



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

### 2018 Notice to Local Boards of Health

June 07, 2018

Dear Board of Health and Health Agent:

The Massachusetts Department of Environmental Protection (MassDEP) Drinking Water Program (DWP) annually provides local Boards of Health (BOH) with information of interest, reminders of annual forms submissions and an inventory of all public water systems (PWS) in the Commonwealth for review, comment and use. The content of the letter is limited to those topics where we continue to receive consumer questions or have important updates to convey.

Note that this year's letter contains new information on the Fourth Unregulated Contaminants Monitoring Rule (UCMR4), Cyanotoxins, the Assistance Program for Lead in School Drinking Water, and private well guidelines. If you are looking for information on a topic that you do not see in this year's letter, please refer to the list of DWP resource links at the end of the letter. The resource list also contains a link to previous Annual BOH letters.

We have organized this mailing by topic and placed the items requiring action by you in Part I: Action Items. The forms for responding to these action items can be found on MassDEP's website in the links provided in this section. For your convenience you may create a PDF of your response and send a copy electronically to us at [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us) with the name of the form in the subject line. If you prefer, you can return the forms through the regular mail. If you are unable to access or print the attached forms or need additional information you can contact us at the email above or at 617-292-5770.

Please note, if you have a public drinking water emergency that occurs outside of normal working hours (evenings and weekends), please contact MassDEP at 1-888-304-1133 (24 hour toll-free). Thank you for continuing to work together with us to protect public health.

Sincerely,

Yvette DePeiza, Program Director  
MassDEP/Drinking Water Program

Attachments: A: Recreational Camp Form - B: Public or Private System Flow Chart -C: Definition of Public Water Systems  
ecc: MDPH, MHOA, MHAB, MassDEP Website, Y:\DWPArchive\BOSTON\ BOH Annual Letter-2018.docx

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.  
TTY# MassRelay Service 1-800-439-2370  
MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

Printed on Recycled Paper

# 2018 Notice to the Local Boards of Health

## List of Contents

### Part I : Action Items

Board of Health Emergency Contacts	1
Inventory of All Registered Public Water Systems	1
Certificate Of Registration	1
Underground Injection Control	2
Annual Recreational Camp Requirement	2

### Part II: How to Determine If a Facility is a Public or Private System

Identifying Daycares that Meet the Definition of a Public Water System	3
Property Conversions that Create Public Systems	3
Condominium Developments and Public Water Systems	3

### Part III: Notifications

Emergency Response Notification	4
Boil Orders and Other Public Orders	5
Unregulated Contaminant Monitoring Rule	6

### Part IV: Emerging Issues

Control of <i>Legionella</i> in Healthcare Facilities and Other Large Buildings	7
Cyanobacteria & Cyanotoxins	8
Applying Aquatic Herbicides (Pesticides) to Drinking Water Reservoirs	9
Declaration of Water Supply Emergency	10
Home and Green Burials	10

**Part V: Wells**

Radionuclide Sampling	11
Private Wells Guidelines	12
Required Disclosure of Water Tests Results Related to the Sales of Home Water Treatment Devices	12

**Part VI: Small Systems**

Point of Entry/Point of Use Treatment Devices	13
Annual Transient Non-Community Water Quality Reports/Regulations	13

**Part VII: MassDEP Drinking Water Program Initiatives**

Lead and Copper Rule Status	14
Lead in Drinking Water at Schools and Early Education and Care Facilities	14
Solar and Wind Projects on Water Supply Lands	15
The Value of Public Drinking Water	16

**Part VIII: Specific Drinking Water Information on the MassDEP Website** 16

**Attachments:**

Attachment A: <b>Recreational Camp Form</b>	18
Attachment B: <b>Public or Private Water System Flow Chart</b>	19
Attachment C: <b>Definitions of Public Water Systems</b>	20

# 2018 Board of Health Update

## Part I: Action Items

### **Board of Health Emergency Contacts**

Please submit your BOH Emergency Contact List to MassDEP at the address below. If you provided this information in 2017 and the contacts are still the same, no action is needed. Contacts should be prioritized in the order that you want to be notified by MassDEP staff in case of an emergency. Contact #1 should contain the name and contact information of the BOH person that you want to have contacted first in an emergency; if Contact #1 cannot be reached then we will attempt to contact the person identified as Contact #2; and so on.

Please submit your Emergency Contact List to MassDEP Drinking Water Program; 1 Winter Street - 5<sup>th</sup> floor; Boston, MA 02108; Attn.: BOH Emergency Contact. You may also respond by email to [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: BOH Emergency Contact.

### **Inventory of All Registered Public Water Systems**

An electronic list of active PWS is available on MassDEP's *Drinking Water Health and Safety* webpage; <https://www.mass.gov/lists/drinking-water-health-safety#contacts>. To locate your community list of PWS, scroll to the 'Contacts' section. Click on "MA Public Water Supplier contacts sorted by Town." The PWS on this list are those systems registered with MassDEP. Please review your PWS list for any discrepancies, including:

- **Systems that should be added to the list** because they meet the definition of a PWS. Such PWS have at least 15 service connections or serves an average of at least 25 people/day at least 60 days/year.
- **Systems that should be deleted from the list** because the facility no longer has its own source of water.
- **Systems that have changed address or ownership** - Incorrect information should be crossed out and correct information added.

A hardcopy of your PWS list is also available by contacting MassDEP at the Program Director email. **Please update** (if necessary) **and return the list** to MassDEP - Drinking Water Program, 1 Winter St., 5<sup>th</sup> Floor, Boston, MA, 02108; Attn.: BOH Update. You may also respond by email to [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: BOH Update.

### **Certificate of Registration**

MassDEP's PWS Certificate of Registration is used by many parties. The certificate is very useful for PWS, especially for Transient Non-Community systems. A PWS may need to produce their Certificate of Registration when a survey or an audit is being conducted, or when the PWS is applying for a local permit (i.e., such as a seasonal operation permit) or undergoing a local inspection.

Please note that the DWP is no longer mailing Certificate of Registrations to every public water system in the state. Certificates are now available electronically and can be accessed through the MassDEP website at: <https://www.mass.gov/service-details/public-water-supplier-document-search>. Select either the "PWS ID #" or the "PWS Name" from the pull down menu and click on "Retrieve Documents" Then click on the link for the Certificate of Registration for the certificate in PDF format.

Each January the current year's certificate will be posted and ready for retrieval, only the current year is posted. An electronic list of PWS is located at <https://www.mass.gov/lists/drinking-water-health-safety#contacts> under "Contacts."

If a PWS does not have internet access and needs a hard copy of their certificate, they should contact: [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us) Subject: Certificate of Registration. If you do not locate a certificate for a particular PWS, please contact [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us).

## **Underground Injection Control (UIC)**

### **Title 5 Systems**

The purpose of the UIC Regulations is to protect underground sources of drinking water from subsurface discharge activities. It is estimated that there are in excess of 190,000 public and private potable water supply wells in Massachusetts that are protected by the UIC program. MassDEP has primacy for the administration of the UIC Program which regulates subsurface discharges (including wastewater) that meet the definition of a UIC. Title 5 soil absorption systems on non-residential properties, and systems used for two or more residential units are considered UIC Class V wells. These systems are regulated under the UIC Program.

For BOH that do not have a database to maintain their Title 5 system records, MassDEP provides an Excel spreadsheet available at <https://www.mass.gov/lists/drinking-water-health-safety> Under the BOH category, click on "Request for Title 5 Inventory Information". This is an Excel document with two spreadsheets. One spreadsheet tab is labeled "DATA" and is for entering information, the second tab is labeled "Instructions" and provides the drop-down menu items that are in the DATA spreadsheet along with instructions.

BOH can support MassDEP's efforts in protecting ground water sources in the Commonwealth by providing MassDEP with a list of their Title 5 systems, or by entering the information in the spreadsheet. In particular, we would appreciate the following information on any Title 5 system that is also a UIC Class V Well (as described above):

- (1) Facility name and location;
- (2) Ownership of facility;
- (3) Name and address of owner's legal contact; and
- (4) Operating status of Title 5 system.

