it is important that you provide this notice to them by posting it in a conspicuous location or by direct hand or mail delivery.

Public Notification Meeting Final Report – Washington, DC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

_____ Water System Did Not Meet Treatment Requirements

We routinely monitor for turbidity (cloudiness). This tells us whether we are treating and effectively filtering and disinfecting the water supply.

During the month of May, 10 percent of our turbidity samples were above 0.5 turbidity units. During June, there have been no exceedances so far, and the average turbidity to date is 0.05 turbidity units. The standard is that no more than 5 percent of samples may exceed 0.5 turbidity units.

What does this mean to me?

This is not an emergency. If it had been, you would have been notified immediately. The turbidity levels are relatively low, but their persistence is a concern.

Turbidity itself has no health effects. However, turbidity can interfere with disinfection and provide a medium for growth of disease causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea and associated headaches.

These symptoms are not caused only by organisms in drinking water and may be caused by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What should I do?

You do not need to boil your water. However, if you have specific health concerns, consult your doctor. Some people, including immuno-compromised people, some elderly, and infants may be at increased risk. These people should seek advice about drinking water from their health care providers. Guidelines on ways to lessen the risk of infection by microbes are available from the Safe Drinking Water Hotline at 1(800) 426-4791.

What is the water system doing?

We have washed the filters and we have increased monitoring.

We expect to be back in compliance by the end of June.

For more information, or to learn more about protecting your drinking water please contact ____ at ____.

If other people, such as tenants, residents, patients, students, or employees, receive water from you, it is important that you provide this notice to them by posting it in a conspicuous location or by direct hand or mail delivery.

Water System ID: _____