

CHAPTER Env-Dw 800 PUBLIC NOTIFICATION BY PUBLIC WATER SYSTEMS

Statutory Authority: RSA 485:41, IV & VII

PART Env-Dw 801 GENERAL VIOLATION NOTIFICATION REQUIREMENTS

Readopt with amendment Env-Dw 801.01, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 801.01 Applicability; Recipient(s) of Public Notice.

- (a) The public notice requirements specified in this chapter shall apply to each public water system (PWS) that is subject to the requirements for which Env-Dw 801.05, Env-Dw 801.08(a), or Env-Dw 801.11(a) require notice to be provided.
- (b) An O/O who is required to give public notice under this chapter shall notify the persons served by the PWS as specified herein.
- (c) For any PWS that serves a consecutive system as defined in 40 CFR 141.2, the following shall apply:
- (1) Subject to (d), below, the O/O of the supplying PWS shall give public notice as required by this chapter to the O/O of the consecutive PWS; and
 - (2) The O/O of the consecutive PWS shall provide public notice to the persons served by the consecutive PWS.
- (d) If the O/O of the consecutive PWS wants the O/O of the supplying PWS to provide notice to the certified operator of the consecutive PWS in addition to or in lieu of the O/O of the consecutive system, the O/O of the consecutive PWS shall:
- (1) Provide such directive in writing to the O/O of the supplying PWS; and
 - (2) Send a copy of the directive to the department concurrently with sending it to the O/O of the supplying PWS.
- (e) The O/O of the consecutive PWS may rescind the directive at any time by providing written notice of the rescission to the O/O of the supplying PWS and sending a copy of the rescission to the department.
- (f) Any notice under this chapter that is required to be given to the department shall be directed to the attention of the department's drinking water program.
- (g) For a PWS owned by a political subdivision, the PWS shall not be required to provide notice under Env-Dw 801.08(a)(5) or Env-Dw 801.11(a)(5) relative to exceeding ambient groundwater quality standards if the local legislative body of the political subdivision does not approve funding for the cost of the notice.

Readopt with amendment Env-Dw 801.02, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 801.02 Requirement to Use Specific Notice Language.

- (a) When providing the information on potential adverse health effects required by Env-Dw 801.03(c), the O/O shall include the applicable language specified in Env-Dw 804 through Env-Dw 810 for each contaminant or situation.
- (b) If language for a particular contaminant is not specified in Env-Dw 804 through Env-Dw 810 at the time notice is required, the O/O shall contact the department.
- (c) The O/O of a PWS at which the secondary MCL for fluoride as specified in Env-Dw 706.01 is exceeded shall issue public notice as specified in Env-Dw 803.01.
- (d) The O/O of a PWS for which an exemption has been granted under RSA 485:42 shall issue public notice as specified in Env-Dw 802.

(e) The O/O of a PWS that is subject to the unregulated contaminant monitoring rule identified in 40 CFR 141.40 shall issue public notice as specified in Env-Dw 803.03.

Readopt with amendment Env-Dw 801.03 and Env-Dw 801.04, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 801.03 Elements of a Public Notice. Unless otherwise specified in Env-Dw 802 or Env-Dw 803, public notice shall:

- (a) For each violation or situation for which notice is being given:
 - (1) Describe the violation or situation, including identifying each contaminant of concern and the corresponding contaminant level;
 - (2) Identify the compliance period, including year, when the violation or situation occurred;
 - (3) Describe any potential adverse health effects from the violation or situation using the applicable health effects language for that contaminant as specified in Env-Dw 804 through Env-Dw 810; and
 - (4) Identify the population(s) at risk, including each subpopulation that is particularly vulnerable if exposed to the contaminant in the drinking water;
- (b) Advise whether alternative water supplies should be used;
- (c) Identify what actions a consumer should take, including when to seek medical help, if known and applicable;
- (d) Describe actions the O/O is taking to correct the violation(s) or situation(s);
- (e) Identify when the O/O is expected to return to compliance or otherwise resolve the situation(s);
- (f) Provide the name, business address, and telephone number of the PWS owner, certified operator, or designee as a source of additional information concerning the notice;
- (g) Include the following statement:

“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
- (h) Include the following statement, including the information necessary to fill in the blanks, if the public notice is issued for a monitoring and reporting or monitoring and testing procedure violation as set forth in Env-Dw 707 through Env-Dw 713:

“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 your drinking water meets health standards. During [compliance period], we ‘did not monitor or test’ or ‘did not complete all monitoring or testing’ for [contaminants(s)], and therefore cannot be sure of the quality of your drinking water during that time.”.

Env-Dw 801.04 Acute Public Notice and Required Consultations.

- (a) For purposes of this section, the following definitions shall apply:
 - (1) “Consult with the department” means the O/O has engaged in 2-way communications directly with an individual in the department’s drinking water program, whether such communications are in person, by telephone, by fax, or by e-mail;
 - (2) “Initiate consultations” means the O/O has made reasonable efforts to communicate with the department, whether or not the efforts were initially successful; and

(3) “Made reasonable efforts” means the O/O conveyed information to the department by telephone, fax, or e-mail regarding the occurrence of the violation or situation, which included current contact information for the O/O or designee.

(b) As soon as practical but no later than 24 hours after learning of a turbidity MCL violation as listed in Env-Dw 801.05(g) or a treatment technique violation as listed in Env-Dw 801.05(h), the O/O shall consult with the department as specified in Env-Dw 801.06 relative to consultation for acute public notice violations or situations.

(c) As soon as practicable but no later than 24 hours after learning of a violation or situation listed in Env-Dw 801.05(a)-(f) or (j)-(l), the O/O shall:

- (1) Issue acute public notice as specified in Env-Dw 801.07; and
- (2) Initiate consultations with the department as specified in Env-Dw 801.06 to determine whether additional public notice is required.

Readopt with amendment Env-Dw 801.05, eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 801.05 Violations and other Situations for which Acute Public Notice is Required. The O/O shall provide acute public notice, in accordance with Env-Dw 801.01 through Env-Dw 801.04 and Env-Dw 801.07, of any of the following violations or situations:

- (a) Any violation of the MCL for E. coli specified in Env-Dw 702;
- (b) Any detection of E. coli as specified in Env-Dw 709.19, subject to Env-Dw 709.20;
- (c) Any detection of E. coli, enterococci, or coliphage in the groundwater source at a system that is subject to Env-Dw 717;
- (d) Any violation of the MCL for nitrate, nitrite, or total nitrate and nitrite as specified in Env-Dw 704.02 and determined in accordance with Env-Dw 707, Env-Dw 708, and Env-Dw 711;
- (e) Any 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, if required pursuant to Env-Dw 708 or Env-Dw 711;
- (f) Any violation of the chlorine dioxide MRDL as specified in Env-Dw 705.04(c), where:
 - (1) The required samples were not collected in the distribution system; or
 - (2) 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;
- (g) Any violation of the turbidity MCL specified in 40 CFR 141.13(b) if:
 - (1) The O/O fails to consult with the department within 24 hours of learning of the violation as required by Env-Dw 801.04(b); or
 - (2) After the required consultation, the department determines, based on the circumstances causing or contributing to the violation, that public notice is required to protect public health and safety;
- (h) Any violation of a treatment technique requirement specified in the surface water treatment rule (SWTR), interim enhanced surface water treatment rule (IESWTR), or long term 1 enhanced surface water treatment rule (LT1ESWTR), as incorporated by Env-Dw 716, resulting from a single exceedance of the maximum allowable turbidity limit, if:
 - (1) The O/O fails to consult with the department within 24 hours of learning of the violation as required by Env-Dw 801.04(b); or

- (2) After the required consultation, the department determines, based on the circumstances causing or contributing to the violation, that public notice is required to protect public health and safety;
- (i) Any occurrence of a waterborne disease outbreak as defined in 40 CFR 141.2;
 - (j) Any occurrence of a waterborne emergency, including, but not limited to:
 - (1) A failure or significant interruption in key water treatment processes or distribution;
 - (2) A natural disaster that disrupts the water supply or distribution system; and
 - (3) A chemical spill or the unexpected introduction of possible pathogens or substances into the source water that significantly increases the potential for drinking water contamination; and
 - (k) Any other violation or situation that has significant potential to cause serious adverse effects on human health as a result of short-term exposure, that is:
 - (1) Identified in Env-Dw 700; or
 - (2) Determined by the department after consultation with the O/O to warrant public notice in order to protect public health and safety.

Readopt with amendment Env-Dw 801.06, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 801.06 Consultation for Acute Public Notice Violations or Situations.

- (a) The consultation between the department and the O/O required by Env-Dw 801.04(c)(2) shall be to determine:
- (1) The degree of risk to public health from the violation or situation;
 - (2) Whether additional public notice will be required to be given by the O/O; and
 - (3) If additional public notice is required, the parameters for such notice, including timing, form, manner and frequency of distribution, and content.
- (b) The determinations in (a), above, shall be based on:
- (1) The nature of the specific violation or situation, including whether it exists throughout the entire PWS or is confined to only a portion of the PWS;
 - (2) When the violation or situation first occurred and how long it has been on-going;
 - (3) The severity of the violation or situation; and
 - (4) The potential health risk posed by the violation or situation.

Readopt with amendment Env-Dw 801.07, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 801.07 Acute Public Notice; Methods of Delivery.