If you submitted your inventory in previous years; we only request that you update the information. Please include any new systems and note if any of the systems reported in prior years have been decommissioned or have had other changes in operating status. If you have any questions on the federal or state UIC program, please contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: UIC.

## **Annual Recreational Camp Requirement**

BOH have the responsibility for licensing local recreational camps. Licenses are issued in accordance with 105 CMR 430.632, which stipulates, "Upon the issuance of a license, the local BOH shall notify MassDEP and the Massachusetts Department of Public Health (MDPH). Said notification shall include the name and address of the camp, the name of the owner, the number of campers and staff, and the number of days per year that the camp will be in operation." Please remember to submit information regarding newly licensed camps to MassDEP by **March 31st each** year using the form in **Attachment A**. You may also respond by email to [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Recreational Camp Update.

Information on drinking water requirements and campgrounds is available on the MassDEP website at <https://www.mass.gov/files/documents/2016/08/ro/cgrndfs.doc>.

## **Part II: How to Determine if a Facility is a Public or Private System**

To help BOH quickly determine whether a facility is a public or private water system, a flowchart has been attached for your use in **Attachment B**. We encourage you to post this flowchart for easy reference. A copy of this chart is available at <https://www.mass.gov/files/documents/2016/08/uc/privpubl.pdf>.

If a facility is a PWS and it is not currently registered with MassDEP then the facility **must** be added to the inventory list (see Part I: Action Items) and referred to MassDEP for oversight. If you have any questions, contact the DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: PWS Inventory.

**Attachment B** also contains an excerpt of the Massachusetts Drinking Water Regulations, 310 CMR 22.02, containing definitions of what constitutes a PWS and the different categories of PWS.

### **Identifying Daycares that Meet the Definition of a Public Water System**

Daycare facilities that serve 25 or more persons at least 60 days a year and have their own source of drinking water meet the definition of a public water system. If a daycare facility with its own source of water is licensed or permitted for 25 or more children and childcare workers, it must be registered and approved by MassDEP. If you are aware of a daycare facility that is not currently on your PWS inventory list, please add it to the list and refer the facility to MassDEP for registration to ensure compliance with 310 CMR 22.00 and all applicable MassDEP standards, permits and approvals. Daycares that meet the definition of a PWS but are not currently registered with MassDEP may be subject to enforcement action (which may include a monetary penalty). If you have any questions, contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Daycares. You may also contact the MA Department of Early Education and Care at <https://www.mass.gov/orgs/department-of-early-education-and-care> .

### **Property Conversions or re-openings that Create and/or impact Public Water Systems**

As properties continue to change their locally permitted functions, BOH must be vigilant in determining when a conversion will result in the creation of a PWS or a change in the type of PWS. If a facility that is currently classified as a private water supply proposes or initiates any changes in the use of the establishment that would cause the system to be classified as a PWS; the facility must meet all applicable MassDEP standards, and obtain the proper MassDEP permits and approvals. Some examples of changes that may affect their drinking water status include:

- A change in the number of permitted occupancy, e.g., increasing the number of children and staff at a daycare or business to 25 or more persons per day; or
- A change in the type of permitted occupancy, e.g., changing from a residential home to a daycare or doctor's office. Changing from a small office or gas station to a daycare, coffee shop, restaurant, or other facility that may serve beverages, handle food, require food permits, or supply water to 25 or more persons on average per day.
- The reopening of a business with the same or different owners (i.e. restaurant) also warrants verifying PWS status and compliance with DEP requirements.

Proponents creating new or potential PWS, or changing their PWS type should be directed to contact MassDEP, as they would be subject to 310 CMR 22.00 and all applicable MassDEP standards, permits and approvals. Please note that if a proponent subsequently creates and operates a facility as a PWS prior to obtaining MassDEP approvals, the facility owner and operator may be subject to enforcement action, including monetary penalties. If you have a concern about a particular existing or proposed facility in your community, contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: PWS Property Conversion.

### **Condominium Developments and Public Water Systems**

Please be aware that some types of construction, such as residential or business condominium developments, which propose to use two or more wells to serve on-site facilities resulting in each well serving less than 25 persons per day, may still be considered PWS. Under Massachusetts Drinking Water Regulation 310 CMR 22.02, the definition of a PWS notes that MassDEP "...reserves the right to evaluate and determine whether two or more wells located on commonly owned property, that individually may serve less than 25 people, but collectively serve more than 25 people for more than 60 days of the year should not be regulated as a public water system, taking into account the risk to public health."

With an increase in development throughout the state, these cases may come before the BOH as private well proposals. In these cases the applicant should be referred to MassDEP for a written determination of public or private water system status prior to the issuance of local permits. This information should be communicated to your local planning office, planning board, building inspector and to the applicant as it could substantially change the outcome of the project.

For any questions or clarifications on property conversions, PWS definitions, applicable permitting requirements, generally or for a specific project, and determining if a system should be regulated as a PWS, contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: PWS Determination.

## Part III: Notifications

### **Emergency Response Notification Requirements**

Massachusetts Drinking Water Regulations 310 CMR 22.00, include specific notification requirements for reporting emergencies to MassDEP and the local BOH. The regulations identify specific incidents or emergencies that require notification within 2 hours and 24 hours. Section 310 CMR 22.15(9) requires each PWS to notify MassDEP **and the local BOH** after the occurrence of any of the following incidents or emergencies that result in the consumers of the system receiving water that does not meet required or routine quantity or quality conditions:

1. Emergencies or incidents requiring notification within **2 hours**:

- a. Loss of water or drop in pressure to less than 20 psi (lbs per /square inch)), affecting 50 percent or more of consumers for a system serving less than 10,000 persons.
- b. Loss of water or drop in pressure to less than 20 psi, affecting 5,000 or more of consumers for a system serving 10,000 or more persons.
- c. Chemical or microbiological contamination of the water supply in exceedance of limits specified by MassDEP's Office of Research and Standards as set forth in the *Standards and Guidelines for Contaminants in Massachusetts Drinking Waters*. This document is available at <https://www.mass.gov/guides/drinking-water-standards-and-guidelines>.
- d. Discovery of malicious intent or acts of vandalism that may impact a system component.
- e. Any consumer complaint in which the water may have caused physical injury.
- f. A pattern of unusual customer complaints about the water quality such as taste, odor, etc.
- g. Any other emergency as determined by MassDEP in writing.

2. Emergencies or incidents requiring notification within **24 hours**:

- a. Loss of water supply from a source.
- b. Loss of water supply due to major component failure.
- c. Damage to power supply equipment or loss of power.
- d. Contamination of water in the distribution system from backflow or cross connection incident.
- e. Collapse of a reservoir, reservoir roof or pump house structure.
- f. Break in a transmission or distribution line that results in a loss of service to 100 consumers for more than four hours.
- g. Chemical or microbiological contamination of the water supply by contaminants not specified above in 1.c, which may include overfeed of drinking water treatment chemicals or exceedance of US EPA Health Advisories, such as cyanotoxins.
- h. Any other failure of part or all of the water supply system due to equipment failure, human acts (deliberate or accidental), or natural or human made disasters.

More information on Emergency Response Regulations is available at <https://www.mass.gov/lists/emergency-response>. If you have any questions about this information contact the DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Emergency Response Regulations.

**To report an emergency situation outside of normal business hours (evenings and weekends) you can contact MassDEP at 1-888-304-1133 (toll-free, 24 hours).**



## **Boil Orders and Other Public Health Orders**

There are 3 types of public health orders issued by MassDEP. During any of these orders, bottled water or water from an approved MassDEP source may be used.

