# Instructions for Tier 3 Monitoring Violations Annual Notice Template

## Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. 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 per the California Code of Regulations, Title 22, Section 64463b.

## 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.

If you are a **community water system** per Title 22 Section 64463.7c part 1, you must notify consumers by mail or direct delivery and by one or more of the following methods to reach persons not likely to be reached by the previous method:

1. Publication in a local newspaper
2. Posting in conspicuous public places served by the water system or on the internet
3. Delivery to community organizations

If you are a **noncommunity water system** per Title 22 Section 64463.7c part 2, you must notify consumers by posting in conspicuous locations throughout the area served by the water system and by one or more of the following methods to reach persons not likely to be reached by the previous 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
4. Direct delivery to each customer

Please note that the notice must be distributed to each customer receiving a bill including those that provide their drinking water to others, for example, to schools or school systems, apartment building owners, or large private employers and other service connections to which water is delivered by the water system. Additionally, the notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days. The template included here is appropriate for the methods described above, insertion in an annual notice, or included in the annual Consumer Confidence Report as long as public notification timing, content and delivery requirements are met per Title 22 Section 64463.7 d. 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 standard language for monitoring and testing procedure violations and notification language in italics unchanged. This language is mandatory per Title 22 Section 64465. You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, for example, in a footnote. An example is shown in the table below:

| Contaminant | Required Sampling Frequency | Number of Samples Taken | When All Samples Should Have Been Taken | When Samples Were or Will Be Taken |
| --- | --- | --- | --- | --- |
| VOCs | 1 sample every 3 years | None | 2002-2005 | February 2006 |

Examples of Volatile Organic Compounds are Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert-*butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

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

**Multilingual Requirement**

The notice must 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 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 include information in any of the appropriate languages regarding the importance of the notice and it must 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**

The population served by the water system must be made clear in the public notice.

**Corrective Actions**

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language or develop your own. Some examples of how you may word the corrective actions in the public notice are described below:

* “We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.”
* “We have since taken the required samples, as described in the last column of the table above. The sample for Insert contaminant name exceeded the limit. Insert corrective action.
* “We plan to take the required samples soon, as described in the last column of the table above.”

**Issuance of Public Notice**

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.

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 as described in Title 22 Section 64469d. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Division of Drinking Water sets. It is a good idea to issue another notice describing how the problem was corrected when the violation is resolved.

A generic template for Tier 3 Public Notification follows next.

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

(The following two sentences are in Spanish relaying information on the importance of this notice. Translated to English, it would read as follows: [This notice contains important information regarding your drinking water, please read the Spanish notice if it is included. If the Spanish notice is not included, please contact the water system and ask for a copy.])

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

**MONITORING REQUIREMENTS NOT MET FOR [Insert Water System Name]**

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

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

**What should I do?**

* There is nothing you need to do at this time.
* The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

| Contaminant | Required Sampling Frequency | Number of Samples Taken | When All Samples Should Have Been Taken | When Samples Were or Will Be Taken |
| --- | --- | --- | --- | --- |
| [**Insert Contaminant**] | [**Insert required frequency**] | [**Insert number of samples taken**] | [**Insert when all samples should have been taken**] | [**Insert when samples will be taken**] |

* If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

**What happened? What is being done?**

[**Insert description of corrective action**].

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

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

**Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

* SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
* RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
* BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by [**insert water system name**]

State Water System ID#: [**insert water system number**]

Date distributed: [**insert date distributed**]