- (a) The O/O shall notify persons served by the PWS of any of the violations or situations listed in Env-Dw 801.05 within 24 hours of learning of the violation or situation.
- (b) The O/O shall deliver the notice in a manner that is calculated to reach all persons served, by using at least one of the following forms of delivery:
- (1) Broadcast media, such as radio and television, by furnishing a copy of the public notice for broadcast to radio or television stations, or both, that broadcast in the area served by the PWS;
 - (2) Written notice to all persons served by the PWS 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 that newspaper;
 - b. By door-to-door hand delivery; or
 - c. For non-transient PWS, by posting the public notice in conspicuous locations throughout the area served by the PWS for as long as the violation persists or 7 days, whichever is longer; or
- (3) Subject to (c) below, reverse 911 telephone service to all persons served by the PWS, provided:
- a. Current phone numbers are known for all service connections; and
 - b. A receipt mechanism confirms that notice was received within 24 hours of transmittal.
- (c) When reverse 911 is used but all current phone numbers are not known, one of the delivery methods specified in (b)(1) or (2), above, shall be used for each person for whom the number is not known.
- (d) To supplement the delivery of notice by one or more methods listed in (b), above, the O/O may also distribute the public notice to persons served by the system using any of the methods specified below:
- (1) Delivery of multiple copies for distribution by customers who provide the water to others, such as apartment building owners, schools, or large private employers;
 - (2) Posting on the internet; or
 - (3) Delivery of one or more copies to community organizations.
- (e) Within 10 days of providing notice to each consumer, the O/O shall submit to the department the certification specified in Env-Dw 801.18.
- (f) Public notices for the violations described in (a), above, shall be repeated every 3 months for as long as the violation or situation persists unless the O/O requests, and the department approves, a different frequency pursuant to Env-Dw 801.10.

Readopt with amendment Env-Dw 801.08, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 801.08 Standard Public Notice for Community Water Systems (CWS).

- (a) The O/O of a community water system (CWS) shall provide notice, as required by Env-Dw 801.01, in accordance with (b), below, within 30 days of learning of any of the following violations or situations:
- (1) Any violation of an applicable MCL, MRDL, treatment technique, monitoring, or testing procedure requirements specified in Env-Dw 700 that is not an acute violation specified in Env-Dw 801.05;
 - (2) Any violation of the reporting or recordkeeping requirements specified in Env-Dw 709, Env-Dw 720.14(b) or Env-Dw 720.16(b);
 - (3) Any violation of the turbidity MCL requirements established in 40 CFR 141.13(b) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
 - (4) Any violation of a SWTR, IESWTR, or LT1ESWTR treatment technique as described in Env-Dw 801.05(h) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
 - (5) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses before or at the first customer as specified in Env-Dw 717; or

(6) Failure to comply with ambient groundwater quality standards (AGQS) as required by Env-Dw 707.02(b).

(b) The CWS O/O shall notify each customer receiving a bill and the O/O of any other service connection through which water is delivered to the public of any of the violations listed in (a), above, in such a manner that is calculated to reach all persons served by the CWS, by using at least one of the following forms of delivery:

- (1) Mail delivery; or
- (2) Door-to-door hand delivery.

(c) If the CWS O/O determines that not all persons served by the CWS were reached using the method chosen by the O/O from those described in (b), above, the O/O shall issue notice to persons served by the CWS using one of the following methods:

- (1) Publication in a local newspaper or newsletter distributed to all persons served by the CWS;
- (2) Delivery of multiple copies for distribution by customers that provide the water to others, such as apartments building owners, schools, or large private employers;
- (3) Posting in public places served by the CWS;
- (4) Posting on the internet or email broadcast to all persons served by the CWS; or
- (5) Delivery of one or more copies to community organizations.

(d) A CWS O/O who chooses to use the method in (c)(3), above, shall post the public notice for as long as the violation persists or 7 days, whichever is longer.

(e) Within 10 days of providing notice to its customers, the CWS O/O shall submit to the department the certification specified in Env-Dw 801.18.

(f) Public notices for the violations described in (a), above, shall be repeated every 3 months for as long as the violation persists unless the CWS O/O requests, and the department approves, a different frequency pursuant to Env-Dw 801.10.

Readopt with amendment Env-Dw 801.09 through Env-Dw 801.13, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 801.09 Request for Extension of Standard Public Notice for CWS.

(a) If a CWS O/O is unable to provide public notice within 30 days as required by Env-Dw 801.08(a), the O/O shall submit a request for an extension in writing to the department.

(b) A request for an extension shall:

- (1) Be filed prior to the expiration of the 30-day notice period;
- (2) Identify the CWS by name and PWS identifier;
- (3) Explain why the O/O is unable to provide the required notice within the required time;
- (4) Identify the length of the extension being requested; and
- (5) Describe what alternative(s), if any, will be used by the O/O prior to providing the required notice to ensure that public health will be protected.

(c) The department shall respond to the extension request in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the extension request if it finds that the alternative(s) proposed will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) An extension granted by the department shall extend the time for providing the initial notice not more than 3 months from the date the water system learns of the violation.

(f) In no event shall an extension request be approved for any ongoing violations.

Env-Dw 801.10 Alternate Frequency for Repeat Standard Public Notice for CWS.

(a) If a CWS O/O who is required to provide repeat notice under Env-Dw 801.08(f) wishes to provide repeat notice less frequently than once every 3 months, the O/O shall submit a request for a modification of the repeat notice frequency in writing to the department.

(b) A request for an alternate repeat notice frequency shall:

- (1) Be filed prior to the expiration of the notice period required by Env-Dw 801.08(a) or extension thereof granted pursuant to Env-Dw 801.09;
- (2) Identify the CWS by name and PWS identifier;
- (3) Explain why the O/O is unable or unwilling to provide the required repeat notice every 3 months;
- (4) Identify the frequency being requested for the repeat notices; and
- (5) Explain how public health will be protected even though the frequency of repeat notices would be reduced.

(c) The department shall respond to the request for a modification of the repeat notice frequency in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the request if it finds that the proposed frequency will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) In no event shall repeat notice be given less frequently than once per year.

(f) In no event shall the department approve a less frequent repeat notice for an MCL or treatment technique violation under Env-Dw 709.23 or for treatment technique violations of the SWTR or IESWTR as incorporated by Env-Dw 716.

Env-Dw 801.11 Standard Public Notice for Non-Community Water Systems (NCWS).

(a) The O/O of a non-community water system (NCWS) shall provide notice, as required by Env-Dw 801.01, in accordance with (b), below, within 30 days of learning of any of the following violations or situations:

- (1) A violation of an applicable MCL, MRDL, treatment technique, monitoring, or testing procedure requirements specified in Env-Dw 700 that is not an acute violation specified in Env-Dw 801.05;
- (2) Any violation of the reporting and recordkeeping requirements specified in Env-Dw 709, Env-Dw 720.14(b) or Env-Dw 720.16(b);
- (3) Any violation of the turbidity MCL requirements established in 40 CFR 141.13(b) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
- (4) Any violation of a SWTR, IESWTR, or LT1ESWTR treatment technique as described in Env-Dw 801.05(h) where the department determines, after consultation in accordance with Env-Dw

801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;

(5) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses before or at the first customer as specified in Env-Dw 717;

(6) Failure to comply with ambient groundwater quality standards (AGQS) as required by Env-Dw 707.02(b); or

(7) Failure to complete seasonal start-up procedures and certification as required by Env-Dw 506.

(b) The NCWS O/O shall notify each customer receiving a bill and the owner of any other service connection through which water is delivered to the public of any of the violations listed in (a), above, in such a manner that is calculated to reach all persons served by the NCWS, by using at least one of the following forms of delivery:

(1) Mail delivery;

(2) Door-to-door hand delivery; or

(3) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system.

(c) If the NCWS O/O determines that persons served by the NCWS cannot be reached using the delivery methods specified in (a), above, the O/O shall issue notice to persons served by the NCWS using one of the following methods:

(1) Publication in a local newspaper or newsletter distributed to persons served by the NCWS;

(2) Delivery of multiple copies for distribution by customers that provide the water to others, such as apartment building owners, schools, or large private employers;

(3) Posting on the internet or email broadcast to all persons served by the system; or

(4) Delivery of one or more copies to community organizations.

(d) Within 10 days of providing notice to its customers, the NCWS O/O shall submit to the department the certification specified in Env-Dw 801.18.

(e) If the NCWS O/O elects to provide public notice by posting the notice, posting shall continue for as long as the violation persists or 7 days, whichever is longer.

(f) Subject to (g), below, the NCWS O/O shall repeat the public notice for the standard violations described in (a), above, every 3 months for as long as the violation persists unless the NCWS owner requests, and the department approves, a different frequency pursuant to Env-Dw 801.13.

(g) If a monitoring violation occurs at a seasonal system that will not be in operation for at least 3 months following the issuance of the public notice, the NCWS O/O shall also post the notice upon the reopening of the system the following season. If such additional posting is required, the notice shall remain posted for 7 days or as long as the violation persists, whichever is longer.

Env-Dw 801.12 Request for Extension of Standard Violation Public Notice for NCWS.

(a) If an NCWS O/O is unable to provide public notice within 30 days as required by Env-Dw 801.11(a), the O/O shall submit a request for an extension in writing to the department.

(b) A request for an extension shall:

(1) Be filed prior to the expiration of the 30-day notice period;

(2) Identify the water system by name and PWS identifier;

- (3) Explain why the O/O is unable to provide the required notice within the required time;
- (4) Identify the length of the extension being requested; and
- (5) Describe what alternative(s), if any, will be used by the O/O prior to providing the required notice to ensure that public health will be protected.

(c) The department shall respond to the extension request in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the extension request if it finds that the alternative(s) proposed will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) An extension granted by the department shall extend the time for providing notice not more than 3 months from the date the water system learns of the violation.

(f) In no event shall an extension request be approved for any ongoing violations.

Env-Dw 801.13 Alternate Frequency for Repeat Standard Public Notice for NCWS.

(a) If an NCWS O/O who is required to provide repeat notice under Env-Dw 801.11(f) wishes to provide repeat notice less frequently than once every 3 months, the O/O shall submit a request for a modification of the repeat notice frequency in writing to the department.

(b) A request for an alternate repeat notice frequency shall:

- (1) Be filed prior to the expiration of the notice period required by Env-Dw 801.11(a) or extension thereof granted pursuant to Env-Dw 801.12;
- (2) Identify the NCWS by name and PWS identifier;
- (3) Explain why the O/O is unable or unwilling to provide the required repeat notice every 3 months;
- (4) Identify the frequency being requested for the repeat notices; and
- (5) Explain how public health will be protected even though the frequency of repeat notices would be reduced.

