



Public Notice Tier 1 Templates

Lead Template 1-10

PUBLIC NOTICE WITH THE LEAD AND COPPER RULE REVISIONS (LCRR) PROACTIVE INFORMATION INCLUDED

Instructions: (template on following page)

Exceeding the lead action level of 15 ug/L triggers a Tier 1 public notification under EPA's new and final lead and copper rule revisions (LCRR). Compliance with the LCRR begins on October 16, 2024. In order to proactively provide the public health protection of the LCRR's public notification requirement and provide consumers with the latest public health information, MassDEP, in the interest of public health protection per MGL Chapter 111 Section 160 and MassDEP Drinking Water Policy 08-02¹ and 310 CMR 22.16(1)(a) Table 1-3e is requiring public water systems to provide public notice to persons served as soon as practical but no later than 24 hours after the Public Water Supplier learns of the lead action level exceedance (ALE) under 310 CMR 22.16(2)(a) Table 3 item 8 (Tier 1 notice).

When does the 24-hour Public Notification period begin?

The 24-hour period begins as soon as you calculate your 90th percentile value after collecting and receiving all your samples results but not later than the end of the reporting period (as per 310 CMR 22.15(2)) noted below:

- July 10 for the January to June monitoring period,
- January 10 for the July to December monitoring period, and
- October 10 for the June to September four-month reduced monitoring period (unless MassDEP has approved a different four-month period).

Note that if a PWS completes its 90th percentile calculations prior to the end of the monitoring period, such system must complete the public notification within 24 hours of receiving all required sampling results and calculating the 90th percentile value as per 310 CMR 22.16(2)(b).

Collecting more than one sample from primary sites or collecting additional samples from other sites during the monitoring period requires prior MassDEP approval.

In accordance with 310 CMR 22.16(2)(b)2, PWS. must also contact/consult with their regional office of the Massachusetts Department of Environmental Protection (MassDEP) to determine additional public notice requirements.

- During this contact/consultation, you must receive MassDEP's approval for any changes to the provided template for distribution areas where notice is not mandatory and for the final notice and methods of delivery. (See information below on MassDEP Regional Office approval of final language and method of delivery prior to dissemination.)

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Environmental Protection
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Boston, MA 02108-4746
www.mass.gov/dep

Commonwealth of
Massachusetts
Charles D. Baker, Governor
Karen Polito, Lt. Governor

Executive Office of Energy and
Environmental Affairs
Kathleen Theoharides, Secretary

Department of
Environmental Protection
Martin Suuberg, Commissioner

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This information is available in
alternate format.
Contact Glynis Bugg at
617-348-4040.
TTY# MassRelay Service
1-800-439-2370
MassDEP Website:
www.mass.gov/dep

¹ DWP Policy 08-02 "Actions to Protect Public Health in the Period Between Federal Rule Promulgation And State Promulgation" is intended to document MassDEP's practice for ensuring public health protection during the period between the promulgation of a final U.S. Environmental Protection Agency ("EPA") National Primary Drinking Water Regulation and the promulgation of a corresponding MassDEP regulation. See <https://www.mass.gov/files/documents/2016/08/st/plcy0802.pdf>

- If your system is also currently subject to a separate Boil Water Order, please discuss appropriate language regarding boiling during contact/consultation.
- To ensure compliance with the 24 hour-notice, you must contact your regional office immediately to ensure that you will receive MassDEP's approval and be able to deliver the required notices within 24 hours.
 - Helpful Tip: PWSs may consider following the practice they would use to notify and consult with MassDEP/DWP regional office for the two-hour emergency notification required by 310 CMR 22.15(9).
- You may want to contact MassDEP prior to calculating the 90th percentile value once you receive sufficient results to indicate that a lead ALE is inevitable. (For example, you sample 20 homes and have already received 3 results above the lead action level.)
- Please note that contact/consultation with the regional office does not relieve you from complying with the 24-hour notice.

You should also coordinate with your local health department.

Mandatory language on health effects (310 CMR 22.16(5)(d)) for your public notification (PN), which must be included exactly as written, and as presented in *italics* below and on the template.

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

You must also include the following italicized language in all notices, where applicable. Use of this language does *not* relieve you of your obligation to take steps reasonably calculated to notify all persons served:

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

And

This notice contains important information about your drinking water. Have someone translate it for you or speak with someone who understands it.

