

# Instructions for Lead Action Level Exceedance Public Notification

## Template Attached

Beginning October 16, 2024, an exceedance of the action level for lead requires Tier 1 public notification. This applies to any community water system or non-transient non-community water system.

A lead **action level exceedance (ALE)** occurs when the 90<sup>th</sup> percentile concentration of lead is greater than 15 parts per billion (ppb) or 0.015 mg/L.

You must provide public notice to persons served as soon as practical but no more than 24 hours after learning of the lead ALE.<sup>1,a</sup> During this time, you must also provide a copy of the notice to EPA and your State.<sup>2,b</sup> You must provide the notice that can reach all persons using one or more of the following methods to deliver the notice to consumers:<sup>c</sup>

- Broadcast Media, such as radio and television.
- Hand delivery.
- Posting in conspicuous locations throughout your water service area.
- Another method approved in writing by your State.<sup>2</sup>

You may need to use multiple methods of delivery (e.g., broadcast along with providing multiple copies to hospitals, clinics, or apartment buildings; etc). If you post or hand deliver the notice, EPA recommends printing your notice on your system's letterhead, if you have it. As a best practice, consider coordinating with your local health department.

The template attached to these instructions is intended for hand delivery or for posting in a public place. If you modify the notice, you must still include all required public notice elements and **leave all *mandatory language as noted in italics with an asterisk* on each end on the template unchanged.**

For water systems serving a large proportion of non-English speaking consumers, this notice must have information in the appropriate language(s) or information on how to receive a translated copy of the notice or contact information on how to request assistance in the appropriate language.<sup>d</sup>

In addition to public notice, you must also initiate consultation with the State as soon as practical but within 24 hours after learning of the ALE. You must also and follow any additional public notification requirements (including any repeat notices or direction on the duration of the posted notices) set by the State. You must issue the notice within 24 hours, even if you are unable to contact anyone at the State.<sup>e</sup>

For more information on how to meet general public notification requirements, see the Revised [PN Handbook](#).<sup>3</sup>

The attached template provides mandatory text from the regulation, example language that you may use and/or modify for required content, and places to fill in or with instructions in **[bracketed bold and underlined text]**.

<sup>1</sup> The Lead & Copper Rule requires water systems report all results of compliance sampling within 10 days after the end of the monitoring period when sampling was conducted [40 CFR 141.90]. Some water systems may have information sooner, however, and EPA encourages these systems and states to provide the notice as soon as they can confirm a lead ALE.

<sup>2</sup> "State" means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term "State" means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2]

<sup>3</sup> EPA's Revised Public Notification Handbook, EPA 816-R-23-002, March 2023. Download available: <https://www.epa.gov/dwreginfo/public-notification-rule-compliance-help-water-system-owners-and-operators>. Last accessed 2/5/2024.

# Lead Action Level Exceedance Notice - Template

## DRINKING WATER WARNING

**Sampling shows elevated lead levels in some [homes and/or buildings].**

**[INSERT NAME OF WATER SYSTEM]** found elevated levels, of lead in drinking water in some homes/buildings. **[INSERT NAME OF WATER SYSTEM]** may also have tested your home or building. If they did, you should receive or may have already received these results. These results are specific to your home/building and may be different from the results taken in other locations. Lead can cause serious health problems, especially for pregnant women and young children. Please read this information closely to see what you can do to reduce lead in your drinking water.

### What is an Action Level?

The lead action level is a measure of the effectiveness of the corrosion control treatment in water systems. The action level is not a standard for establishing a safe level of lead in a home. To check if corrosion control is working, EPA requires water systems to test for lead at the tap in certain homes, including those with lead service lines. Systems compare sample results from homes to EPA's action level of 0.015 mg/L (15 ppb). If 10 percent of the samples from these homes have water concentrations that are greater than the action level, then the system must perform actions such as public education, adjusting treatment, and lead service line replacement.

### What Happened?

**[Insert information about how and when the lead action level exceedance was discovered in your community and provide information on the source(s) of lead in the drinking water, if known. Below is some example text.]**

Between **[Month/Year]** and **[Month/Year]**, we collected **[insert # of samples]** samples and analyzed them for lead. The results of more than 10 percent of our samples exceeded the action level for lead.

**[WATER SYSTEM NAME]** is focused on protecting the health of every household in our community; however, lead from service lines and lead plumbing and fixtures can dissolve or break off into water and end up at the faucet. **[Describe any system specific sources of lead, if known.]** We found that **[insert source(s) of lead e.g., lead service lines, lead in plumbing, etc.]** are **[potential]** sources of lead in your drinking water. This does not mean that every property that receives drinking water from **[WATER SYSTEM NAME]** has lead in the drinking water. It does mean that you should understand how to reduce your exposure to lead through water. Keep in mind that drinking water is not the only potential source of lead exposure, since lead can be found in air, soil, and paint. For more information on all sources of lead, visit <https://www.epa.gov/lead>.