(c) The department shall respond to the request for a modification of the repeat notice frequency in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the request if it finds that the proposed frequency will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) In no event shall repeat notice be given less frequently than once per year.

(f) In no event shall the department approve a less frequent repeat notice for an MCL or treatment technique violation under the coliform rule as specified in Env-Dw 709.23 or for treatment technique violations of the SWTR or IESWTR as incorporated by Env-Dw 716.

Readopt with amendment Env-Dw 801.14, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 801.14 Notice to New Billing Units or New Customers for CWS and NCWS.

(a) A CWS O/O shall give to each new billing unit or new hookup, prior to or at the time service begins, a copy of the most recent public notice for any of the following:

- (1) Any outstanding violation;
- (2) The existence of any exemption; or
- (3) Any other ongoing situation for which public notice is required.

(b) An NCWS O/O shall continuously post the public notice for any of the violations or situations identified in (a)(1) through (3), above, for as long as the violation, exemption, or other situation persists or 7 days, whichever is longer.

Readopt with amendment Env-Dw 801.15, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 801.15 Limiting Public Notice.

(a) If any PWS has a violation or situation requiring public notice in a portion of the distribution system that is hydraulically separate from other parts of the distribution system, the O/O may request the department to allow notice to be distributed to only persons served by the part of the system that is affected.

(b) To file a request for permission to limit notice distribution, the O/O shall:

- (1) Identify the PWS by name and PWS identifier;
- (2) Identify the portion of the distribution system that is hydraulically separate from other parts of the distribution system; and
- (3) Submit a signed statement certifying that the violation(s) or situation occurred only within the separate portion of the distribution system.

(c) If the department determines that the O/O has demonstrated that the violation(s) or situation occurred only within the hydraulically-separate portion of the distribution system, the department shall allow the O/O to give public notice to only that portion of the PWS which is affected.

(d) The department's decision on the request shall be in writing. If the request is denied, the department shall specify the reason(s) for the denial.

Readopt with amendment Env-Dw 801.17 through Env-Dw 801.20, eff. 6-30-10 (doc. #9730), and renumber as Env-Dw 801.16 through Env-Dw 801.19, to read as follows:

Env-Dw 801.16 Requirements for All Public Notices.

(a) Where these rules do not provide specific language or a template for a condition requiring public notice, the O/O shall prepare the notice in consultation with the department.

(b) Each public notice shall:

- (1) When posted, be displayed in a conspicuous manner;
- (2) Be written using language that is likely to be understood by the average customer, and not contain unduly technical language;
- (3) Be written using a font size that is readable at the distance at which most people would read it, such that a posted notice shall have a larger font size than a mailed notice, and neither shall have unduly small print; and

(4) Not be worded or formatted in a way which defeats or 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 information regarding the importance of the notice and 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 user.

Env-Dw 801.17 Department Action When O/O Fails to Notify.

(a) The department shall issue public notice on behalf of the O/O if the department determines that the O/O failed to issue public notice as required by this part and:

(1) The failure to issue public notice may pose a risk to human health as identified in Env-Dw 700; or

(2) The O/O fails to recognize or acknowledge any other violation of Env-Dw 700.

(b) Even if the department provides notice pursuant to (a), above, the O/O shall remain subject to enforcement under RSA 485:58 for failing to provide public notice and for any other violations of this part.

(c) The department shall issue a public notice violation if the O/O fails to comply with the timing, content, delivery, or certification requirements of this part.

Env-Dw 801.18 Certification of Public Notice.

(a) Within 10 days of completing the public notification requirements, the O/O shall certify to the department, in writing, that the O/O has fully complied with all public notice requirements specified in this part.

(b) The certification required by (a), above, shall consist of:

(1) A representative copy of each type of public notice distributed, published, posted, or otherwise made available to the persons served by the system and the media, including any initial and repeat notices;

(2) If notice was given by publication in a newspaper as specified in Env-Dw 801.07(b)(2)a. or Env-Dw 801.08(c)(1), a copy of:

a. One complete newspaper page which shows the newspaper name and publication date, together with the dates of each of the 2 consecutive issues; or

b. A copy of the tear sheet and invoice showing the publication run dates; and

(3) A statement signed by the O/O certifying when, where, how, and by whom public notice was given.

(c) The O/O shall submit a new certification to the department, as specified in (a) and (b), above, for any repeat public notices.

(d) The O/O shall retain a copy of the public notice and accompanying certification for not less than 3 years after issuance.

Env-Dw 801.19 Distribution of Public Notice within the Consumer Confidence Report.

(a) A CWS O/O may use the consumer confidence report (CCR) required by Env-Dw 811 to meet the requirements of this part for the violations or situations listed in (b), below, provided:

(1) The CCR contains all information required in Env-Dw 801.02 and Env-Dw 801.03;

- (2) The CCR is distributed not later than one year after the O/O learns of the violation or situation; and
 - (3) The owner notifies the department in writing, within 30 days of learning of the violation or situation, that the CCR will be used as the public notice mechanism.
- (b) The following violations or situations may be reported in the CCR:
- (1) Annual notice of secondary fluoride exceedance; or
 - (2) The availability of unregulated contaminant monitoring results.

Readopt with amendment Env-Dw 802, eff. 2-1-15 (doc. #10771), to read as follows:

PART Env-Dw 802 NOTICES FOR EXEMPTIONS

Env-Dw 802.01 Notices of Exemptions. The O/O shall notify persons served by the PWS in accordance with this part whenever:

- (a) An exemption is granted to the PWS under RSA 485:42; or
- (b) A condition of an exemption granted to the PWS is violated.

Env-Dw 802.02 Required Initial Notice. Except as provided in Env-Dw 802.04 or Env-Dw 802.05, as applicable, the O/O shall give notice within 3 months of the initial granting of an exemption or initial discovery of a violation of a condition of an exemption granted to the PWS by publication in:

- (a) A daily newspaper of general circulation in the area served by the PWS; or
- (b) If the area served by the PWS is not served by a daily newspaper of general circulation, a weekly newspaper of general circulation serving the area.

Env-Dw 802.03 Required On-Going Notices. Except as provided in Env-Dw 802.04 or Env-Dw 802.05, as applicable, subsequent to giving initial notice the O/O shall give repeat notice of the existence of an exemption or violation of a condition of an exemption every 3 months for as long as the exemption remains in effect or the violation persists.

Env-Dw 802.04 Alternative Notice for CWS.

(a) In lieu of providing notice as specified in Env-Dw 802.02, the CWS O/O in an area that is not served by a daily or weekly newspaper of general circulation shall give initial notice within 3 months of the granting of an exemption or the discovery of a violation of a condition of the exemption as follows:

- (1) By mail or hand delivery to each customer receiving a bill and to other service connections to which water is delivered by the CWS; and
- (2) For those people regularly served by the CWS who would not normally be reached by delivery in accordance with (1), above, by continuous posting in conspicuous places within the area served by the CWS.

(b) If the CWS O/O provides initial notice by posting, the O/O shall maintain the posting for as long as the violation persists or the exemption remains in effect.

(c) If the CWS O/O provides initial notice by mail or hand delivery, the O/O shall repeat the mail or hand delivery at least once every 3 months for as long as the violation persists or the exemption remains in effect.

Env-Dw 802.05 Alternative Notice for NCWS.

(a) In lieu of providing notice as specified in Env-Dw 802.02, the NCWS O/O shall give notice within 3 months of the granting of an exemption or the discovery of a violation of a condition of the exemption as follows:

(1) By hand delivery to each customer receiving a bill and to other service connections to which water is delivered by the NCWS; and

(2) For those people regularly served by the NCWS who would not normally be reached by delivery in accordance with (1), above, by continuous posting in conspicuous places within the area served by the NCWS.

(b) If the NCWS O/O provides initial notice by posting, the O/O shall maintain the posting for as long as the violation persists or the exemption remains in effect.

(c) If the NCWS O/O provides initial notice by hand delivery, the O/O shall repeat the hand delivery at least every 3 months for as long as the violation persists or the exemption remains in effect.

Env-Dw 802.06 Required Notice Content. The public notice shall contain the following information:

(a) The date on which the exemption was issued;

(b) The date the exemption is to be renewed;

(c) An explanation of why the exemption was granted;

(d) A brief status report on the steps the O/O has taken to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the exemption;

(e) Notice of any opportunity for public input in the review or renewal of the exemption; and

(f) The following definition:

“Exemptions: State or EPA permission not to meet an MCL or treatment technique under certain conditions.”

PART Env-Dw 803 NOTIFICATIONS FOR FLUORIDE, CRYPTOSPORIDIUM, AND UNREGULATED CONTAMINANTS

Readopt with amendment Env-Dw 803.01, eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 803.01 Compliance with Secondary Maximum Contaminant Level and Public Notification for Fluoride.

(a) Subject to (c) below, the O/O of a CWS or a non-transient non-community water system (NTNC) at which the level of fluoride exceeds the secondary MCL specified in Env-Dw 706.01 but not the MCL specified in Env-Dw 704.02 shall provide the notice prescribed in (b), below, to all billing units annually, to all new billing units at the time service begins, and to the New Hampshire public health officer at the department of health and human services.

(b) The public notice required by (a), above, shall:

(1) Contain the language specified in Env-Dw 801.03 and Env-Dw 806.11; and

(2) Be provided as soon as practical but not later than 12 months from the day the CWS or NTNC O/O learns of the exceedance.

(c) The O/O of an NTNC shall provide notice under this section only if it serves children under the age of 9, which is the population subject to dental fluorosis.

(d) A CWS O/O may provide notice as required in Env-Dw 801.08 through the CCR as specified in Env-Dw 801.19.

Readopt with amendment Env-Dw 803.02 and Env-Dw 803.03, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 803.02 Public Notice for Cryptosporidium.

(a) If the O/O of a PWS that is required to monitor source water under Env-Dw 716 fails to collect any 3 months of monitoring as specified in 40 CFR 141.701(c) incorporated by reference at Env-Dw 716.09, the O/O shall provide the notice specified in (c), below, to all persons served by the system no later than 30 days after learning of the violation.