- **Boil Orders** are issued by MassDEP when a PWS exceeds, or has the potential to exceed, the standard for total coliform bacteria or a fecal indicator. This order requires the PWS to notify consumers to boil the water or use water from another approved source. During this type of situation there is no other identified public health risk due to inhalation, skin irritation, or flammability.
- **Do Not Drink Orders** are issued by MassDEP when there is a suspected or known synthetic organic chemical (SOC), inorganic chemical (IOC), volatile organic compound (VOC), or radiological contamination in the drinking water. Continued drinking or other human consumptive uses of the water would or could pose an immediate threat to health. During this type of situation there is no identified public health risk due to inhalation, skin irritation or flammability.
- **Do Not Use Orders** are issued by MassDEP when there is or may be an unknown chemical, radiological or other unknown contamination and there may be a risk from inhalation, skin irritation or flammability. A Do Not Use Order may also be issued for a known chemical or radiological contamination that exceeds an immediate health and safety risk, e.g., gasoline in the water.

## **Frequently Asked Questions**

### **1. What happens when sample results or a situation indicates the need for a public health order?**

- The PWS informs MassDEP **and** their local BOH within two hours of learning of the problem (*unless it is a situation that allows for 24 hour notice*).
- MassDEP consults with the PWS and determines the appropriate course of action in accordance with federal and state drinking water regulations. The local BOH is made aware of the situation and may participate in discussions with MassDEP and the PWS. MassDEP verbally notifies the PWS of the situation and issues a written order to the PWS within 24 hours or as soon as possible. **The order always includes the actions consumers should take with the drinking water and steps the PWS must take to protect the public health, monitor the situation, and correct the problem.** MassDEP keeps MDPH and the Environmental Protection Agency (EPA) informed throughout the situation.
- MassDEP lists all public health orders on its website. If the order is issued on a normal business day the information is on the web within two hours. If the order is issued on a weekend or a holiday the information is on the webpage within 24 hours of the first business day following the issuance of the order. This information is located at [https://eeaonline.eea.state.ma.us/DEP/Boil\\_Order](https://eeaonline.eea.state.ma.us/DEP/Boil_Order).

### **2. How are consumers notified of a MassDEP public health order or advisory?**

The PWS is required to issue a MassDEP approved notice within two hours of receipt of the MassDEP notification of the situation or receipt of the written order, whichever occurs first. To expedite the consumer notification process MassDEP has pre-approved template notices available for use. PWS should use the following means:

- ✓ Broadcast media (radio, television, newspaper)
- ✓ Posting the notice
- ✓ Hand delivery
- ✓ Any other method approved by MassDEP, e.g., reverse 911

### **3. What instructions should a food establishment follow during a drinking water order?**

MDPH has specific guidance for food establishments. Restaurants and other food establishments must follow the *MDPH Guidance for Emergency Action Planning for Retail Food Establishments*. This is available at <https://www.mass.gov/files/documents/2016/07/nc/emergency-action-plans.pdf>. All questions



on food establishment requirements should be referred to the MDPH Food Protection Program at 617-983-6700.

4. **How can MassDEP, the PWS and BOH assist each other with drinking water public health orders?**

BOH and health officials should be familiar with the MassDEP required Emergency Response Plan (ERP) for each of the PWS in their community. At a minimum, MassDEP, BOH and PWS must share up-to-date contact information so that all parties can be kept informed when a public health order is necessary. Here are a few steps that will go a long way to help PWS and BOH address emergencies and other public health orders:

- **Before** an order or emergency occurs the PWS and BOH should work and train together on the PWS's ERP. Follow all applicable MassDEP regulations, policies and guidance to maintain a fully compliant system.
- **During** an order the PWS and BOH should follow the PWS's ERP and the MassDEP Order.
- **After** a situation the PWS and BOH should evaluate the situation and make adjustments to the ERP as needed. The PWS and BOH should continue working and training together on the ERP.

5. **Where can I get more information on Boil Orders and other MassDEP public health orders?**

See frequently asked questions and other information at <https://www.mass.gov/service-details/consumer-information-on-boil-orders>.

For information on ERP visit <https://www.mass.gov/files/documents/2016/08/uo/erplan.pdf>.

**MassDEP DWP Regional Contact Numbers:**

<b>Central Region</b> 508-849-4036	<b>Northeast Region</b> 978-694-3226
<b>Western Region</b> 413-755-2148	<b>Southeast Region</b> 508-946-2816
<b>To contact MassDEP outside of regular business hours call 888-304-1133</b>	

If you have any questions regarding public health orders listed on our website, contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Public Health Orders.

**Unregulated Contaminant Monitoring Rule**

EPA uses the Unregulated Contaminant Monitoring Rule (UCMR) Program to collect data for contaminants suspected to be present in drinking water, but that do not have health-based standards set under the Safe Drinking Water Act (SDWA). The fourth rule, UCMR4, to be conducted under EPA oversight, was published in the Federal Register on December 20, 2016. UCMR4 requires all PWS serving more than 10,000 persons to monitor for 30 chemical contaminants during 2018-2020. UCMR4 requires laboratories to analyze and report all results exceeding EPA's minimum reporting levels for each contaminant. UCMR4 will require monitoring for 30 unregulated contaminants, including 10 cyanotoxins, 2 metals, 8 pesticides/1 pesticide manufacturing byproduct, 3 brominated haloacetic acids groups, 3 alcohols and 3 other semivolatile chemicals.

EPA is responsible for the development, review and distribution of all UCMR4 sample results, as well as the analysis of samples from a national sample of PWS serving 10,000 people or less. Because this round of testing still requires the reporting of all chemicals detected, PWS may be reporting more results during this round to their customers, even though these detects could be well below any published health advisory or guideline. Published health advisory or guidelines are available in MassDEP's 'Standards & Guidelines for Contaminants in Massachusetts Drinking Water,' (link below). EPA provided reference concentration for each unregulated chemical against which detections can be compared so that consumers will have the best information available. These reference concentrations are located at <https://www.epa.gov/sites/production/files/2018->

[05/documents/ucmr4-refconc-180514.pdf](https://www.mass.gov/documents/ucmr4-refconc-180514.pdf) . UCMR4 occurrence data will be made available on EPA's website (see link below), and MassDEP will post statewide data once it becomes available.

PWS participating in UCMR are required to fulfill the following consumer notification requirements:

- **Public Notification (PN):** In addition to requiring notification of violations, the PN rule requires PWS to provide special notices for certain situations, including the availability of unregulated contaminant monitoring data. Public notices of unregulated contaminant monitoring data are different from other public notices because they do not have to contain all the elements required of other types of public notices. Instead, PWS need only report that the results are available and provide a phone number or contact where the results can be obtained. All PWS must issue special notice within 12 months of receiving monitoring results, and must submit the PN certification form and copy of the notice within 10 days of issuing PN.
- **Consumer Confidence Report (CCR):** All community water systems are required to prepare and distribute CCRs to their customers. Non-community water systems do not need to produce a CCR but are required to post any CCR MassDEP provides to the water system after they ensure the requirements of 310 CMR 22.16A are met.
- Per EPA guidance, CCRs (distributed to customers by July 1 of each year) must include UCMR detections *received by the PWS* during the previous calendar year.

For information on meeting PN and CCR requirements may be found on MassDEP's website:

<https://www.mass.gov/lists/water-systems-operations-i#public-notification>

For EPA UCMR Occurrence Data; <https://www.epa.gov/dwucmr/occurrence-data-unregulated-contaminant-monitoring-rule>.

For MassDEP's '*Standards & Guidelines for Contaminants in Massachusetts Drinking Water*';

<https://www.mass.gov/guides/drinking-water-standards-and-guidelines>.

## Part IV: Emerging Issues

### **Control of *Legionella* in Healthcare Facilities and Other Large Buildings**

In the last several years there has been an increasing number of healthcare facilities (e.g., hospitals and nursing homes) and hotels in the U.S. that are providing secondary disinfection to their water to prevent outbreaks of several pathogens (primarily *Legionella pneumophila*) known to grow in the biofilms of the plumbing of large buildings. These pathogens grow best where the water temperature in the pipes is above 68° F, and have been found in cooling towers, hot tubs and hot water tanks. Healthcare facilities are particularly concerned about *Legionella* because older people and those with weakened immune systems are especially vulnerable. More information on *Legionella* can be found on the Center for Disease Control's website at: <http://www.cdc.gov/legionella/index.html>.