### Health Effects of Lead

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

## Steps You Can Take to Reduce Your Exposure to Lead in Your Water

Below are recommended actions that you may take, separately or in combination, if you are concerned about lead in your drinking water. The list also includes where you may find more information and is not intended to be a complete list or to imply that all actions equally reduce lead from drinking water.

- **Use your filter properly.** Using a filter can reduce lead in drinking water. If you use a filter, it should be certified to remove lead. Read any directions provided with the filter to learn how to properly install, maintain, and use your cartridge and when to replace it. Using the cartridge after it has expired can make it less effective at removing lead. Do not run hot water through the filter. For more information on facts and advice on home water filtration systems, visit EPA's website at <https://www.epa.gov/ground-water-and-drinking-water/home-drinking-water-filtration-fact-sheet> and EPA's [Consumer Tool for Identifying Drinking Water Filters Certified to Reduce Lead](#).
- **Clean your aerator.** Regularly remove and clean your faucet's screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. If lead particles are caught in the aerator, lead can get into your water.
- **Use cold water.** Do not use hot water from the tap for drinking, cooking, or making baby formula as lead dissolves more easily into hot water. Boiling water does not remove lead from water.
- **[Areas prone to drought or currently experiencing scarcity of water may want to omit or edit this recommendation.] Run your water.** The more time water has been sitting in your home's pipes, the more lead it may contain. Before drinking, flush your home's pipes by running the tap, taking a shower, doing laundry, or doing a load of dishes. The amount of time to run the water will depend on whether your home has a lead service line or not, as well as the length and diameter of the service line and the amount of plumbing in your home. **[Include tailored flushing information, if appropriate, or add following language]** Residents may contact us at **[phone number and/or email address]** for recommendations about flushing times in their community.
- **Learn what your service line material is.** Contact us at **[phone number and/or email address]** or a licensed plumber to determine if the pipe that connects your home to the water main (called a service line) is made from lead, galvanized, or other materials. **[For systems replacing lead service lines consider the following text.]** To find out about what we are doing to replace lead service lines, please visit **[website]** or contact us at **[phone number and/or email address]**. [Protect Your Tap: A quick check for lead](#) is EPA's on-line step by step guide to learn how to find lead pipes in your home.
- **Learn about construction in your neighborhood.** Contact us at **[phone number and/or email address]** to find out about any construction or maintenance work that could disturb your service line. Construction may cause more lead to be released from a lead service line if present.
- **Have your water tested.** Contact us at **[phone number and/or email address]** to have your water tested and to learn more about the lead levels in your drinking water.

## Get Your Child Tested to Determine Lead Levels in His or Her Blood

A family doctor or pediatrician can perform a blood test for lead and provide information about the health effects of lead. State, city, or county departments of health can also provide information about how you can have your child's blood tested for lead. The Centers for Disease Control and Prevention (CDC) recommends that public health actions be initiated when the level of lead in a child's blood is 3.5 micrograms per deciliter ( $\mu\text{g}/\text{dL}$ ) or more. For more information and links to CDC's website, please visit <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>.

## What is Being Done?

**[Include actions the system is taking to resolve the situation, including any required by the Federal Lead & Copper Rule, as well as any State-specific requirements following a lead action level exceedance. Below are some examples of language, as appropriate based on your specific system and requirements:]**

The actions that we are taking are following **[Federal AND/OR State lead and copper regulations]** listed below.

In addition to the information mentioned above that we will provide to residents at locations we sampled, we will also be following up with additional public education to all our customers by [insert date no later than 60 days from the end of the monitoring period].

**[If corrosion control treatment is currently added, consider the following text:] [WATER SYSTEM NAME]**

balances water chemistry at the treatment plant to minimize pipe and plumbing components from corroding and leading to the possibility of lead dissolving into water. This process is known as corrosion control. We are completing an assessment of the corrosion control treatment currently used by our water system. **[Insert an approximate timeline for completing this.]**

**[If corrosion control treatment is NOT currently added, consider the following text:]** We are working to determine which corrosion control treatment strategy would be most effective in addressing this situation.

**[Insert an approximate timeline for completing this.]**

**[If you are conducting lead service line replacement, consider adding the following text:]** We are removing the lead service lines, which is a common source of lead in drinking water. **[Insert an approximate timeline for completing this.]**

**[Include any other actions you plan to take with a statement such as the following.]**

We also plan to take the following steps:

- We are conducting additional lead and/or water quality monitoring of our water system supply.
- We are increasing our lead monitoring to determine the extent of the situation.
- We are making **[point-of-use or pitcher]** filters available to customers **[describe availability such as who may obtain a filter and where]**.
- We are making bottled water available to customers **[describe availability such as who may obtain bottled water and where]**.
- We are investigating and removing lead-containing plumbing materials within the facility (or installing water filters at locations impacted by lead-containing plumbing). **[Note, this is intended for very small CWS and NTNCWS that have control of all the plumbing in their distribution system.]**

For more information, please contact **[name of water utility contact]** at **[phone number and/or email]** or **[mailing address]**. General guidelines on ways to lessen the risk from lead in drinking water are available from EPA's website <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>.

