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<b>310 CMR 22.16 - Table 6</b>				
<b>Violations and Other Situations Requiring Public Notice <sup>1</sup></b>				
Contaminant	MCL/MRDL/TT violations <sup>2</sup>		Monitoring & testing procedure violations	
	Tier of public notice required	Citation	Tier of public notice required	Citation
<b>I. Violations of National Primary Drinking Water Regulations<sup>3</sup> and 310 CMR 22.00</b>				
<b>A. Microbiological Contaminants</b>				
1. Total coliform	2	310 CMR 22.05	3	310 CMR 22.05
2. Fecal coliform/E. coli	1	310 CMR 22.05	<sup>4</sup> 1, 3	310 CMR 22.05
3. Turbidity MCL	2	310 CMR 22.08 310 CMR 22.20A 310 CMR 22.20D	3	310 CMR 22.08 310 CMR 22.20A 310 CMR 22.20D
4. Turbidity MCL (average of 2 days' samples 5 NTU)	<sup>5</sup> 2, 1	310 CMR 22.08 310 CMR 22.20A	3	310 CMR 22.08 310 CMR 22.20A
5. Turbidity (for TT violations resulting from a single exceedance of maximum allowable turbidity level)	<sup>6</sup> 2, 1	310 CMR 22.08 310 CMR 22.20A 310 CMR 22.20D	3	310 CMR 22.08 310 CMR 22.20A 310CMR 22.20D
6. Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. allowable turbidity level (TT).	2	310 CMR 22.20A	3	310 CMR 22.20A
7. Interim Enhanced Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. turbidity level (TT).	2	<sup>7</sup> 310 CMR 22.20D	3	310 CMR 22.20D
<b>B. Inorganic Chemicals (IOCs)</b>				
1. Antimony	2	310 CMR 22.06	3	310 CMR 22.06
2. Arsenic	2	310 CMR 22.06	3	310 CMR 22.06
3. Asbestos (fibers > 10 mm)	2	310 CMR 22.06	3	310 CMR 22.06
4. Barium	2	310 CMR 22.06	3	310 CMR 22.06
5. Beryllium	2	310 CMR 22.06	3	310 CMR 22.06
6. Cadmium	2	310 CMR 22.06	3	310 CMR 22.06
7. Chromium (total)	2	310 CMR 22.06	3	310 CMR 22.06
8. Cyanide	2	310 CMR 22.06	3	310 CMR 22.06
9. Fluoride	2	310 CMR 22.06	3	310 CMR 22.06
10. Mercury (inorganic)	2	310 CMR 22.06	3	310 CMR 22.06
11. Nitrate	1	310 CMR 22.06	<sup>8</sup> 1, 3	310 CMR 22.06
12. Nitrite	1	310 CMR 22.06	<sup>8</sup> 1, 3	310 CMR 22.06
13. Total Nitrate and Nitrite	1	310 CMR 22.06	3	310 CMR 22.06
14. Selenium	2	310 CMR 22.06	3	310 CMR 22.06
15. Thallium	2	310 CMR 22.06	3	310 CMR 22.06
<b>C. Lead and Copper Rule (Action Level for lead is 0.015 mg/L, for copper is 1.3 mg/L)</b>				
1. Lead and Copper Rule (TT)	2	310 CMR 22.06B	3	310 CMR 22.06B
<b>D. Synthetic Organic Chemicals (SOCs)</b>				
1. 2,4-D	2	310 CMR 22.07A	3	310 CMR22.07A
2. 2,4,5-TP (Silvex)	2	310 CMR 22.07A	3	310 CMR22.07A
3. Alachlor	2	310 CMR 22.07A	3	310 CMR22.07A