- A facility serving 25 or more persons for 60 or more days a year that intends to install and operate a permanent disinfection treatment system is considered a PWS and requires MassDEP prior approval.
- A facility serving 25 or more persons for 60 or more days a year that performs disinfection on a temporary basis not exceeding 60 days, will not be regulated as a PWS by MassDEP. Such systems however must notify MassDEP, their local water authority, MDPH and their BOH/Health Agency. In addition, the facility should have this procedure overseen by a consultant or engineer who must develop a disinfection plan. The plan must include an emergency response plan and notification protocol to address over-feeds and potential exceedances of any SDWA contaminant.

For more information see <https://www.mass.gov/lists/water-systems-operations-i#new-system-development> and <https://www.mass.gov/service-details/protocol-for-chlorine-dioxide-shock-treatment-at-healthcare-facilities-on-a-public>.

In addition to MassDEP approval, Veterans hospitals, installing permanent disinfection to control *Legionella*, must refer to the U.S. Department of Veteran Affairs Directive 1061 'Prevention of Healthcare-Associated Legionella Disease and Scald Injury from Potable Water Distribution Systems, August 2014'. For this directive see: [www.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=3033](http://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=3033).

**The Department of Health and Human Services, Centers for Medicare & Medicaid Services issued a policy directive on June 9, 2017 to require Hospitals, Critical Access Hospitals (CAHs) and Long-Term Care (LTC) to develop and adhere to policies and procedures that inhibit microbial growth in building water systems that reduce the risk of growth and spread of legionella and other opportunistic pathogens in water.** The policy memorandum was also intended to provide general awareness for all healthcare organizations. For more information see <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Policy-and-Memos-to-States-and-Regions-Items/Survey-And-Cert-Letter-17-30-.html>

For questions or more information contact the DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Legionella.

### **Permanent and Secondary Treatment Disinfection Treatment for the Control of *Legionella* at Hospitals or other facilities that are not registered PWS**

Recently, companies have inquired about the process for installing disinfection treatment at local hospitals and other facilities that are not registered PWS. Some hospitals may want to add chlorine dioxide or chloramine as a secondary disinfectant to their water supply to help to control pathogens such as *Legionella pneumophila*, *Stenotrophomonas maltophilia* and *Mycobacterium avium* complex.

Chlorine dioxide has a maximum disinfection residual drinking water standard of 0.8 milligrams per liter, and is regulated by MassDEP due to the potential health risks associated with its use.

- A hospital or a facility, serving 25 or more people 60 or more days a year, that is not a MassDEP registered PWS and treats the water entering the building with a secondary disinfectant (such as chlorine dioxide) is a consecutive PWS. These systems are regulated by MassDEP subject to federal and state drinking water standards. For more information see <https://www.mass.gov/lists/water-systems-operations-i#new-system-development>.
- A hospital or facility, serving 25 or more people 60 or more days a year, that receives water from a MassDEP registered PWS that is planning to temporarily use chlorine dioxide for shock treatment, should review the information at: <https://www.mass.gov/service-details/protocol-for-chlorine-dioxide-shock-treatment-at-healthcare-facilities-on-a-public>.

If you are aware of any facility that has introduced a disinfectant as a secondary treatment, or have any questions contact the DWP 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Chlorine Dioxide.

### **Cyanobacteria & Cyanotoxins**

Cyanobacteria are photosynthetic bacteria that share similar characteristics of algae and are normally present in all types of waterbodies throughout Massachusetts, including PWS surface water sources. Like algae, cyanobacteria can multiply quickly in response to conditions that are favorable for their growth, resulting in "blooms." Harmful algal blooms composed of cyanobacteria, called CyanoHABs, can contribute to taste and odor issues for PWSs; but, they also have the potential to produce toxins (cyanotoxins) that can be harmful to people and animals.

Cyanobacteria, and the cyanotoxins they may produce, currently have no federal or Massachusetts regulations; however, on June 17, 2015, the US EPA released 10-day drinking water health advisory (HA) levels for two cyanotoxins – microcystins and cylindrospermopsin. HA levels are non-regulatory concentrations, at which adverse health effects are not anticipated to occur by oral ingestion of drinking water over specific exposure

durations. EPA set lower HA levels for infants and children under the age of six due to sensitivity with consumption of water relative to body weight. The following table shows the drinking water HA levels:

US EPA DW Health Advisories		
Cyanotoxin	US EPA 10-day HA	
	Bottle-fed infants and pre-school children	School-age children and adults
Microcystins	0.3 µg/L	1.6 µg/L
Cylindrospermopsin	0.7 µg/L	3 µg/L

In addition, PWSs nationwide will begin sampling ten cyanotoxins beginning in 2018 through 2020 in compliance with US EPA’s fourth round of the Unregulated Contaminant Monitoring Rule (UCMR4). Data from the UCMR serves as a primary source of research information, which US EPA utilizes to develop regulatory decisions. Further information on US EPA’s UCMR4 can be accessed at this link: <https://www.epa.gov/dwucmr>

EPA is also currently developing criteria for cyanotoxins for the protection of recreational activities in freshwater systems. A draft document for public comment was released in December 2016 recommending that values for primary contact recreation exposure should not exceed 4 parts per billion (ppb) for microcystin and 8 ppb for cylindrospermopsin. EPA expects to release final recreational criteria in 2018 (see EPA’s website at: <https://www.epa.gov/wqc/microbial-pathogenrecreational-water-quality-criteria>). Since 2008, MDPH has maintained guidance levels for recreational exposure to cyanobacteria, which recommends advisories at waterbodies that have a cyanobacterial surface scum, cyanobacteria cell counts exceeding 70,000 cells per milliliter, or microcystin concentrations that meet or exceed 14 ppb.

MassDEP and other state agencies recognize this emerging contaminant warrants attention and coordination. As such, MassDEP is working closely with MDPH, Department of Conservation and Recreation (DCR) and the Massachusetts Water Resources Authority (MWRA) to establish notification protocols and response procedures to reports of potential CyanoHABs. In addition, MassDEP and MDPH collaborated on a website with further information on cyanobacteria and cyanotoxins, which can be found at this link: <https://www.mass.gov/guides/cyanobacterial-harmful-algal-blooms-cyanohabs-water>.

If you have any questions on this information, please contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Cyanobacteria.

### **Applying Aquatic Herbicides (Pesticides) to Drinking Water Reservoirs**

310 CMR 22.20B(8) of the Drinking Water Regulations requires that: *“No person shall apply herbicides to any surface water body including but not limited to any reservoir and their tributaries, which serve as a public water supply without a permit issued by the Department pursuant to MGL Chapter 111, Section 5E. This requirement does not apply to the application of algaecides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algaecides.”*

The application of any pesticide to waters of the Commonwealth, including for algae control, must be conducted by a pesticide applicator that has been appropriately licensed by the Massachusetts Department of Agricultural Resources (MDAR). Licensing requirements and MDAR contact information are available at <https://www.mass.gov/pesticide-examination-and-licensing>.

For more information on applying aquatic herbicides, see MassDEP’s *Eutrophication and Aquatic Plant Management - Final Generic Environmental Impact Report*;

<https://www.mass.gov/files/documents/2016/08/sd/eutrophication-and-aquatic-plant-management-in-massachusetts-final-generic-environmental-impact-report-mattson.pdf>.

## **Applying Copper Sulfate to Reservoirs – Reminders for PWS**

There are several federal, state and local requirements for the application of pesticides, including copper sulfate, to water. Here is a checklist with some reminders.