(b) The O/O of a PWS that is required to determine a bin classification as specified in 40 CFR 141.710 incorporated by reference at Env-Dw 716.09, or to determine mean Cryptosporidium level under 40 CFR 141.712 incorporated by reference at Env-Dw 716.09, shall provide the notice that the determination has not been made as required, as specified in (c), below, to all persons served by the system no later than 30 days after the system has failed to report the determination as specified in 40 CFR 141.710(e) or 40 CFR 141.712(a), respectively.

(c) The notice required by (a), above, shall:

- (1) Contain the language specified in 40 CFR 141.211(d)(1) and (3);
- (2) If posted, remain in place for as long as the violation or situation persists or 7 days, whichever is longer; and
- (3) Be repeated as specified 40 CFR 141.203(b)(2).

(d) The notice required by (b), above, shall:

- (1) Contain the language specified in 40 CFR 141.211(d)(2) and (3);
- (2) If posted, remain in place for as long as the violation or situation persists or 7 days, whichever is longer; and
- (3) Be repeated as specified 40 CFR 141.203(b)(2).

Env-Dw 803.03 Public Notice of the Availability of Unregulated Contaminant Monitoring Results.

(a) The O/O of a PWS at which monitoring under the unregulated contaminant monitoring rule identified in 40 CFR 141.40 is conducted shall issue public notice of the availability of the monitoring results to persons served by the PWS as specified in (b) through (e), below.

(b) The notice shall contain the information specified in Env-Dw 801.03.

(c) Within 12 months of the receipt of the results, the O/O of a CWS shall issue the notice either in accordance with Env-Dw 801.08(b) through (d) or through the CCR in accordance with Env-Dw 801.19.

(d) Within 12 months of the receipt of the results, the O/O of a NCWS shall issue the notice in accordance with Env-Dw 801.11(b) and (c).

(e) Within 10 days of providing notice to its customers, the O/O shall submit the certification specified in Env-Dw 801.18 to the department.

Readopt with amendment Env-Dw 804, eff. 2-1-15 (doc. #10771), to read as follows:

PART Env-Dw 804 HEALTH EFFECTS LANGUAGE FOR MICROBIOLOGICAL, CORROSION CONTROL, TURBIDITY, AND SEASONAL SYSTEMS

Env-Dw 804.01 Required Health Effects Language for Microbiological Contaminants.

- (a) The O/O shall use one or more of the statements listed in (b) through (h), below, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for microbiological contaminants specified in Env-Dw 702.
- (b) For an E. coli detection or MCL exceedance, the statement shall read as follows:
- “E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems.”;
- (c) For total coliform assessment and corrective action violations, the statement shall read as follows:
- “Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, waterborne pathogens may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessments to identify problems and to correct any problems that were found during these assessments.”
- (d) For total coliform assessment and corrective action violations, the O/O also shall include one of the following statements, as applicable:
- (1) “We failed to conduct the required assessment.”; or
 - (2) “We failed to correct all identified sanitary defects that were found during the assessment(s).”
- (e) For E. coli assessment and corrective action violations, the statement shall read as follows:
- “E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems. We violated the standard for E. coli, indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct a detailed assessment to identify problems and to correct any problems that are found.”
- (f) For E. coli assessment and corrective action violations, the system also shall include one of the following statements, as applicable:
- (1) “We failed to conduct the required assessment.”; or
 - (2) “We failed to correct all identified sanitary defects that were found during the assessment we conducted.”
- (g) For the presence of Giardia lamblia, the statement shall read as follows:
- “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.”

(h) The O/O shall use the following as the statement required by Env-Dw 801.03(c) to describe the adverse health effects when there is a violation of the treatment technique for filtration and disinfection specified in Env-Dw 716:

“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.”

Env-Dw 804.02 Required Health Effects Language for Exceedance of the Copper Action Level. The O/O shall use the following as the statement required by Env-Dw 801.03(c) to describe the adverse health effects when the copper action level specified in Env-Dw 714 is exceeded:

“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 personal doctor.”

Env-Dw 804.03 Required Health Effects Language for Failure to Install Optimal Corrosion Control. The O/O shall use one or both of the following, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for violations of corrosion control treatment techniques required for lead, copper, or both specified in Env-Dw 714:

(a) For the presence of 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.”

(b) For the presence of 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 personal doctor.”

Env-Dw 804.04 Required Health Effects Language for Turbidity Violations. The O/O shall use the following as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for violations of the turbidity MCL specified in 40 CFR 141.13(b) or for treatment technique violations specified in Env-Dw 716:

“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.”

Env-Dw 804.05 Required Health Effects Language for Seasonal Systems. The O/O of a seasonal PWS shall use the following, as applicable, as the statement(s) required by Env-Dw 801.03(c):

(a) For the failure to monitor or report total coliforms or E. coli in accordance with Env-Dw 709, the mandatory language found at Env-Dw 801.03(k); and

(b) For violations as specified in Env-Dw 506.07, for the failure to complete other actions, the language specified in Env-Dw 801.03.

Readopt with amendment Env-Dw 805, eff. 6-30-10 (doc. #9730), to read as follows:

PART Env-Dw 805 HEALTH EFFECTS LANGUAGE FOR RADIOLOGICAL CONTAMINANTS

Env-Dw 805.01 Required Health Effects Language for Radiological Contaminants. The O/O shall use the language specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the radiological contaminants specified in Env-Dw 703.

Env-Dw 805.02 Compliance Gross Alpha. For compliance gross alpha violations, the statement shall read as follows:

“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.”

Env-Dw 805.03 Uranium. For uranium violations, 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.”

Env-Dw 805.04 Radium 226 and Radium 228. For radium 226 or radium 228 violations, 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.”

Env-Dw 805.05 Beta Radiation and Photon Emitters. For beta radiation or photon emitters violations, 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.”

Env-Dw 805.06 Alpha Emitters. For alpha emitters violations, the statement shall read as follows:

“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.”

Readopt with amendment Env-Dw 806, eff. 6-30-10 (doc. #9730), to read as follows:

PART Env-Dw 806 HEALTH EFFECTS LANGUAGE FOR INORGANIC CHEMICAL CONTAMINANTS

Env-Dw 806.01 Required Health Effects Language for Regulated Inorganic Chemical (IOC) Contaminants. The O/O shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the IOC contaminants specified in Env-Dw 704.

Env-Dw 806.02 Antimony. For antimony violations, 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.”

Env-Dw 806.03 Arsenic. For arsenic violations, 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.”

Env-Dw 806.04 Asbestos. For asbestos violations, 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.”

Env-Dw 806.05 Barium. For barium violations, 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.”

Env-Dw 806.06 Beryllium. For beryllium violations, 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.”

Env-Dw 806.07 Cadmium. For cadmium violations, 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.”

Env-Dw 806.08 Chromium. For chromium violations, or total chromium violations, the statement shall read as follows:

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

Env-Dw 806.09 Cyanide. For cyanide violations, 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.”

Env-Dw 806.10 Fluoride MCL. For a violation of the MCL for fluoride specified in Env-Dw 704, 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.”

Env-Dw 806.11 Fluoride SMCL. For an exceedance of the secondary MCL for fluoride specified in Env-Dw 706.01(b), 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 water 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 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 are 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 also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.

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

Env-Dw 806.12 Mercury. For mercury violations, 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.”

Env-Dw 806.13 Nitrate. For nitrate violations, 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.”

Env-Dw 806.14 Nitrite. For nitrite violations, 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.”

Env-Dw 806.15 Total Nitrate and Nitrite. For total nitrate and nitrite violations, 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.”

Env-Dw 806.16 Selenium. For selenium violations, 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.”

Env-Dw 806.17 Thallium. For thallium violations, 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.”

Readopt with amendment Env-Dw 807, eff. 6-30-10 (doc. #9730), to read as follows:

PART Env-Dw 807 HEALTH EFFECTS LANGUAGE FOR VOLATILE ORGANIC CHEMICAL (VOC)
CONTAMINANTS

Env-Dw 807.01 Required Health Effects Language for Regulated Volatile Organic Chemical (VOC) Contaminants. The O/O shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the VOC contaminants specified in Env-Dw 705.01 and for exceedances of an AGQS for a VOC specified in Env-Or 600.

Env-Dw 807.02 Benzene. For benzene violations, 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.”

Env-Dw 807.03 Carbon Tetrachloride. For carbon tetrachloride violations, 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.”

Env-Dw 807.04 o-Dichlorobenzene (1,2-Dichlorobenzene). For o-dichlorobenzene or 1,2-dichlorobenzene violations, 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.”

Env-Dw 807.05 para-Dichlorobenzene (1,4-Dichlorobenzene). For p-dichlorobenzene or 1,4-dichlorobenzene violations, 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.”

Env-Dw 807.06 1,2-Dichloroethane. For 1,2-dichloroethane violations, 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.”

Env-Dw 807.07 1,1-Dichloroethylene. For 1,1-dichloroethylene violations, 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.”

Env-Dw 807.08 cis-1,2-Dichloroethylene. For cis-1,2-dichloroethylene violations, 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.”

Env-Dw 807.09 trans-1,2-Dichloroethylene. For trans-1,2-dichloroethylene violations, the 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.”

Env-Dw 807.10 Dichloromethane (Methylene Chloride). For dichloromethane or methylene chloride violations, 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.”

Env-Dw 807.11 1,2-Dichloropropane. For 1,2-dichloropropane violations, 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.”

Env-Dw 807.12 Diisopropyl ether (DIPE). For diisopropyl (DIPE) violations, the statement shall read as follows:

“Some people who drink water containing diisopropyl ether (DIPE) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their liver and kidneys.”

Env-Dw 807.13 1,4-Dioxane. For 1,4-dioxane violations, the statement shall read as follows:

“Some people who drink water containing 1,4-dioxane in excess of the Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their liver and kidney as well as have an increased risk of developing cancer.”