Remember, your MassDEP Regional Office must approve the final language and method of delivery prior to dissemination.

- **Given the short timeframe for a 24-hour notice, all PWS are expected to have a plan for public notification and delivery ready to get MassDEP's approval as soon as possible but well in advance of the PWS 24-hour compliance deadline. (MassDEP strongly encourage PWSs to have a pre-approved plan to expedite their public notification).**

- Public Water Suppliers must have a plan for compliance with Public Notice requirements in their Emergency Response Plans required by 310 CMR 22.04 (13).

Delivery - You must use one or more of the following methods to deliver the notice to consumers (310 CMR 22.16(2)(c)):

- Radio
- Television
- Reverse 911
- Hand or direct delivery
- Posting in conspicuous locations

In addition to one (or more) of the above methods, you must publish the Tier 1 public notice within your local newspaper as a one-day advertisement no later than 14 days after the exceedance. A copy must be submitted to MassDEP no later than the time published.

You may need to use additional methods (e.g., newspaper, e-mail, web posting, delivery of multiple copies to hospitals, clinics, or apartment buildings) since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand-deliver your notice, print the notice on your system's letterhead, if you have it.

The template is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV. If you do modify the template, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (310 CMR 22.16(5)(d)). See Chapter 8 of the EPA and the Association of State Drinking Water Administrators (ASDWA) *Public Notification Handbook* for a notice designed for posting standard Tier 1 notices.

Corrective Action - In your notice, describe corrective actions you are taking. The language below describes one action commonly taken by water systems with lead exceedances. Use this language, if appropriate, or develop your own:

We are investigating water treatment and other actions to ensure your home receives water treated to reduce the risk of dissolving lead from your plumbing.

After Issuing the Notice - Make sure to send your MassDEP Regional Office and your local board of health a copy of each type of notice, and the certification that you have met all the public notice requirements within ten days after issuing the notice (310 CMR 22.15(3)(b)).

You should notify health professionals in the area of the exceedance. People may call their doctors with questions, and the doctors should have the information they need to respond appropriately.

Note - The EPA/ASDWA Public Notification Handbook provides additional aids to help water systems develop notices for violations and other situations. An electronic copy of the Public Notification Handbook is available at EPA's web site (<https://www.epa.gov/dwreginfo/public-notification-rule-compliance-help-water-system-owners-and-operators>). Please note that the EPA/ASDWA Handbook templates are non-state specific, so Massachusetts's water suppliers are required to use the Massachusetts' version of the templates for compliance purposes. Electronic copies of

the Massachusetts' public notification templates are available on the MassDEP website at: <https://www.mass.gov/lists/public-notification-forms-and-templates>.

24-HOUR NOTICE- REMOVE OR REPLACE HIGHLIGHTED TEXT

[System] DRINKING WATER NOTICE

Some homes have high levels of lead

This notice contains important information about your drinking water. Have someone translate it for you or speak with someone who understands it.

Our water system exceeded the lead drinking water action level.

Select one of the applicable highlighted sentences below and delete the other one:

[1. We routinely monitor for lead in water in homes likely to have elevated lead levels, including homes with lead service lines or lead solder] or

[2. We routinely monitor for lead in water in homes with lead service lines as they are more likely to have elevated lead levels (Only use this sentence if all the samples are from homes with LSL)].

We are required to collect [XX] samples between [insert date beginning of monitoring period] and [insert date end of monitoring period]. [XX] of these higher risk homes had elevated lead levels. The results of these routine samples for lead indicate a level of [XX] mg/L (or XX parts per billion). This level exceeds the lead action level of 0.015 mg/L (or 15 parts per billion). This means that more than 10 percent of the lead samples collected were above the lead action level.

What does this mean?

Our system's water mains that carry the water to you are made mostly of [insert piping material specific to your PWS, for example iron and steel], and therefore do not add lead to water. However, lead can get into tap water through the service line that connects your home to the water main if it is made of lead. Lead may also come from lead solder used to connect pipes in home plumbing, and from some faucets and fixtures.

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

What should I do to reduce my exposure to lead?