- **EPA’s Pesticide General Permit:** Public water suppliers that plan to treat a waterbody with pesticides, including copper sulfate for algae control, must apply for federal coverage under EPA’s Pesticide General Permit. More information is available at <https://www.regulations.gov/document?D=EPA-HQ-OW-2015-0499-0102>. Contact George Papadopoulos at EPA Region 1 at 617-918-1579 or [papadopoulos.george@epa.gov](mailto:papadopoulos.george@epa.gov) with questions.
- **MassDEP Drinking Water Regulations:** In 310 CMR 22.20B(8), the Drinking Water Regulations require that: *No person shall apply herbicides to any surface water body including but not limited to any reservoir and their tributaries, which serve as a public water supply without a permit issued by the Department pursuant to MGL Chapter 111, section 5E.* This requirement does not apply to the application of algaecides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algaecides.
- **The MassDEP license application** to propose to apply chemicals, including pesticides (**other than algaecides containing copper**), to reservoirs, tributaries, or other waters of the Commonwealth is **BRP WM 04**. Pesticides may be used to control algae, weeds and other aquatic nuisances, including zebra mussels or lamprey. For BRP WM 04 and instructions; <https://www.mass.gov/how-to/wm-04-herbicide-application>. Please contact Robert Kubit at 508-767-2854 or [robert.kubit@state.ma.us](mailto:robert.kubit@state.ma.us) with questions.
- **Copper Sulfate Notification:** Prior notification, in writing, of the application of algaecides containing copper by public water systems shall be made to the MassDEP Regional Office, Attention Drinking Water Chief, Drinking Water Program. **See Part VIII of this Letter for the MassDEP Regional Office addresses.**

## **Declaration of Water Supply Emergency**

BOH should be aware of the Declaration of Water Supply Emergency provisions in the Water Management Act (MGL c 21G). MassDEP can provide technical assistance to communities on the management and the use of emergency connections and emergency water supplies. Any PWS having difficulty meeting demands, drought related or not, may request a Declaration of Water Supply Emergency (“Emergency Declaration”) from MassDEP. The provisions of the Emergency Declaration process are outlined in regulations at 310 CMR 36.40.

An Emergency Declaration requires a PWS to submit a plan to remedy the emergency. Plans can include measures to purchase water from other suppliers, use emergency sources, implement aggressive conservation measures, and provide a mechanism to restrict outdoor water use for those PWS that do not have the legal authority to implement such measures. For more information on drought conditions in Massachusetts visit: <https://www.mass.gov/drought-information-and-assistance> or contact [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Drought

## **Home Burials and Green Burials**

In recent years, there has been increased interest expressed in home and green burials in Massachusetts. A ‘home burial’ means to bury a person on privately owned residential property that is not an approved cemetery. Home burials are not prohibited by state law, but the decedent’s family must first obtain written approval from the local BOH and the local governing body.



A ‘green burial’ or natural burial is a method of final disposition of a body with fewer environmental impacts than traditional burial. Generally, a green burial means that the body is not embalmed, no metal or hard wood are used to make the casket, no gravel liner or vault are used, and a low profile grave marker is used or no marker at all.

The potential for bacteria, viruses, and other microorganisms from human remains to reach groundwater and infect other people appears to be the greatest source of public health concern associated with green burials. Research indicates though microorganisms can remain viable and transportable for many years following a burial, they are eventually attenuated by soils and lose viability. However, the fact that these organisms can remain viable for some time highlights the importance of siting burials in hydro-geologically appropriate areas.

For more information see <https://www.mass.gov/info-details/information-for-local-boards-of-health-on-home-burials-and-green-burials> or contact [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Green Burials

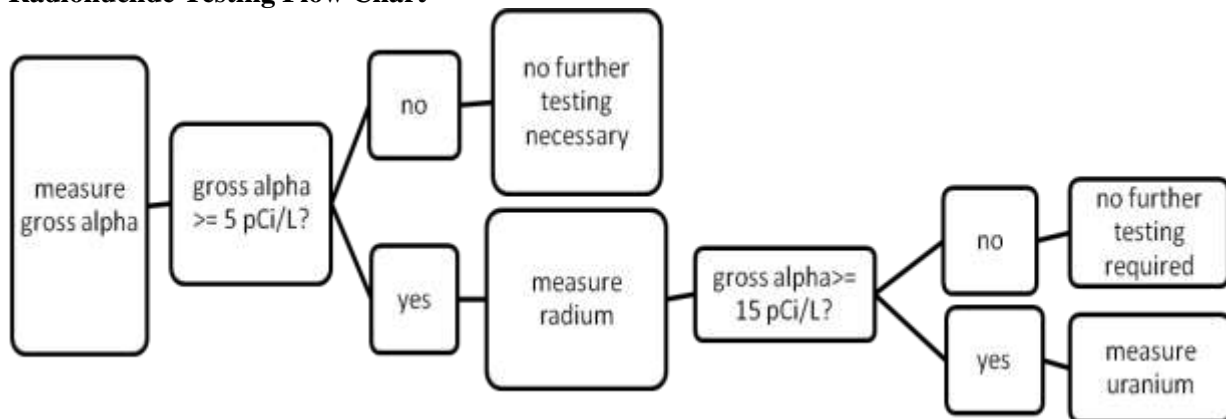
## Part V: Wells

### Radionuclide Sampling

The MassDEP/Drinking Water Well Driller Program has recently received questions from local health officials regarding radionuclide treatment systems installed on private wells without having a complete set of radionuclide analyses.

- MassDEP recommends that all private wells, whether installed in the overburden or bedrock, be tested for Radon and Gross Alpha. Gross Alpha serves as a screening test for other radionuclides which may be present in the water and has an MMCL of 15 pCi/L.
  - If the gross alpha result is less than 5 picocuries per liter (pCi/L) then no testing for radium 226, radium 228, or uranium is needed.
  - If the gross alpha result is equal to or greater than 5 pCi/L, then testing for radium 226 and radium 228 should be completed.
  - If the is gross alpha result is equal to or greater than 15 pCi/L then testing for uranium should also be completed.
  - The concentration of radioactive minerals in well water can vary substantially based on rainfall and other factors. For this reason, at least two samples (taken a month or two apart, if possible) should be taken before conclusions are reached regarding the average concentration of any radionuclide.
  - Some towns may see a wide range in results for any of the radionuclides list above. This is due to the possible variability in the geology in different areas of the town. It is still advisable to test in potable wells in all areas.

### Radionuclide Testing Flow Chart



## **Treatment Systems for Radionuclides**

Treatment systems for radionuclides should be designed to specifically mitigate the radioactive mineral(s) that exceed the drinking water standards indicated by the water analysis. Using a mixed resin bed to treat all possible radionuclides (rather than using the resin type specific to the radionuclide of concern) can be problematic. Due to the ability of the mixed resins to treat a variety of minerals by design, the resins may become prematurely saturated by other constituents and allow for the breakthrough of the radionuclide(s) of concern. Some of the minerals that compete for treatment sites are Iron, Manganese and Calcium, among others. Early saturation and breakthrough will result in additional treatment costs because of the more frequent replacement or regeneration of the resin material. The waste from the regeneration process, which may be radioactive, must be disposed of in accordance with local, state and federal regulations. Not following all analytical steps, or overdesigning a treatment system, may result in more expensive disposal costs and a potential health risk. Careful analysis of the raw water sample, and seeking the appropriate expertise to interpret the result and design an appropriate treatment system, are essential steps to providing safe drinking water.

Some radionuclides, such as Radon can be treated with Granulated Activated Carbon (GAC) which, like resin, will need to be carefully maintained to avoid saturation of the media and breakthrough of the Radon and also to avoid expensive disposal cost. Radon can also be treated by aeration which eliminates the medial disposal issues but requires well planned ventilation of the Radon gas.

A factsheet with more information on radionuclides in drinking water can be found on our website at: <https://www.mass.gov/service-details/faqs-radionuclides>. If you have any questions concerning these recommendations, contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Radionuclides.

## **Private Well Guidelines**

A revised version of the MassDEP Private Well Guidelines (August 2017) and other information regarding private wells is available at: <https://www.mass.gov/private-wells>.

The MassDEP Office of Research and Standards document ‘*Standards and Guidelines for Contaminants in Massachusetts Drinking Waters*’ should be reviewed by the BOH each year. It contains updated concentration limits and general information on contaminants in public drinking water, and can be a useful source of information for BOH decision-making on private wells. The document is located at <https://www.mass.gov/guides/drinking-water-standards-and-guidelines>. A Model BOH Private Well Regulation is also available at <https://www.mass.gov/files/documents/2016/08/tb/modwell.pdf>.

