Instructions for Tier 2 Arsenic MCL Notice Template

Template Attached

Since exceeding the arsenic maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

### Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

**Community Water Systems** must use the primary method below and one or more secondary methods to reach persons not likely to be reached by the primary method. If you mail, post, or hand deliver, print your notice on letterhead, if available.

#### Primary Method

1. Mail or direct delivery. Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (for example schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

#### Secondary Methods. (Use one or more of the following methods to reach persons not likely to be reached by the primary method)

1. Publication in a local newspaper.
2. Posting in conspicuous public places served by the water system or on the Internet. Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.
3. Delivery to community organizations.

**Non-Community Water Systems** must use the primary method below and one or more secondary methods to reach persons not likely to be reached by the primary method. If you mail, post, or hand deliver, print your notice on letterhead, if available.

#### Primary Method

1. Posting in conspicuous locations throughout the area served by the water system. Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

#### Secondary Methods. (Use one or more of the following methods to reach persons not likely to be reached by the primary method)

1. Publication in a local newspaper or newsletter distributed to customers.
2. Email message to employees or students.
3. Posting on the Internet or intranet. Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.
4. Direct delivery to each customer.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

#### **Multilingual Requirement**

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

### Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

**Corrective Action**

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

* “We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove arsenic or connecting to [system]’s water supply.”
* “We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well.”
* “We will increase the frequency at which we test the water for arsenic.”
* “We have since taken samples at this location and had them tested. They show that we meet the standards.”

# After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

**INFORMACIÓN IMPORTANTE SOBRE SU AGUA POTABLE**

Este aviso contiene información muy importante sobre su agua potable.

**El agua de [System] tiene altos niveles de Arsénico**

**que exceden el estándar para agua potable**

Nuestro sistema de agua recientemente violó un estándar para agua potable. Aunque esto no es una emergencia, como cliente nuestro, usted tiene el derecho de saber qué debería hacer, lo que pasó, y qué estamos haciendo para corregir ésta situación.

Nosotros rutinariamente hacemos monitoreo para detectar la presencia de contaminantes en el agua potable. Los resultados de pruebas de muestras que recibimos el [date] indicaron niveles de [level and units]. Estos niveles exceden el estándar o MCL (nivel máximo de contaminantes) de 0.010 milígramos por litro **(**mg**/**L).

**¿Qué debo hacer?**

* **Usted no tiene que usar un suministro de agua alternativo (por ejemplo, agua embotellada).**
* Esto no es una emergencia. Si esto hubiera sido una emergencia, se le hubiera notificado de inmediato. No obstante, *algunas personas que beben agua que contiene arsénico arriba del nivel máximo de contaminantes (MCL) a lo largo de muchos años, pueden experimentar daños a la piel o problemas del sistema circulatorio, y pueden tener un riesgo mayor de tener cáncer.*
* Si tiene otros problemas de salud respecto al consumo de ésta agua, usted debería consultar con su doctor.

**¿Qué sucedió? ¿Qué se está haciendo al respecto?**

[Describe corrective action]. Anticipamos resolver el problema dentro de [estimated time frame].

Para más información, por favor contacte a [name of contact] al [phone number] o [mailing address].

*Por favor comparta esta información con todas las demás personas que tomen de esta agua, especialmente aquellos que no hayan recibido éste aviso directamente (por ejemplo, las personas en apartamentos, asilos, escuelas, y negocios). Puede hacerlo poniendo este aviso en un lugar público o distribuyendo copias en persona o por correo.*

*.***Requisitos de Notificación Secundaria**

Al recibir la notificación de alguien que opere un sistema de agua público, se debe dar la siguiente notificación dentro de 10 días conforme a la Sección 116450(g) del Código de Salud y Seguridad:

* ESCUELAS: Deben notificar a los empleados de la escuela, estudiantes, y a los padres (si los estudiantes son menores).
* DUEÑOS O GERENTES DE PROPIEDAD PARA ALQUILER RESIDENCIAL (incluyendo asilos e instituciones de cuidado): Deben notificar a sus inquilinos.
* DUEÑOS DE PROPIEDAD DE NEGOCIOS, GERENTES, U OPERADORES: Deben notificar a los empleados de los negocios situados en la propiedad.

Este aviso es enviado por [system].

Núm. de Identificación del Sistema Estatal de Agua: [Insert water system number].

Fecha de distribución: [Insert date the notice is distributed].