- **Use only cold, fresh water for drinking, cooking, and preparing baby formula.** Run the water for at least 1 minute or until after it turns cold.
- **Do not boil the water to remove lead.**
- **Check whether your home has a lead service line. IF YOU DO, HAVE IT REMOVED.** Please contact [insert PWS contact information] for more information about your home's service line, how to have it removed, or for information about plumbing materials in your home that may contain lead.
- **Contact your health care provider if you any health-related questions or contact your local health department to find out if your child needs to be tested for lead.**

What is our system doing?

Our public water system is taking the following actions to address the situation:

- [Describe corrective actions which may include: a treatment review, your LSL removal program, investigating homes with elevated levels, notifying all homeowners with suspected LSLs (mention if this has been done already), additional community outreach; and when system expects to sample next.]

For more information, contact [name of contact] at [phone number] or [mailing address or email address].
For more information on lead see [weblink]

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

This notice is being sent to you by [system]. PWS ID#: [xxxxxxx] Date distributed [date]
Distributed media type [insert type]

REMOVE OR REPLACE HIGHLIGHTED TEXT

Notice For Other Types of Media

[System] DRINKING WATER NOTICE

Some homes have high levels of lead

This notice contains important information about your drinking water. Have someone translate it for you or speak with someone who understands it.

Our water system exceeded the lead drinking water action level.

Select one of the applicable highlighted sentences and delete the other one:

[1. We routinely monitor for lead in water in homes likely to have elevated lead levels, including homes with lead service lines or lead solder] **or**

[2. We routinely monitor for lead in water in homes with lead service lines as they are more likely to have elevated lead levels **(Only use this sentence if all the samples are from homes with LSL)**].

We are required to collect [XX] samples between [insert date beginning of monitoring period] and [insert date end of monitoring period]. [XX] of these higher risk homes had elevated lead levels. The results of these routine samples for lead indicate a level of [XX] mg/L **(or XX parts per billion)**. This level exceeds the lead action level of 0.015 mg/L **(or 15 parts per billion)**. This means that more than 10 percent of the lead samples collected were above the lead action level.

What does this mean?

Our system's water mains that carry the water to you are made mostly of [insert piping material specific to your PWS, for example iron and steel], and therefore do not add lead to water. However, lead can get into tap water through the service line that connects your home to the water main if it is made of lead. Lead may also come from lead solder used to connect pipes in home plumbing, and from some faucets and fixtures.

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

What should I do to reduce my exposure to lead?

- **Use only cold, fresh water for drinking, cooking, and food preparation.** Run the cold water tap for at least 1 minute or until after it turns cold to flush out stale water as it may contain higher levels of lead.
- **Use only cold, fresh water for preparing baby formula.** Do not use water from the hot water tap to make baby formula. Lead dissolves more easily into hot water.
- **Do not boil the water to remove lead.** Boiling water will not reduce lead. Excessive boiling can increase lead levels as lead remains behind when the water boils away.
- **Check whether your home has a lead service line. IF YOU DO, HAVE IT REMOVED.**
 - [if available, Check for your home address on our list of homes with LSLs at [XXXXXXX]]
 - Please contact [insert PWS contact information] for more information about your home's service line, how to have it removed, or for information about plumbing materials in your home that may contain lead.
 - You may use EPA's Protect Your Tap tool to help identify if your service line is lead – see www.epa.gov/pyt.
- **Test your water for lead. You cannot see, taste or smell lead in drinking water.** The only way to determine the level of lead in drinking water at your home is to have the water tested by a state certified laboratory. For information on how to get your water tested call or email the contact listed below or see www.mass.gov/certified-laboratories for a list of certified laboratories.
- **Contact your health care provider if you any health-related questions or contact your local health department to find out if your child needs to be tested for lead.** A blood lead level test is the only way to know if your child is being exposed to lead. For more information on

Massachusetts' childhood lead testing program, contact the Department of Public Health at 1-800-532-9571 or see www.mass.gov/orgs/childhood-lead-poisoning-prevention-program.

What is our system doing?

Our public water system is taking the following actions to address the situation:

- [Describe corrective actions which may include: a treatment review, your LSL removal program, investigating homes with elevated levels, notifying all homeowners with suspected LSLs (mention if this has been done already), additional community outreach; and when system expects to sample next.]

For more information, contact [name of contact] at [phone number] or [mailing address or email address].
For more information on lead see [weblink]

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

This notice is being sent to you by [system]. PWS ID#: [xxxxxxx] Date distributed [date]
Distributed media type [insert type]