As a reminder, Section 31 of MGL 111 and Section 8 of MGL 21A requires BOH to file attested copies of all local regulations affecting public health, including any changes to a private well regulation, with the Central Registry of the MassDEP Watershed Permitting Group in Boston. You may also send an electronic copy to [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Private Wells.

## **Required Disclosure of Water Test Results- Home Water Treatment Devices**

Due to numerous complaints of unethical sales practices for home water treatment devices, Bill No. 6133 was passed in 1991, "An Act Relative to the Testing of Drinking Water," which amended Chapter 111 of the General Laws to further protect Massachusetts consumers. This bill was enacted to address such situations where a salesperson representing a company selling home water treatment devices offers to test a consumer's tap water. The salesperson claims to find "harmful" substances in the water and recommends treatment with his or her company's device. In the meantime, the consumer has no idea of the validity of the tests, or what they mean.

Bill No. 6133 prohibits individuals other than professionals from state-certified laboratories to testing tap water for health parameters. These tests are complicated and require sophisticated laboratory equipment. However, sales persons may still test for aesthetic parameters - things that are not harmful if consumed but affect the taste, color and smell of drinking water - as long as the test is accompanied by the MassDEP form: "Required



*Disclosure of Water Test Results.*" This form must be filled out and signed by the sales person, and given to the prospective purchaser. The form also explains what is legally allowed to be tested for by salespersons, such as: chlorine, chloride, color, iron, manganese, odor, hardness, hydrogen sulfide, pH, sulfate, TDS and zinc; and explains how each of these parameters may affect drinking water.

Any person who sells, leases, rents or promotes home water treatment devices and tests the water from either a public or private drinking water supply must fully complete and provide this form to prospective purchasers at the time of reporting water quality results. A civil penalty of not more than \$5,000 can be levied against the seller for failure to provide the information on the required form to the prospective home water treatment purchaser.

The MassDEP "*Required Disclosure of Water Test Results*" form can be found at: <https://www.mass.gov/files/documents/2016/08/go/reqdiscl.pdf>.

If you have any questions on this information contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Water Test Disclosure Form.

## **Part VI: Small Systems**

### **Point of Entry/Point of Use Treatment Devices**

BOH are encouraged to review the MassDEP fact sheet titled "Point of Entry/Point of Use Treatment" (POE/POU). This fact sheet was developed to help the PWS, BOH, facility owner and consumer understand when the installation of a POE/POU treatment device would create a PWS (and thereby require MassDEP approval). The fact sheet also summarizes the minimum requirements for POE/POU installations noted in the Drinking Water Regulations; <https://www.mass.gov/service-details/home-water-treatment-devices-point-of-entry-and-point-of-use-drinking-water>.

Additionally, MassDEP's (2016) amendments to the Drinking Water Regulations incorporated the following federal requirements for POU/POE treatment devices;

- ◆ Customer education, input, comment opportunity, and agreement requirements; and
- ◆ Restrictions on the use of POU/POE installations for microbiological contaminants, nitrates, volatile organic compounds, and radon.

MA DEP recently released two outreach documents for schools, pre-schools and center-based child care facilities (covered under the LCCA Program) concerning the use of POU Devices for treating lead at drinking water fixtures; <https://www.mass.gov/media/1744356> and <https://www.mass.gov/media/1744306>. Schools that install POU treatment at bubblers, water fountains and kitchen sinks in order to remove lead are not considered consecutive PWS, <https://www.mass.gov/files/documents/2016/08/po/consecfs.pdf>. Drinking water sitting stagnant in plumbing overnight can leach lead from the pipes and fixtures containing lead (such as older brass fixtures). The long-term solution for all schools in Massachusetts is to replace the plumbing that contains lead.

If you have any questions on this information contact the DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: POE/POU.

### **Annual Transient Non-Community (TNC) Water Quality Reports/ Regulations**

Every July MassDEP makes available (on our website) a water quality report to each TNC PWS. This report is very similar to the CCR that community systems are required to provide to consumers. This water quality report must be downloaded and printed, signed by both the operator and owner of the system and then posted in a conspicuous area for TNC customers to read. Please look for the current report when issuing local permits. Reports, including NTNCA, are available at <https://www.mass.gov/service-details/public-water-supplier->

[document-search](#). If you have any questions on this information contact DWP at 617-292-5770 or [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: TNC Water Quality Reports.

## **Part VII: MassDEP Drinking Water Program Initiatives**

### **Lead and Copper Rule (LCR) Status**

As a result of the water quality issues in Flint Michigan, the LCR has received a lot of attention. MassDEP has been working closely with EPA, MDPH and PWS to ensure that all water systems are following the LCR requirement. MassDEP's Drinking Water Program has taken the following actions:

- Reviewed all PWS information and program guidance. This information is available at: <https://www.mass.gov/lists/lead-in-drinking-water#water-suppliers-pws>;
- Provided outreach and training to PWS;
- Developed an informational mailing and online survey for public water suppliers (PWS) subject to the LCR relative to their Lead Service Line (LSL) actions and consumer communications and transparency. The goal of the survey was to identify technical assistance needs and collect best management practices related to LSL program implementation and consumer communication and transparency. In addition, MassDEP continues to offer low-interest loans to municipal PWSs to support their LSL programs through our Drinking Water State Revolving Fund (SRF) program.
- In order to continue providing transparency of the Lead and Copper Rule we are updating our list of public water systems with lead action level exceedances. The 90<sup>th</sup> percentile results on the Drinking Water Program webpage at: <https://www.mass.gov/service-details/public-water-systems-90th-percentile-lead-sampling-results>; and
- Continue to work with EPA on all implementation issues.

For more information see <https://www.mass.gov/service-details/overview-of-lead-in-massachusetts-drinking-water>.

### **Lead in Drinking Water at Schools and Early Education and Care Facilities (EECF)**

#### **MassDEP Assistance Program for Lead in School Drinking Water**

In 2016, and again in the 2017-2018 school years, the Commonwealth undertook this voluntary initiative to help public schools and public EECFs across the state test for *lead and copper* in drinking water, using \$2.75M in financial support from the Massachusetts Clean Water Trust. MassDEP and its partners administered this program that provides technical assistance and free laboratory analysis to participating schools. In the first year, about 800 schools from 153 municipalities signed up to receive assistance. Assistance has been provided to all participating schools, with samples taken from water bubblers and other fixtures used for drinking, food prep, and medical care. As schools found fixtures that exceed the recommended action level, schools have repaired, replaced or taken them off-line to address this exposure. Due to the overwhelming success of the program in 2017-2018, the program was expanded to include both public and private Special Education Schools & Programs and Head Start Programs.

As of May 2018 the Assistance Program received applications from 58 administrative units totaling 240 facilities covering 78 towns. To date 75 facilities have been sampled, 20 facilities are scheduled for sampling, and 25 facilities with sample plans have not yet sampled. Other forms of assistance have been provided to individual facilities.

Sampling results from this on-going program are available on the Energy & Environmental Affairs Data Portal at <https://www.mass.gov/media/1238521>. For more information see <https://www.mass.gov/assistance-program-for-lead-in-school-drinking-water>.