Env-Dw 807.14 Ethyl tertiary butyl ether (EtBE). For ethyl tertiary butyl (EtBE) violations, the statement shall read as follows:

“Some people who drink water containing ethyl tertiary butyl ether (ETBE) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their liver, kidneys, and bone marrow as well as have an increased risk of developing cancer.”

Env-Dw 807.15 Ethylbenzene. For ethylbenzene violations, 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.”

Env-Dw 807.16 Methyl tertiary-butyl ether (MtBE). For methyl tertiary-butyl ether (MtBE) violations, the statement shall read as follows:

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

Env-Dw 807.17 Monochlorobenzene (chlorobenzene). For monochlorobenzene or chlorobenzene violations, 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.”

Env-Dw 807.18 Styrene. For styrene violations, 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.”

Env-Dw 807.19 Tertiary amyl methyl ether (TAME). For tertiary amyl methyl ether (TAME) violations, the statement shall read as follows:

“Some people who drink water containing tertiary amyl methyl ether (TAME) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their kidneys and adrenal gland as well as have an increased risk of developing cancer.”

Env-Dw 807.20 Tertiary butyl alcohol (TBA). For tertiary butyl alcohol (TBA) violations, the statement shall read as follows:

“Some people who drink water containing tertiary butyl alcohol (TBA) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their kidneys, bladder, and thyroid gland as well as have an increased risk of developing cancer.”

Env-Dw 807.21 Tetrachloroethylene. For tetrachloroethylene violations, 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.”

Env-Dw 807.22 Toluene. 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.”

Env-Dw 807.23 1,2,4-Trichlorobenzene. For 1,2,4 trichlorobenzene violations, 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.”

Env-Dw 807.24 1,1,1-Trichloroethane. For 1,1,1-trichloroethane violations, 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, nervous system, or circulatory system.”

Env-Dw 807.25 1,1,2-Trichloroethane. For 1,1,2 trichloroethane violations, 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 have problems with their liver, kidneys, or immune systems."

Env-Dw 807.26 Trichloroethylene. For trichloroethylene violations, the statement shall read as follows:

“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.”

Env-Dw 807.27 Vinyl chloride. For vinyl chloride violations, 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.”

Env-Dw 807.28 Xylene, Total. For total xylenes violations, 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.”

Readopt with amendment Env-Dw 808, eff. 6-30-10 (doc. #9730), to read as follows:

PART Env-Dw 808 HEALTH EFFECTS LANGUAGE FOR SYNTHETIC ORGANIC CHEMICAL (SOC)
CONTAMINANTS

Env-Dw 808.01 Required Health Effects Language for Regulated Synthetic Organics Chemical (SOC) Contaminants. The O/O shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the synthetic organic chemical (SOC) contaminants specified in Env-Dw 705.02.

Env-Dw 808.02 Alachlor (Lasso). For alachlor violations, 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.”

Env-Dw 808.03 Aldicarb (Temik). For aldicarb violations, 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 (e.g. sandy soil and high rainfall), aldicarb 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 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.”

Env-Dw 808.04 Aldicarb Sulfoxide. For aldicarb sulfoxide violations, 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 (e.g. 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.”

Env-Dw 808.05 Aldicarb Sulfone (Aldoxycarb). For aldicarb sulfone violations, 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 (e.g. 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.”

Env-Dw 808.06 Atrazine (Atranex, Crisazine). For atrazine violations, 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.”

Env-Dw 808.07 Carbofuran (Furadon, 4F). For carbofuran violations, 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.”

Env-Dw 808.08 Chlordane. For chlordane violations, 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.”

Env-Dw 808.09 Dalapon. For dalapon violations, 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.”

Env-Dw 808.10 Dibromochloropropane (DBCP). For dibromochloropropane (DBCP) violations, 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.”

Env-Dw 808.11 Di(2-ethylhexyl)adipate. For di (2-ethylhexyl)adipate violations, the statement shall read as follows:

“Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience toxic effects such as weight loss, liver enlargement or possible reproductive difficulties.”

Env-Dw 808.12 Di(2-ethylhexyl)phthalate. For di (2-ethylhexyl)phthalate violations, the statement shall read as follows:

“Some people who drink water containing di (2-ethylhexyl) phthalate well 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.”

Env-Dw 808.13 Dinoseb. For dinoseb violations, 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.”

Env-Dw 808.14 Diquat. For diquat violations, the statement shall read as follows:

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

Env-Dw 808.15 Endothall. For endothall violations, the statement shall read as follows:

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

Env-Dw 808.16 Endrin. For endrin violations, 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.”

Env-Dw 808.17 Ethylene Dibromide (EDB). For ethylene dibromide (EDB) violations, 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.”

Env-Dw 808.18 Glyphosate. For glyphosate violations, 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 their kidneys or reproductive difficulties.”

Env-Dw 808.19 Heptachlor. For heptachlor violations, 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.”

Env-Dw 808.20 Heptachlor Epoxide. For heptachlor epoxide violations, 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.”

Env-Dw 808.21 Hexachlorobenzene. For hexachlorobenzene violations, 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.”

Env-Dw 808.22 Hexachlorocyclopentadiene. For hexachlorocyclopentadiene violations, the statement shall read as follows:

“Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.”

Env-Dw 808.23 Lindane. For lindane violations, 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.”

Env-Dw 808.24 Methoxychlor (DMDT, Martate). For methoxychlor violations, the statement shall read as follows:

“Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.”

Env-Dw 808.25 Oxamyl (Vydate). For oxamyl, or vydate, violations, 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 effects.”

Env-Dw 808.26 Benzo(a)pyrene (PAHs). For benzo(a)pyrene (PAH) violations, 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.”

Env-Dw 808.27 Picloram. For picloram violations, 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.”

Env-Dw 808.28 Polychlorinated Biphenyls (PCBs). For polychlorinated biphenyls (PCBs) violations, 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.”

Env-Dw 808.29 Pentachlorophenol. For pentachlorophenol violations, 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.”

Env-Dw 808.30 Simazine. For simazine violations, 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.”

Env-Dw 808.31 Toxaphene. For toxaphene violations, 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.”

Env-Dw 808.32 2,3,7,8 TCDD (Dioxin). For 2,3,7,8-TCDD, or dioxin, violations, 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.”

Env-Dw 808.33 2,4,5 TP (Silvex). For 2,4,5-TP, or silvex, violations, the statement shall read as follows:

“Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.”

Env-Dw 808.34 2,4 D. For 2,4-D violations, 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.”

Readopt with amendment Env-Dw 809, eff. 6-30-10 (doc. #9730), to read as follows:

PART Env-Dw 809 HEALTH EFFECTS LANGUAGE FOR REGULATED DISINFECTION BY-PRODUCTS (DBPs), DISINFECTANT RESIDUALS, AND SPECIAL TREATMENT CHEMICALS

Env-Dw 809.01 Required Health Effects Language for Regulated Disinfection By-products (DBPs), Disinfectant Residuals, and Special Treatment Chemicals. The O/O shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for violations of:

(a) The maximum disinfection byproducts (DBPs) and maximum disinfectant residuals (MRDLs) specified in Env-Dw 705.03 and Env-Dw 705.04; and

(b) The acrylamide/epichlorohydrin MCLs specified in Env-Dw 705.05.

Env-Dw 809.02 Acrylamide. For acrylamide violations, 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.”

Env-Dw 809.03 Bromate. 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.”

Env-Dw 809.04 Chloramine. For chloramine violations, the statement shall read as follows:

“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.”

Env-Dw 809.05 Chlorine. For chlorine violations, the statement shall read as follows:

“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.”

Env-Dw 809.06 Chlorine Dioxide.

(a) For chlorine dioxide violations where any 2 consecutive daily samples collected at the entrance to the distribution system exceed the MRDL, the statement shall read as follows:

“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.”

(b) For chlorine dioxide violations 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.”

Env-Dw 809.07 Chlorite. 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.”

Env-Dw 809.08 Disinfectant By-Product Precursors. 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 trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these by-products 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.”

Env-Dw 809.09 Epichlorohydrin. For epichlorohydrin violations, 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.”

Env-Dw 809.10 Haloacetic Acids (HAA). 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.”

Env-Dw 809.11 Total Trihalomethanes (TTHM). For total trihalomethane violations, the statement shall read as follows:

“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 system, and may have an increased risk of getting cancer.”

Readopt with amendment Env-Dw 810, eff. 6-30-10 (doc. #9730), to read as follows:

PART Env-Dw 810 HEALTH EFFECTS LANGUAGE FOR GROUNDWATER MONITORING AND TREATMENT

Env-Dw 810.01 Required Health Effects Language. The O/O shall use the statement(s) specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe violations of groundwater monitoring and treatment requirements specified in Env-Dw 717.

Env-Dw 810.02 Groundwater Monitoring and Treatment Violations. The statement required by Env-Dw 801.03(c) to describe groundwater monitoring and treatment technique violations shall read as follows:

“Inadequately treated or inadequately protected water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches.”

PART Env-Dw 811 CONSUMER CONFIDENCE REPORTS

Readopt with amendment Env-Dw 811.01 and Env-Dw 811.02, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.01 Purpose and Applicability.

(a) The purpose of this part is to establish the minimum requirements for the content and delivery 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 CWS; 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 CWS.

Env-Dw 811.02 Definitions. For purposes of this part, the following definitions shall apply unless otherwise specified:

- (a) “Action level (AL)” means the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow;
- (b) “Consumer confidence report (CCR)” means an annual report supplied by a CWS O/O to customers which contains information on the quality of their drinking water;
- (c) “Customers” means billing units or service connections to which water is delivered by a CWS;
- (d) “Detected” means the presence of any primary or secondary drinking water contaminant including:
 - (1) Microbiological;
 - (2) Radiological;
 - (3) IOCs;
 - (4) VOCs;
 - (5) SOCs; and
 - (6) Disinfection by-products;
- (e) “Regulated contaminant” means a contaminant that is subject to a maximum contaminant level (MCL), action level (AL), maximum residual disinfectant level (MRDL), or treatment technique (TT); and
- (f) “Unregulated contaminant” means a contaminant specified in 40 CFR 141.40.