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

This notice is being sent to you by **[WATER SYSTEM NAME]**. State Public Water System (PWS) ID#: \_\_\_\_\_.

Date distributed: \_\_\_\_\_.

## Public Notice Content Requirements<sup>f</sup>

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The Federal Public Notice Rule contains 10 required elements.<sup>f</sup>

### **Describe the Situation and When It Happened<sup>g</sup>**

You must include language describing the situation and describe when the situation occurred.

### **Health Effects and Populations at Risk<sup>h</sup>**

You must include ***mandatory language*** on health effects, including a description of populations at risk, (from [Appendix B to 40 CFR 141 Subpart Q](#)) as it appears on the attached template and is presented in *italics* with an asterisk\* on each end. You must not edit any mandatory text on the template in *italics* with an asterisk\* on each end.

### **Alternative Sources of Water<sup>i</sup>**

The template must include whether alternative water supplies should be used. You may want to consider providing bottled water and/or point-of-use or pitcher filters to your customers. If you are providing bottled water and/or filters, your notice should say how and where to obtain them. If you are providing bottled water, EPA recommends that it meets U.S. Food and Drug Administration (FDA) and any state bottled water safety standards. If you are providing filters, EPA recommends that you ensure they are third-party certified to remove lead by referring to EPA's [Consumer Tool for Identifying POU Filters Certified to Remove Lead](#) and reading the filter packaging.

### **Actions Consumers Should Take<sup>j</sup>**

The Public Notice must include what actions consumers should take, including whether they should seek medical help, if known. The template includes EPA's recommended actions that a person may take, separately or in combination, if they are concerned about lead in their drinking water. Language provided in brackets points out information for you to complete and/or tailor to your specific water system. Please note, all language in this section of the template is recommended as example text and may be edited, regardless of brackets.

### **Water System Actions and Resolution<sup>k</sup>**

In your notice, you must describe actions you are taking in response to the action level exceedance and when you expect to resolve the situation. Some of these actions may be required by regulation. Depending on the action(s) you are taking, you can use one or more of the statements provided as examples in the attached template, if appropriate, and/or develop your own text.

### **Contact Information<sup>l</sup>**

You must include the name, business address, and phone number of the water system owner, operator, or designee of the public water system as a source of additional information concerning the notice.

### **Encourage Distribution of the Notice<sup>m</sup>**

The template includes mandatory text to encourage the distribution of the public notice to all persons served, where applicable. ***Mandatory text*** is presented in the template in *italics* with an asterisk\* on each end. You must not edit any language on the template in *italics* with an asterisk\* on each end.

## After Issuing the Notice

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You must provide a copy of the Tier 1 notice to both EPA and your State as soon as practicable but no later than 24 hours after the public water system learns of the exceedance.<sup>n</sup> This is in addition to the requirement that you send a certification to your primacy agency stating that you have met all the public notification requirements to your primacy agency within 10 days after the original or any repeat notice(s).<sup>o</sup>

EPA recommends that you notify local health professionals of the action level exceedance. People may contact their doctors with questions about how lead exposure may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know about the elevated levels of lead found in their system's

drinking water so they can potentially use an alternate source of water, such as bottled water, or a filter certified to remove lead.

EPA recommends the best practice of informing your consumers when the situation has been resolved.

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- <sup>a</sup> [40 CFR 141.202\(b\)](#)
  - <sup>b</sup> [40 CFR 141.31\(d\)\(2\)](#)
  - <sup>c</sup> [40 CFR 141.202\(c\)](#)
  - <sup>d</sup> [40 CFR 141.205\(c\)\(2\)](#)
  - <sup>e</sup> [40 CFR 141.202\(b\)\(2\)](#)
  - <sup>f</sup> [40 CFR 141.205\(a\)\(1\) - \(10\)](#)
  - <sup>g</sup> [40 CFR 141.205\(a\)\(1\) & \(2\)](#)
  - <sup>h</sup> [40 CFR 141.205\(a\)\(3\) & \(4\)](#)
  - <sup>i</sup> [40 CFR 141.205\(a\)\(5\)](#)
  - <sup>j</sup> [40 CFR 141.205\(a\)\(6\)](#)
  - <sup>k</sup> [40 CFR 141.205\(a\)\(7\) & \(8\)](#)
  - <sup>l</sup> [40 CFR 141.205\(a\)\(9\)](#)
  - <sup>m</sup> [40 CFR 141.205\(a\)\(10\) & \(d\)](#)
  - <sup>n</sup> [40 CFR 141.31\(d\)\(2\)](#)
  - <sup>o</sup> [40 CFR 141.31\(d\)\(1\)](#)