### **MassDEP Lead Contamination Control Act (LCCA) Schools and EECFs program**

The Massachusetts LCCA Lead Action Level is 15 micrograms per liter (15 ug/L) or 0.015 mg/L. The Copper Action Level is 1300.00 ug/L or 1.3 mg/L. The LCCA is a USEPA voluntary program for schools and EECFs to identify and address lead in drinking water in schools and child care facilities. MassDEP and its LCCA partners (MADPH, the Department of Elementary & Secondary Education and the Dept. of Early Education & Care) continue to work with schools and EECFs to reduce and eliminate sources of lead and copper that are over the MassDEP Action Level for lead and copper. MassDEP and its LCCA Partners inform and educate school and childcare officials on how to identify, evaluate, and reduce or eliminate the sources of lead contamination affecting their facility's drinking water. MassDEP recommends that a school or Early Education and Care (EEC) facility voluntary program should do the following:

1. Develop an updated list/map of all of the taps/fixtures used for drinking water, to prepare food and/or beverages, and in nurses' offices. All other non-human consumption taps should be posted with "For hand washing only".
2. Use the MassDEP provided LCCA Program Management Tool (see Additional Resources below) to maintain and track the status of all identified sites. *This Tool was developed for schools to use to manage their sampling sites, analytical data, and remediation actions.*
3. Develop and implement a Sampling Plan to sample the identified taps/fixtures at least once every three years after an initial baseline sampling of all identified fixtures. To balance cost and ensure that staff maintain their training on the sampling process, MassDEP recommends that 1/3 of the fixtures are sampled every year.
4. Use a Massachusetts' certified laboratory to analyze all samples and require the laboratory to provide all results to the school AND to the MassDEP via MassDEP's electronic reporting system, eDEP.
5. Remove from service all fixtures/taps that exceed the MassDEP lead or copper action level. Remediate and retest all fixtures/taps to ascertain that they do not exceed the action level before returning them to service.
6. Develop and implement a transparent user friendly communication plan that provides timely notice to all student, staff, and parents about results and actions taken.
7. Add all remediation and other actions to the MassDEP LCCA Program Management Tool.

MassDEP has also improved its tools to assist schools with their voluntary lead programs. The improved tools include more user-friendly and more interactive materials that will provide a framework for any school to set up a program. See "Set up an LCCA program at Your School" at <https://www.mass.gov/assistance-program-for-lead-in-school-drinking-water>

BOHs are encouraged to work with their schools and childcare facilities to help evaluate and provide technical assistance to correct lead in drinking water problems. Lead and copper results and EECFs, submitted through MassDEP's electronic data reporting system, eDEP, are available on the Energy & Environmental Affairs Data Portal at <https://www.mass.gov/media/1238521>. For more information see the LCCA Frequently Asked Questions at <https://www.mass.gov/files/documents/2017/01/sj/lccaqa.pdf> or contact [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: LCCA.

### **Solar and Wind Projects**

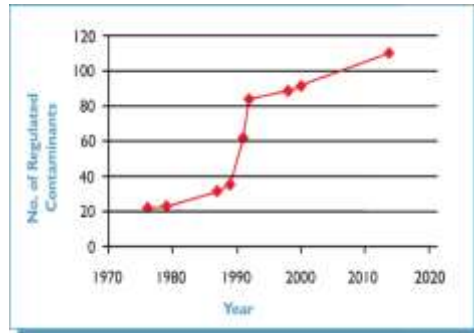
Solar and wind installations proposed on lands owned or controlled by PWS must first be approved by MassDEP to be protective of the water supply. MassDEP has updated the solar/wind guideline and Zone I policy for reviewing proposed solar or wind installations on lands owned or controlled by public water systems.

The updated documents are located on MassDEP's web site under the Guidance and Policy sections at <https://www.mass.gov/service-details/drinking-water-policies-and-guidance> and <https://www.mass.gov/files/documents/2018/04/24/1101g.pdf>. For more info, contact [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Solar/Wind Projects or 617-292-5770.

## **The Value of Public Drinking Water**

The public often asks Massachusetts PWSs and MassDEP this question: *How do I know that my water is safe to drink?* The answer? The PWS in Massachusetts are among the best in the country and are subject to the most stringent government standards in the world.

Although the federal Safe Drinking Water Act was 40 years old in 2014, it still ensures clean and safe drinking water. The Act is amended by Congress as needed to address drinking water concerns. It has become stricter over time by requiring that water be tested for more contaminants and to protect everyone, including vulnerable populations. The Massachusetts Drinking Water Regulations, 310 CMR 22.00, contain additional protections.



## **Safe Drinking Water Act Regulated Contaminants**

Sometimes we take for granted the good value of the water that flows from our faucets 24/7/365. It is a precious resource yet accounts for only 4 percent of the average United States household's monthly utility costs. Those utilities include cable television, cell phone, telephone, internet, electricity, gas, garbage, wastewater, and water. Residents can help to protect local drinking water by:

- conserving water;
- maintaining septic systems;
- picking up pet waste;
- using pesticides and fertilizers properly and infrequently;
- staying informed of local issues that may impact drinking water; and
- supporting their local public water supplier.

For more information about the value of public drinking water, check out MassDEP's brochure at <https://www.mass.gov/files/documents/2016/08/tc/water-valuesm.pdf> or contact [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: Value of Water or call 617-292-5770.

## **Part VIII: Specific Drinking Water Information on the MassDEP Website**

- MassDEP Board of Health webpage and prior Annual Notices to Local Boards of Health: <https://www.mass.gov/lists/drinking-water-health-safety#boards-of-health>
- *Managing Your TNC System* guide for Transient, Non-community Public Water Systems has been updated and is located on MassDEP's web site under the Small Systems section at <https://www.mass.gov/lists/water-systems-operations-ii>.
- Short training videos are available on MassDEP's YouTube page. Drinking water topics include Manganese, Lead & Copper Rule, Lead in School Drinking Water, Chlorate Mitigation Control, Source Water Protection, Seasonal PWS Start Up, Revised Total Coliform Rule and more, see: <https://www.youtube.com/channel/UCswijd-Vuwa0jMR4EroSm8w>.
- A new Power Point presentation titled *Checking in On Your Source Water Protection Program* is available on MassDEP's web site. The presentation includes detailed notes pages to assist public water

systems in updating their protection program under. Visit the Training section on the MassDEP website; <https://www.mass.gov/lists/drinking-water-supply-source-protection>.

- Boil orders and other public health orders: <https://www.mass.gov/service-details/consumer-information-on-boil-orders>
- Certified Labs: <https://www.mass.gov/certified-laboratories>
- Certified Well Drillers: <https://www.mass.gov/well-driller-program>
- Cross Connections: “Cross Connection Control Program Manual” <https://www.mass.gov/files/documents/2016/08/qg/cccpman.doc>
- Massachusetts Drinking Water Regulations, 310 CMR 22.00: <https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations>
- Model BOH Floor-drain Regulation: <https://www.mass.gov/lists/source-water-protection-forms-and-templates>.
- Lead and copper in school drinking water: <https://www.mass.gov/lists/lead-in-drinking-water>
- Certified Operators: <https://www.mass.gov/service-details/certified-operator-directory>
- Local Fairs: <https://www.mass.gov/files/documents/2018/04/18/fairfs.doc>
- Private Well Guidelines: <https://www.mass.gov/files/documents/2016/08/xc/prwellgd.pdf>
- PWS contact information: <https://www.mass.gov/files/documents/2018/04/19/pwscont.xlsx>
- Small Systems Guidance: <https://www.mass.gov/files/documents/2016/08/qp/tncguide.pdf>
- UIC: <https://www.mass.gov/underground-injection-control-uic>
- How to contact MassDEP offices:

Western	Statehouse West 5 <sup>th</sup> floor; 436 Dwight St; Springfield, MA 01103	413-784-1100
Central	8 New Bond Street.; Worcester, MA 01606	508-792-7650
Northeast	205-B Lowell St; Wilmington, MA 01887	978-694-3200
Southeast	20 Riverside Dr.; Lakeville, MA 02347	508-946-2700
Boston	1 Winter St. 5 <sup>th</sup> floor; Boston, MA 02108 Email the program at <a href="mailto:Program.Director-DWP@state.ma.us">Program.Director-DWP@state.ma.us</a> You may contact this office for a hard copy of the material in this Notice	617-292-5770

**ATTACHMENT A** Complete and return to MassDEP at the address below.

**MassDEP Drinking Water Program  
Recreational Camps Licensed by Local Boards of Health\***

*Please print in black ink. Determine if the camps in your town fit **B** or **C** and complete the information in each.*