Readopt with amendment Env-Dw 811.03, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.03 Timing and Certification of Distribution.

- (a) No later than July 1 of each year, each CWS O/O shall provide a copy of the CCR to each customer and the department as specified in Env-Dw 811.24.
- (b) By July 10 of each year, the CWS O/O 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 O/O 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 O/O who sells water to another CWS shall provide the buyer with applicable information required in this part to the receiving 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.

Readopt with amendment Env-Dw 811.04 through Env-Dw 811.07, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.04 Content of the CCR.

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

(b) The CWS O/O may include such additional information in the CCR as the O/O deems necessary for public education consistent with, and not detracting from, the required content of the CCR.

(c) 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.

Env-Dw 811.05 Contact and Participation Information.

(a) The CCR shall contain the name and telephone number of the CWS owner and of the primary operator.

(b) The CCR may contain the name and telephone number of a designee of the owner or primary operator, or both.

(c) The CCR shall contain information about opportunities for public participation in decisions that affect the quality of water, including but not limited to the time and place of regularly scheduled water utility board meetings.

Env-Dw 811.06 Source Water; Bulk Water Deliveries.

(a) In the CCR, the CWS O/O shall identify the source of the system's water by:

- (1) The type of water, such as surface water or groundwater or a combination of both;
- (2) The commonly used name, if any, of each source; and
- (3) If surface water, the location of the body or bodies of water.

(b) If a CWS O/O has received a source water assessment from the department, the CCR shall:

- (1) Include either:
 - a. 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
 - b. A brief summary of the CWS's susceptibility to potential sources of contamination written by the O/O; and
- (2) Inform customers of the availability of the assessment and how to obtain it.

(c) If bulk water was delivered to the CWS during the period covered by the CCR, the CWS O/O shall include the following information regarding each delivery in the CCR:

- (1) The date of delivery;
- (2) The reason(s) for delivery;
- (3) The source of the water delivered; and
- (4) The total amount of water delivered.

Env-Dw 811.07 Health Effects Language.

(a) The CCR shall contain the following general 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 at 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 at 800-426-4791.”

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

(c) Subject to (d), below, the CWS O/O shall use the following language to satisfy the requirements of (b), above:

“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.”

(d) In lieu of using the language specified in (c), above, the CWS O/O may use language developed for that CWS, provided the language conveys the same information as specified in (c), above.

Readopt Env-Dw 811.08, eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.08 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:

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

“Ambient groundwater quality standard or AGQS: The maximum concentration levels for contaminants in groundwater that are established under RSA 485-C, the Groundwater Protection Act.”

“Level I Assessment: A study of the water system to identify potential problems and determine, if possible, why total coliform bacteria have been found in our water system.”

“Level II Assessment: A very detailed study of the water system to identify potential problems and determine, if possible, why an E. coli MCL violation has occurred and/or why total coliform bacteria have been found in our water system on multiple occasions.”

“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.”

“Treatment technique or TT: A required process intended to reduce the level of a contaminant in drinking water.”

Readopt with amendment Env-Dw 811.09, eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.09 Detected Contaminants.

(a) The CWS O/O shall include data in the manner specified in Env-Dw 811.11 if any of the following are detected in the water provided by the CWS:

- (1) Regulated contaminant(s) as defined in Env-Dw 811.02(e);
- (2) Unregulated contaminant(s) as regulated under 40 CFR 141.40 and 40 CFR 141.41;
- (3) Sodium, if monitoring is required per Env-Dw 713.08; or
- (4) Disinfection by-products or microbial contaminants other than cryptosporidium for which monitoring is required by Env-Dw 712.17 and that are detected in the finished water.

(b) The CCR shall identify the probable source of the contaminant. If the CWS O/O lacks specific information on the likely source(s) of contamination, the O/O shall use the language specified in Env-Dw 811.22.

Readopt with amendment Env-Dw 811.10 and Env-Dw 811.11, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.10 Reporting of Violations.

(a) If a drinking water monitoring requirement, reporting requirement, public notice requirement, MCL, MRDL, or treatment technique has been violated, the CCR shall, in the table format specified in Env-Dw 811.11:

- (1) Provide a clear, understandable explanation of the violation;
- (2) Identify the MCL, MRDL, MCLG, and MRDLG, as applicable, as specified in (c), below;

- (3) Identify the length of time the violation occurred or, if the violation is continuing, the date the violation first occurred;
- (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-Dw 804 through Env-Dw 810; 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-Dw 716 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 specified in Appendix B.

Env-Dw 811.11 Data Presentation: Format.

(a) The CCR shall contain the contaminant information specified in Env-Dw 811.09 and Env-Dw 811.10 in a table format.

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

(c) 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.

(d) 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-Dw 700, except that:

- (1) Where a CWS O/O is required to monitor for a regulated contaminant less frequently than once a year, the CCR shall:
 - a. Include the date and results of the most recent sampling period;
 - b. 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. Not include any data older than 5 years; and
- (2) Results of monitoring in compliance with Env-Dw 703, Env-Dw 705, and Env-Dw 706 shall 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.

Readopt with amendment Env-Dw 811.12, eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.12 Data Presentation: Specific Contaminants. For any of the following contaminants that is detected, the table shall:

- (a) For E. coli:
 - (1) Identify the total number of positive samples;

- (2) Provide information on the likely source of E. coli, which may be available in sanitary survey reports and source water assessments;
 - (3) Provide the source information language specified in Env-Dw 811.22 for E. coli, if the CWS O/O lacks specific information on the likely source(s) of contamination; and
 - (4) Provide the applicable health effects paragraph specified in Env-Dw 804.
- (b) For lead or copper:
- (1) Identify the 90th percentile value of the most recent round of sampling;
 - (2) Identify the number of sampling sites exceeding the AL as defined in Env-Dw 714; and
 - (3) Identify the source of the lead or copper, or both, as applicable, using the source information language specified in Env-Dw 811.22.
- (c) For turbidity:
- (1) When a CWS O/O reports turbidity to the department pursuant to in Env-Dw 716, identify:
 - a. The highest average monthly value; and
 - b. The highest monthly value including an explanation of the reasons for measuring turbidity;
 - (2) Identify the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in Env-Dw 716.04 for the filtration technology being used; and
 - (3) When a CWS O/O is required to report pursuant to (c)(1)b. above, an explanation of the reasons for measuring turbidity.
- (d) For unregulated contaminants, except for cryptosporidium, for which monitoring is required:
- (1) Identify the average and the range at which the contaminant was detected; and
 - (2) Explain the reasons for monitoring for unregulated contaminants.

Readopt Env-Dw 811.13, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.13 Data Presentation: No MCL. If there is no MCL for a detected contaminant, the CCR shall:

- (a) Describe the treatment technique being used, if any, to treat that particular contaminant;
- (b) Identify the AL or AGQS applicable to that contaminant; and
- (c) Include the definitions of TT, AL, and AGQS, as specified in Env-Dw 811.08(b), if the terms are used in the CCR.

Readopt with amendment Env-Dw 811.14, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.14 Data Presentation: Reporting Detection Levels and Ranges; Rounding.

- (a) For contaminants subject to an MCL other than turbidity and total coliforms, the highest contaminant level used to determine compliance with Env-Dw 702 and Env-Dw 706 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.

(b) For the MCLs for TTHM and HAA5 in Env-Dw 715, the O/O shall include:

(1) The highest locational running annual average for TTHM and HAA5 and the range of individual sample results for all monitoring locations expressed in the same units as the MCL. If more than one location exceeds the TTHM or HAA5 MCL, the system must include the locational running annual averages for all locations that exceed the MCL; and

(2) Individual sample results for the IDSE conducted under Env-Dw 715.10 when determining the range of TTHM and HAA5 results to be reported for the calendar year that the IDSE samples were taken.

(c) 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 B.

(d) The CCR shall identify the AL or MCL applicable to that contaminant, expressed as a number equal to or greater than 1.0.

Readopt with amendment Env-Dw 811.15, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.15 Additional Information Required for PWS Supplied by Groundwater.

(a) Subject to (b), below, the O/O of a PWS supplied by a groundwater source that is subject to Env-Dw 717 or Env-Dw 720 relative to groundwater monitoring and treatment shall include the following in the CCR or annual notice if required pursuant to Env-Dw 717 or Env-Dw 720:

(1) An explanation of each significant deficiency identified by the department pursuant to Env-Dw 717 or Env-Dw 720 that has not been corrected; and

(2) A list containing the information specified in (c), below, for each positive E. coli result.

(b) The O/O shall inform the public annually until the significant deficiency is corrected or the groundwater contamination is addressed.

(c) Each report required under (a) and (b), above, shall include, as applicable:

(1) The nature of the significant deficiency and the date of discovery;

(2) The source of the E. coli contamination, if known, and the date(s) of the positive sample results;

(3) The health effects language in Env-Dw 804;

(4) The date that the deficiencies or contamination issues were addressed; and

(5) For all unresolved issues, the department approved plan and schedule for correction, including interim measures, progress to date, and any completed interim measures.

Readopt with amendment Env-Dw 811.16 and Env-Dw 811.17, eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.16 Additional Information for Fluoridated Public Water Supplies. The O/O of a PWS whose public water supply is fluoridated shall include the following statement in the CCR:

“Your public water supply is fluoridated. According to the Centers for Disease Control and Prevention, if your child under the age of 6 months is exclusively consuming infant formula

reconstituted with fluoridated water, there may be an increased chance of dental fluorosis. Consult your child's health care provider for more information."

Env-Dw 811.17 Additional Information for Level I and Level II Assessments.

(a) The O/O of a PWS that is required to comply with the Level I assessment requirement or a Level II assessment requirement that is not due to an E. coli MCL violation shall include the following text in the CCR with the applicable language from (b), below:

"Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, waterborne pathogens may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessment(s) to identify problems and to correct any problems that were found during these assessments."