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4. Atrazine	2	310 CMR 22.07A	3	310 CMR22.07A
5. Benzo(a)pyrene (PAHs)	2	310 CMR 22.07A	3	310 CMR22.07A
6. Carbofuran	2	310 CMR 22.07A	3	310 CMR22.07A
7. Chlordane	2	310 CMR 22.07A	3	310 CMR22.07A
8. Dalapon	2	310 CMR 22.07A	3	310 CMR22.07A
9. Di (2-ethylhexyl) adipate	2	310 CMR 22.07A	3	310 CMR 22.07A
10. Di (2-ethylhexyl) phthalate	2	310 CMR 22.07A	3	310 CMR 22.07A
11. Dibromochloropropane	2	310 CMR 22.07A	3	310 CMR 22.07A
12. Dinoseb	2	310 CMR 22.07A	3	310 CMR 22.07A
13. Dioxin (2,3,7,8-TCDD)	2	310 CMR 22.07A	3	310 CMR 22.07A
14. Diquat	2	310 CMR 22.07A	3	310 CMR 22.07A
15. Endothall	2	310 CMR 22.07A	3	310 CMR 22.07A
16. Endrin	2	310 CMR 22.07A	3	310 CMR 22.07A
17. Ethylene dibromide	2	310 CMR 22.07A	3	310 CMR 22.07A
18. Glyphosate	2	310 CMR 22.07A	3	310 CMR 22.07A
19. Heptachlor	2	310 CMR 22.07A	3	310 CMR 22.07A
20. Heptachlor epoxide	2	310 CMR 22.07A	3	310 CMR 22.07A
21. Hexachlorobenzene	2	310 CMR 22.07A	3	310 CMR 22.07A
22. Hexachlorocyclo-pentadiene	2	310 CMR 22.07A	3	310 CMR22.07A
23. Lindane	2	310 CMR 22.07A	3	310 CMR 22.07A
24. Methoxychlor	2	310 CMR 22.07A	3	310 CMR 22.07A
25. Oxamyl (Vydate)	2	310 CMR 22.07A	3	310 CMR 22.07A
26. Pentachlorophenol	2	310 CMR 22.07A	3	310 CMR 22.07A
27. Picloram	2	310 CMR 22.07A	3	310 CMR 22.07A
28. Polychlorinated biphenyls (PCBs)	2	310 CMR 22.07A	3	310 CMR 22.07A
29. Simazine	2	310 CMR 22.07A	3	310 CMR 22.07A
30. Toxaphene	2	310 CMR 22.07A	3	310 CMR 22.07A
E. Volatile Organic Chemicals (VOCs)				
1. Benzene	2	310 CMR 22.07B	3	310 CMR 22.07B
2. Carbon tetrachloride	2	310 CMR 22.07B	3	310 CMR 22.07B
3. Chlorobenzene (monochlorobenzene)	2	310 CMR 22.07B	3	310 CMR 22.07B
4. o-Dichlorobenzene	2	310 CMR 22.07B	3	310 CMR 22.07B
5. p-Dichlorobenzene	2	310 CMR 22.07B	3	310 CMR 22.07B
6. 1,2-Dichloroethane	2	310 CMR 22.07B	3	310 CMR 22.07B
7. 1,1-Dichloroethylene	2	310 CMR 22.07B	3	310 CMR 22.07B
8. cis-1,2-Dichloroethylene	2	310 CMR 22.07B	3	310 CMR 22.07B
9. trans-1,2-Dichloroethylene	2	310 CMR 22.07B	3	310 CMR 22.07B
10. Dichloromethane	2	310 CMR 22.07B	3	310 CMR 22.07B
11. 1,2-Dichloropropane	2	310 CMR 22.07B	3	310 CMR 22.07B
12. Ethylbenzene	2	310 CMR 22.07B	3	310 CMR 22.07B
13. Styrene	2	310 CMR 22.07B	3	310 CMR 22.07B
14. Tetrachloroethylene	2	310 CMR 22.07B	3	310 CMR 22.07B
15. Toluene	2	310 CMR 22.07B	3	310 CMR 22.07B
16. 1,2,4-Trichlorobenzene	2	310 CMR 22.07B	3	310 CMR 22.07B
17. 1,1,1-Trichloroethane	2	310 CMR 22.07B	3	310 CMR 22.07B
18. 1,1,2-Trichloroethane	2	310 CMR 22.07B	3	310 CMR 22.07B
19. Trichloroethylene	2	310 CMR 22.07B	3	310 CMR 22.07B
20. Vinyl chloride	2	310 CMR 22.07B	3	310 CMR 22.07B
21. Xylenes (total).....	2	310 CMR 22.07B	3	310 CMR 22.07B
F. Radioactive Contaminants				
1. Beta/photon emitters	2	310 CMR 22.09	3	310 CMR 22.09
2. Alpha emitters	2	310 CMR 22.09	3	310 CMR 22.09
3. Combined radium (226 & 228)	2	310 CMR 22.09	3	310 CMR 22.09