<b>A</b>	City/Town	Date
	Board of Health Contact Person	Phone
	Address	E-mail
<b>B</b>	<b>All camps in our municipality are served by a MassDEP registered public water system</b>	
	PWS Name	PWS ID
	PWS Name	PWS ID
	PWS Name	PWS ID

<b>C</b>	<b>Camps with their own source of water supply</b>		
	Camp #	Camp name:	Camp phone:
	Camp address:		Contact person phone:
	Camp owner's name:		Camp owner's address:
	Maximum number of campers:		Number of staff:
	Number of days camp is open:		Dates: from _____ to _____
	Number of days of pre-open training or startup time:		
	Number of days of post camp closing close-down time:		
Comments:			

<b>C</b>	Camp #	Camp name:	Camp phone:
	Camp location/address:		Contact person phone:
	Camp owner's name:		Camp owner's address:
	Maximum number of campers:		Number of staff:
	Number of days camp is open:		Dates: from _____ to _____
	Number of days of pre-open training or startup time:		
	Number of days of post camp closing close-down time:		
	Comments:		

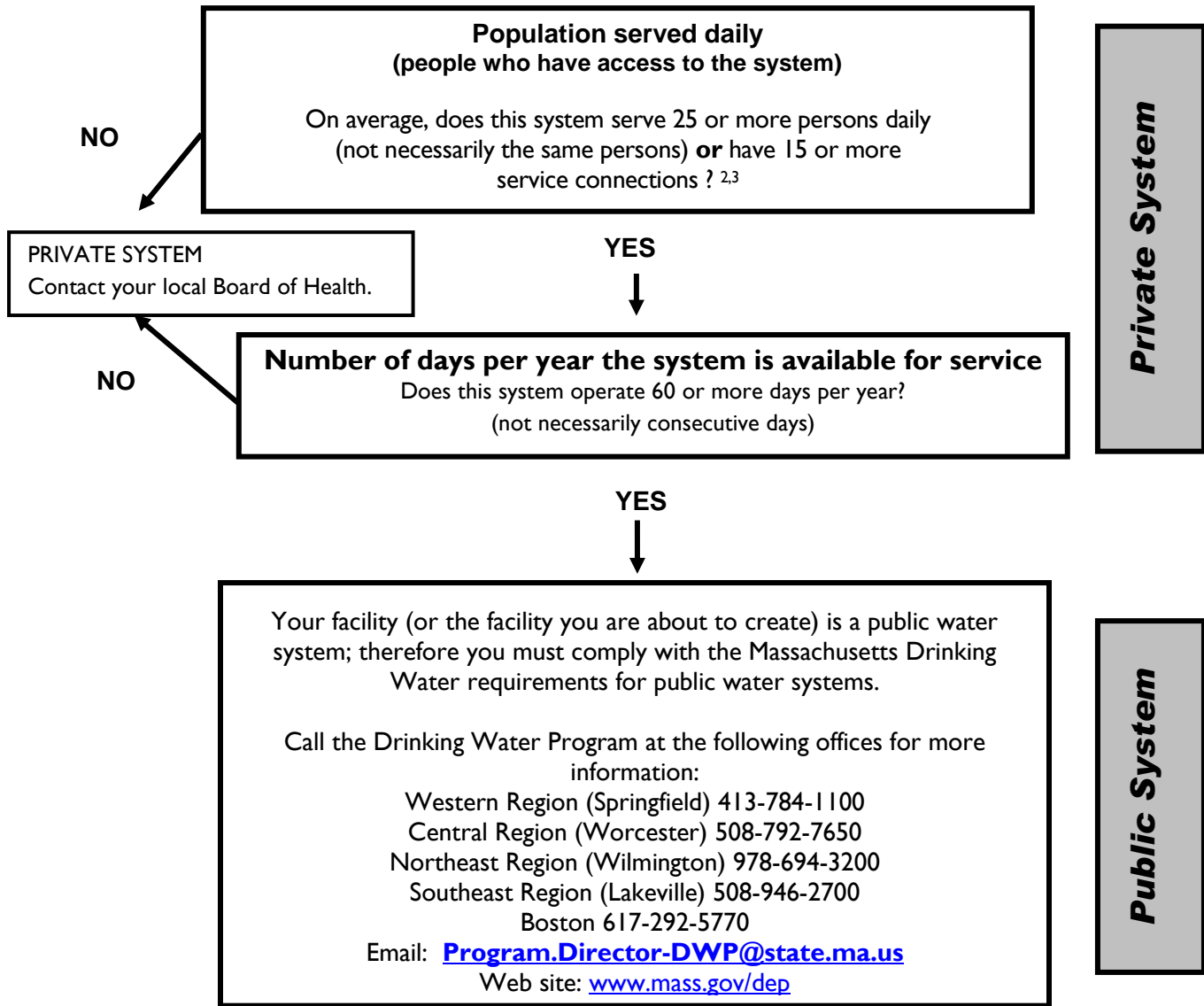
<b>C</b>	Camp #	Camp name:	Camp phone:
	Camp location/address:		Contact person phone:
	Camp owner's name:		Camp owner's address:
	Maximum number of campers:		Number of staff:
	Number of days camp is open:		Dates: from _____ to _____
	Number of days of pre-open training or startup time:		
	Number of days of post camp closing close-down time:		
	Comments:		

\* "Upon the issuance of a license, the local board of health shall notify the Massachusetts Department of Environmental Protection and the Massachusetts Department of Public Health. Said notification shall include the name and address of the camp, the name of the owner, the number of campers and staff, and the number of days per year that the camp will be in operation". 105 CMR 430.000

Return this form to: **MassDEP - Drinking Water Program – 5<sup>th</sup> floor; 1 Winter Street; Boston, MA 02108**; Attention: WQA/Campgrounds. You may also email your response to [Program.Director-DWP@state.ma.us](mailto:Program.Director-DWP@state.ma.us), Subject: WQA/Campgrounds  
An e-copy of this form can be found at <https://www.mass.gov/files/documents/2016/08/uf/recamp.pdf>.

**Is the Facility**  
(or the facility you are about to create)  
**a Private or Public Drinking Water System <sup>1</sup> ?**

Follow this Flow-Chart to determine your type of drinking water system



<sup>1</sup> As defined by the MA Drinking Water Regulations 310 CMR 22.00 and the Federal Safe Drinking Water Act. Regulations can be found at <https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations>.

<sup>2</sup> To determine a residential population: multiply # bedrooms (2) , or # service connections (1.67). Use the greater number.

<sup>3</sup> For more information see Policy 94-02 and Policy 88-11. Policies are located on MassDEP website at: <https://www.mass.gov/service-details/drinking-water-policies-and-guidance>.



**MassDEPP Drinking Water Program**

Excerpt - Massachusetts Drinking Water Regulations - 310 CMR 22.02

**Definitions of Public Water Systems**

**Public Water System** means a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year. Such term includes any collection, treatment, storage, and distribution facilities under control of the operator of such a system and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system.

The Department may presume that a system is a public water system as defined herein based on the average number of persons using a facility served by the system or on the number of bedrooms in a residential home or facility. The Department reserves the right to evaluate and determine whether two or more wells located on commonly owned property, that individually may serve less than 25 people, but collectively serve more than 25 people for more than 60 days of the year should not be regulated as a public water system, taking into account the risk to public health. A public water system includes a "community water system" or a "non-community water system".

(a) A **Community Water System** is a public water system that serves at least **15** service connections used by year-round residents or regularly serves at least **25** year-round residents.

(b) A **Non-community Water System** is a public water system that is not a community water system: :

1. **Non-transient Non-community Water System** or "NTNC" means a public water system that is not a community water system and that has at least 15 service connections or regularly serves at least 25 of the same persons or more approximately four or more hours per day, four or more days per week, more than six months or 180 days per year, such as a workplace providing water to its employees.

2. **Transient Non-community Water System** or "TNC" means a public water system that is not a community water system or a non-transient non-community water system, but is a public water system that has at least 15 service connections or serves water to 25 different persons at least 60 days of the year. Some examples of these types of systems are: restaurants, motels, camp grounds, parks, golf courses, ski areas, and community centers.