(b) The additional text required by (a), above, shall be as follows:

(1) For level I assessments:

"During the past year we were required to conduct [INSERT NUMBER OF LEVEL I ASSESSMENTS] Level I assessment(s). We completed [INSERT NUMBER OF LEVEL I ASSESSMENTS] Level I assessment(s). In addition, we were required to take [INSERT NUMBER OF CORRECTIVE ACTIONS] corrective actions and we have completed [INSERT NUMBER OF CORRECTIVE ACTIONS] of these actions."; and

(2) For level II assessments:

"During the past year [INSERT NUMBER OF LEVEL II ASSESSMENTS] Level II assessments were required to be completed for our water system. We completed [INSERT NUMBER OF LEVEL II ASSESSMENTS] Level II assessments. In addition, we were required to take [INSERT NUMBER OF CORRECTIVE ACTIONS] corrective actions and we completed [INSERT NUMBER OF CORRECTIVE ACTIONS] of these actions."

(c) In addition to the information required by (a), above, the O/O of a PWS that has failed to complete all the required assessments also shall include the following statement in the CCR:

"During the past year we failed to conduct all of the required assessment(s)."

(d) In addition to the information required by (a), above, the O/O of a PWS that has failed to correct all identified sanitary defects also shall include the following statement in the CCR:

"During the past year we failed to correct all identified defects that were found during the assessment."

(e) The O/O of a PWS required to conduct a level II assessment due to an E. coli MCL violation shall include the following statements in the CCR, filling in the blanks as indicated:

"E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems. We found E. coli bacteria, indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessment(s) to identify problems and to correct any problems that were found during these assessments."

"We were required to complete a Level II assessment because we found E. coli in our water system. In addition, we were required to take [INSERT NUMBER OF CORRECTIVE ACTIONS]

corrective actions and we completed [INSERT NUMBER OF CORRECTIVE ACTIONS] of these actions.”

(f) In addition to the information required by (e), above, the O/O of a PWS required to conduct a level II assessment due to an E. coli MCL violation that has failed to complete the required assessments also shall include the following statement in the CCR:

“We have failed to conduct the required assessment.”

(g) In addition to the information required by (e), above, the O/O of a PWS required to conduct a level II assessment due to an E. coli MCL violation that has failed to correct all identified sanitary defects also shall include the following statement in the CCR:

“We have failed to correct all sanitary defects that were identified during the assessment that was conducted.”

(h) Subject to (i), below, if E. coli has been detected at a level that violated the E. coli MCL, then in addition to providing the information required by Env-Dw 811.10 in the table format required by Env-Dw 811.11, the O/O shall include each of the following statements that apply in the CCR:

“We had an E. coli positive repeat sample following a total coliform-positive routine sample.”

“We had a total coliform positive repeat sample following an E. coli positive routine sample.”

“We failed to take all required repeat samples following an E. coli positive routine sample.”

“We failed to test for E. coli when any repeat sample tests positive for total coliform.”

(i) If E. coli has been detected at a level that has not violated the E. coli MCL, then in addition to providing the information required by Env-Dw 811.10 in the table required by Env-Dw 811.11, the O/O may include a statement in the CCR that explains that although E. coli has been detected, the system has not violated the E. coli MCL.

Readopt with amendment Env-Dw 811.18 and Env-Dw 811.19, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.18 Cryptosporidium and Radon.

(a) When monitoring, including monitoring to meet the requirements of 40 CFR 141.143, has been performed which indicates that cryptosporidium might be present in the source water or the finished water, the O/O shall include the following in the CCR:

(1) A summary of the results of the monitoring; and

(2) An explanation of the significance of the results.

(b) If radon is present in the finished water, the O/O shall include the following in the CCR:

(1) The results of the monitoring; and

(2) An explanation of the significance of the results.

Env-Dw 811.19 Reporting of Monitoring and Compliance Data.

(a) A CWS O/O shall include the statements specified in (b) through (h), below, in the CCR, as applicable.

(b) If a CWS O/O 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 O/O shall use the following language 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.”

(c) If a CWS O/O has failed to take one or more actions specified by the lead and copper corrosion control requirements of Env-Dw 714, the O/O shall include in the CCR an explanation of the violation and the applicable health effects information as specified in Env-Dw 804.02 or Env-Dw 804.03 for lead or copper, or both, as applicable.

(d) If a CWS O/O uses treatment techniques for acrylamide and epichlorohydrin that violate Env-Dw 705, the O/O shall include in the CCR an explanation of the violation and the applicable health effects information for acrylamide as specified in Env-Dw 809.02 or epichlorohydrin as specified in Env-Dw 809.09, or both, as applicable.

(e) If the CWS O/O has performed additional monitoring that indicates the presence of other contaminants in the finished water, the O/O may contact the department’s health risk assessment program for an assessment of health risk .

(f) Where the assessment specified in (e), above, determines that the risk is excessive, the CWS O/O shall provide a brief explanation of those contaminants, including:

- (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.

(g) If a CWS has had any violations of the conditions of an exemption, or of an administrative or judicial order, the O/O shall include in the CCR an explanation of all such violations and what the CWS O/O is doing to correct the violations.

Readopt with amendment Env-Dw 811.20, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.20 Exemption. If a CWS O/O is operating under the terms of an exemption issued pursuant to Env-Dw 721, the CCR shall contain the information specified in Env-Dw 802.06.

Readopt with amendment Env-Dw 811.21, eff. 6-30-10 (doc. #9730), as amended eff. 11-18-17 (doc. #12420), to read as follows:

Env-Dw 811.21 Detections of Arsenic, Nitrate, Lead, and Total Trihalomethanes.

(a) The O/O of a CWS at which arsenic is detected above 0.005 mg/L shall include in the CCR the following:

- (1) The source information language for arsenic as specified in Env-Dw 811.22 and
- (2) Subject to (d), below, 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) The O/O of a CWS at which nitrate is detected 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-Dw 811.22; and
- (2) Subject to (d), below, 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.”

- (c) The O/O of a CWS shall include in the CCR, subject to (d), below, the following statement:

“If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. [Water system] is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline at 800-426-4791 or at <http://www.epa.gov/safewater/lead>.”

- (d) A CWS O/O may use a system-specific informational statement in lieu of the statement required by (a)(2), (b)(2), or (c), above, provided the statement includes all of the information included in the specified statement and only after consultation with the department.

- (e) The O/O of a CWS at which TTHM is detected above 0.080 mg/L but below the MCL specified in Env-Dw 705.03, as an annual average monitored and calculated under the provisions of 40 CFR 141.30, shall include in the CCR the health effects language for TTHM as specified in Env-Dw 809.11.

Readopt with amendment Env-Dw 811.22, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.22 Contaminant Source Information.

- (a) If a CWS O/O reports in the CCR a detection of any contaminant as specified in Env-Dw 811.09, the owner shall also report the likely source of each detected contaminant to the best of the O/O’s knowledge.
- (b) If the O/O lacks specific information on the likely source of the detected contaminant(s), the owner shall use the contaminant source information specified below in Table 811-1, as applicable:

Table 811-1: Contaminant Origin

Contaminant	Common Source in Drinking Water
<i>Microbiological Contaminants</i>	
Total Coliform Bacteria	Naturally present in the environment
<u>E. coli</u>	Human and animal fecal waste
Total Organic Carbon	Naturally present in the environment
Turbidity	Soil runoff
<i>Radioactive Contaminants</i>	
Beta/photon emitters	Decay of natural and man-made deposits
Alpha emitters	Erosion of natural deposits
Combined radium	Erosion of natural deposits
Uranium	Erosion of natural deposits
<i>Inorganic Contaminants</i>	
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

Contaminant	Common Source in Drinking Water
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
Bromate	By-product of drinking water disinfection
Cadmium	Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints
Chloramines	Water additive used to control microbes
Chlorine	Water additive used to control microbes
Chlorine dioxide	Water additive used to control microbes
Chlorite	By-product of drinking water disinfection
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
<i>Synthetic Organic Contaminants; including Pesticides and Herbicides</i>	
2,4-D	Runoff from herbicide used on row crops
2,4,5-TP (Silvex)	Residue of banned herbicide
Acrylamide	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)	Leaching from linings of water storage tanks and distribution lines
Carbofuran	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

Contaminant	Common Source in Drinking Water
Glyphosate	Runoff from herbicide use
Heptachlor	Residue of banned pesticide
Heptachlor epoxide	Breakdown of heptachlor
Hexachlorobenzene	Discharge from metal refineries and agricultural chemical factories
Hexachlorocyclopenta-diene	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 waste chemicals
Pentachlorophenol	Discharge from wood preserving factories
Picloram	Herbicide runoff
Simazine	Herbicide runoff
Toxaphene	Runoff/leaching from insecticide used on cotton and cattle
<i>Volatile Organic Contaminants</i>	
Benzene	Discharge from factories; leaching from gas storage tanks and landfills
Carbon tetrachloride	Discharge from chemical plants and other industrial activities
Chlorobenzene	Discharge from chemical and agricultural chemical factories
o-Dichlorobenzene	Discharge from industrial chemical factories
p-Dichlorobenzene	Discharge from industrial chemical factories
1,2-Dichloroethane	Discharge from industrial chemical factories
1,1-Dichloroethylene	Discharge from industrial chemical factories
cis-1,2-Dichloroethylene	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
Haloacetic Acids (HAA)	By-product of drinking water disinfection
MtBE	Residual from gasoline spill or leakage
Styrene	Discharge from rubber and plastic factories; leaching from landfills
Tetrachloroethylene	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 disinfection
Toluene	Discharge from petroleum factories
Vinyl Chloride	Leaching from PVC piping; discharge from plastics factories
Xylenes, Total	Discharge from petroleum factories; discharge from chemical factories

Readopt with amendment Env-Dw 811.23, eff. 6-30-10 (doc. #9730), to read as follows:

Env-Dw 811.23 Health Effects Language. If a CWS O/O reports in the CCR an MCL, MRDL, or a treatment technique violation as specified in Env-Dw 700, the CCR shall contain the applicable health effects language for the contaminant as specified in Env-Dw 804 through Env-Dw 810.

Readopt with amendment Env-Dw 811.24, eff. 6-30-10 (doc. #9730), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 811.24 Report Delivery; Recordkeeping.

(a) Subject to (e), below, the CWS O/O shall, by the date specified in Env-Dw 811.03, distribute a paper or electronic copy of the CCR, or of a notice that includes the direct web address (URL) of the CCR, to

each customer, the department, and, if requested, any other agency or clearinghouse and any member of the public, as follows:

- (1) Paper copies of the CCR or notice shall be delivered in hand or sent via U.S. Postal Service or private delivery service; and
 - (2) Electronic copies of the CCR or notice shall be delivered via email as an attachment or embedded image, or by other available technology that allows legible transmittal of the material.
- (b) If the CWS O/O is aware of a customer's inability to receive the CCR by an electronic method listed in (a)(2), above, the O/O shall provide a paper copy of the CCR to that customer.
- (c) The O/O of a CWS that serves 100,000 or more persons shall make a good faith effort as specified in (d), below, to provide a copy of the CCR to customers who do not receive water bills.
- (d) A CWS O/O who undertakes one or more of the following shall have met the requirement in (c), above, to make a good faith effort to reach customers who do not receive water bills:
- (1) Posting the CCR on the internet site maintained by or for the CWS;
 - (2) Mailing the CCR or a notice that includes the URL of the CCR to all postal patrons in the area served by the CWS;
 - (3) Advertising the availability of the CCR in the electronic and print news media;
 - (4) Publishing the CCR, or a notice of its availability that includes the URL of the CCR, in a newspaper of general circulation in the area served by the CWS;
 - (5) Posting the CCR, or a notice of its availability that includes the URL of the CCR, in public places such as cafeterias or lunch rooms of public buildings or near public drinking water fountains in the area served by the CWS;
 - (6) Delivering multiple copies of the CCR for distribution by single-bill customers such as apartment buildings or large private employers; and
 - (7) Delivering one or more copies of the CCR or a notice that includes the URL of the CCR to community organizations.
- (e) The O/O of a CWS that serves 100,000 or more persons shall post the most current CCR on a publicly-accessible site on the Internet in lieu of complying with (a), above.
- (f) The CWS O/O shall retain a copy of each CCR for at least 3 years after the last day of the calendar year in which it is distributed.

APPENDIX A - STATUTES/REGULATIONS IMPLEMENTED

Rule Section(s)	State Statute(s) Implemented	Federal Requirements Implemented
Env-Dw 801 - 803	RSA 485:2, V; RSA 485:3, I	40 CFR 141.31; 40 CFR 141, Subpart Q
Env-Dw 802	RSA 485:2, V; RSA 485:3, I	40 CFR 141.31; 40 CFR 141 Subpart Q
Env-Dw 804.01, 804.02, 804.04	RSA 485:2, V; RSA 485:3, I	40 CFR 141.205(d); Appendix B to 40 CFR 141 Subpart Q
Env-Dw 804.03	RSA 485:2, V; RSA 485:3, I & VII	40 CFR 141.205(d); Appendix B to 40 CFR 141 Subpart Q
Env-Dw 804.05	RSA 485:2, V; RSA 485:3, I	
Env-Dw 805 - 810	RSA 485:2, V; RSA 485:3, I & VII	40 CFR 141.205(d); Appendix B to 40 CFR 141, Subpart Q
Env-Dw 811	RSA 485:2, V; RSA 485:3, I, III(b)	40 CFR 141.141, Subparts O and Q

**APPENDIX B - CONVERTING MCL WATER QUALITY COMPLIANCE VALUES
(FOR ENV-DW 811.10 AND ENV-DW 811.14)**

Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by ...	MCL in CCR units	MCLG in Whole Numbers
<i>Microbiological Contaminants</i>				
Total Coliform Bacteria	TT		TT	0
Turbidity	TT		TT (NTU)	n/a
<u>E. coli</u>	Routine and repeat samples are total coliform-positive and either is E. coli-positive or system fails to take repeat samples following E. coli-positive routine sample or system fails to analyze total coliform-positive repeat sample for <u>E. coli</u>		Routine and repeat samples are total coliform-positive and either is E. coli-positive or system fails to take repeat samples following E. coli-positive routine sample or system fails to analyze total coliform-positive repeat sample for <u>E. coli</u>	0
Total Organic Carbon	TT		TT (ppm)	n/a
<i>Radioactive Contaminants</i>				
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
Uranium	30 ug/L		30 ug/L	0
<i>Inorganic Contaminants</i>				
Antimony	0.006	1,000	6 ppb	6
Arsenic	0.010	1,000	10 ppb	0
Asbestos	7 MFL		7 MFL	7
Barium	2		2 ppm	2
Beryllium	0.004	1,000	4 ppb	4
Bromate	0.010	1,000	10 ppb	0
Cadmium	0.005	1,000	5 ppb	5

Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by ...	MCL in CCR units	MCLG in Whole Numbers
Chloramines	MRDL = 4		MRDL = 4 ppm	MRDLG = 4
Chlorine	MRDL = 4		MRDL = 4 ppm	MRDLG = 4
Chlorine dioxide	MRDL = 0.8	1,000	MRDL = 800 ppb	MRDLG = 800
Chlorite	1		1 ppm	0.8
Chromium	0.1	1,000	100 ppb	100
Copper	AL=1.3		AL=1.3 ppm	1.3
Cyanide	0.2	<u>1,000</u>	200 ppb	200
Fluoride	4.0		4.0 ppm	4.0
Lead	AL=0.015	1,000	AL=15 ppb	0
Mercury (inorganic)	0.002	1,000	2 ppb	2
Nitrate (as Nitrogen)	10		10 ppm	10
Nitrite (as Nitrogen)	1		1 ppm	1
Selenium	0.05	1,000	50 ppb	50
Thallium	0.002	1,000	2 ppb	0.5
<i>Synthetic Organic Contaminants, including Pesticides and Herbicides</i>				
2,4-D	0.07	1,000	70 ppb	70
2,4,5-TP (Silvex)	0.05	1,000	50 ppb	50
Acrylamide	TT		TT (ppm)	0
Alachlor	0.002	1,000	2 ppb	0
Atrazine	0.003	1,000	3 ppb	3
Benzo(a)pyrene (PAH)	0.0002	1,000,000	200 ppt	0
Carbofuran	0.04	1,000	40 ppb	40
Chlordane	0.002	1,000	2 ppb	0
Dalapon	0.2	1,000	200 ppb	200
Di(2-ethylhexyl) adipate	0.4	1,000	400 ppb	400
Di(2-ethylhexyl) phthalate	0.006	1,000	6 ppb	0
Dibromochloropropane	0.0002	1,000,000	200 ppt	0
Dinoseb	0.007	1,000	7 ppb	7
Diquat	0.02	1,000	20 ppb	20
Dioxin [2,3,7,8-TCDD]	0.00000003	1,000,000,000	30 ppq	0
Endothall	0.1	1,000	100 ppb	100
Endrin	0.002	1,000	2 ppb	2
Epichlorohydrin	TT		TT (ppm)	0
Ethylene dibromide	0.00005	1,000,000	50 ppt	0
Glyphosate	0.7	1,000	700 ppb	700
Heptachlor	0.0004	1,000,000	400 ppt	0
Heptachlor epoxide	0.0002	1,000,000	200 ppt	0
Hexachlorobenzene	0.001	1,000	1 ppb	0
Hexachlorocyclopentadiene	0.05	1,000	50 ppb	50
Lindane	0.0002	1,000,000	200 ppt	200
Methoxychlor	0.04	1,000	40 ppb	40

Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by ...	MCL in CCR units	MCLG in Whole Numbers
Oxamyl [Vydate]	0.2	1,000	200 ppb	200
PCBs [Polychlorinated biphenyls]	0.0005	1,000,000	500 ppt	0
Pentachlorophenol	0.001	1,000	1 ppb	0
Picloram	0.5	1,000	500 ppb	500
Simazine	0.004	1,000	4 ppb	4
Toxaphene	0.003	1,000	3 ppb	0
<i>Volatile Organic Contaminants</i>				
Benzene	0.005	1,000	5 ppb	0
Carbon tetrachloride	0.005	1,000	5 ppb	0
Chloramines	MRDL = 4	MRDL = 4 ppm	MRDLG = 4
Chlorine	MRDL = 4	MRDL = 4 ppm	MRDLG = 4
Chlorite	1	1 ppm	0.8
Chlorine dioxide	MRDL = 0.8	1,000	MRDL = 800 ppb	MRDLG = 800
Chlorobenzene	0.1	1,000	100 ppb	100
o-Dichlorobenzene	0.6	1,000	600 ppb	600
p-Dichlorobenzene	0.075	1,000	75 ppb	75
1,2-Dichloroethane	0.005	1,000	5 ppb	0
1,1-Dichloroethylene	0.007	1,000	7 ppb	7
cis-1,2-Dichloroethylene	0.07	1,000	70 ppb	70
trans-1,2-Dichloroethylene	0.1	1,000	100 ppb	100
Dichloromethane	0.005	1,000	5 ppb	0
1,2-Dichloropropane	0.005	1,000	5 ppb	0
Ethylbenzene	0.7	1,000	700 ppb	700
Haloacetic Acids (HAA)	0.060	1,000	60 ppb	n/a
MtBE	0.013	1,000	13 ppb	13
Styrene	0.1	1,000	100 ppb	100
Tetrachloroethylene	0.005	1,000	5 ppb	0
1,2,4-Trichlorobenzene	0.07	1,000	70 ppb	70
1,1,1-Trichloroethane	0.2	1,000	200 ppb	200
1,1,2-Trichloroethane	0.005	1,000	5 ppb	3
Trichloroethylene	0.005	1,000	5 ppb	0
TTHMs [Total trihalomethanes]	0.10/0.080	1,000	100/80 ppb	n/a
Toluene	1		1 ppm	1
Vinyl Chloride	0.002	1,000	2 ppb	0
Xylenes, Total	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