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G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals. Where disinfection used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acid (HAAs). <sup>9</sup>				
1. Total trihalomethanes (TTHMs)	2	310 CMR 22.07 <sup>10</sup> 310 CMR 22.07E	3	310 CMR 22.07 310 CMR 22.07E
2. Haloacetic Acids (HAA5)	2	310 CMR 22.07E	3	310 CMR 22.07E
3. Bromate	2	310 CMR 22.07E	3	310 CMR 22.07E
4. Chlorite	2	310 CMR 22.07E	3	310 CMR 22.07E
5. Chlorine (MRDL)	2	310 CMR 22.07E	3	310 CMR 22.07E
6. Chloramine (MRDL)	2	310 CMR 22.07E	3	310 CMR 22.07E
7. Chlorine dioxide (MRDL) where any 2 consecutive daily samples at entrance to distribution system only are above MRDL	2	310 CMR 22.07E	2 <sup>11</sup> , 3	310 CMR 22.07E
8. Chlorine dioxide (MRDL), where sample(s) in distribution system the next day are also above MRDL	<sup>12</sup> 1	310 CMR 22.07E	1	310 CMR 22.07E
9. Control of DBP precursors TOC (TT)	2	310 CMR 22.07E	3	310 CMR 22.07E
10. Bench marking and disinfection profiling	N/A	N/A	3	310 CMR 22.07E
11. Development of monitoring plan	N/A	N/A	3	310 CMR 22.07E
H. Other Treatment Techniques				
1. Acrylamide (TT)	2	310 CMR 22.04(10)	N/A	310 CMR 22.04(10)
2. Epichlorohydrin (TT)	2	310 CMR 22.04(10)	N/A	310 CMR 22.04(10)
II. Unregulated Contaminant Monitoring: <sup>13</sup>				
A. Unregulated contaminants	N/A	N/A	3	310 CMR 22.07C
B. Nickel	N/A	N/A	3	310 CMR 22.06
III. Public Notification for Variances and Exemptions:				
A. Operation under a variance or exemption	3	<sup>14</sup> 310 CMR 22.13 310 CMR 22.14	N/A	N/A
B. Violation of conditions of a variance or exemption	2	<sup>15</sup> 310 CMR 22.13 310 CMR 22.14	N/A	N/A
IV. Other Situations Requiring Public Notification:				
A. Fluoride secondary maximum contaminant level (SMCL) exceedance	3	310 CMR 22.06C	N/A	N/A
B. Exceedance of nitrate MCL for non-community systems, as allowed by the Department.	1	310 CMR 22.13 310 CMR 22.13A	N/A	N/A
C. Availability of unregulated contaminant monitoring data	3	310 CMR 22.07C	N/A	N/A
D. Waterborne disease outbreak	1	N/A	N/A	N/A
E. Other waterborne emergency <sup>16</sup> .	1	N/A	N/A	N/A
F. Other situations as determined by the Department	<sup>17</sup> 1, 2, 3	N/A	N/A	N/A
G. Sodium	N/A	N/A	3	310 CMR 22.06A

**Table 6 - Endnotes**

- Violations and other situations not listed in this table (e.g., reporting violations and failure to prepare Consumer Confidence Reports), do not require notice, unless otherwise determined by the Department. The Department may, at its option, also require a more stringent public notice tier (e.g., Tier 1 instead of Tier 2 or Tier 2 instead of Tier 3) for specific violations and situations listed in this Table, as authorized under 310 CMR 22.16(2)(a).
- MCL-Maximum contaminant level, MRDL-Maximum residual disinfectant level, TT-Treatment technique.

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3. The term Violations of 310 CMR 22.00 is used here to include violations of MCL, MRDL, treatment technique, monitoring, and testing procedure requirements.
  4. Failure to test for fecal coliform or E. coli is a Tier 1 violation if testing is not done after any repeat sample tests positive for coliform. All other total coliform monitoring and testing procedure violations are Tier 3.
  5. Systems that violate the turbidity MCL of 5 NTU based on an average of measurements over two consecutive days shall consult with the Department within 24 hours after learning of the violation. Based on this consultation, the Department may subsequently decide to elevate the violation to Tier 1. If a system is unable to make contact with the Department in the 24-hour period, the violation is automatically elevated to Tier 1.
  6. Systems with treatment technique violations involving a single exceedance of a maximum turbidity limit under 310 CMR 22.20A, the Surface Water Treatment Rule (SWTR), or 310 CMR 22.20D, the Interim Enhanced Surface Water Treatment Rule (IESWTR), are required to consult with the Department within 24 hours after learning of the violation. Based on this consultation, the Department may subsequently decide to elevate the violation to Tier 1. If a system is unable to make contact with the Department in the 24-hour period, the violation is automatically elevated to Tier 1.
  7. Most of the requirements of the Interim Enhanced Surface Water Treatment Rule 310 CMR 22.20D become effective January 1, 2002 for surface water sources systems (surface water systems and ground water systems under the direct influence of surface water) serving at least 10,000 persons. However, 310 CMR 22.20D has some requirements that become effective as early as April 16, 1999. The Surface Water Treatment Rule, 310 CMR 22.20A, remains in effect for some systems serving at least 10,000 persons even after 2002; the Interim Enhanced Surface Water Treatment Rule, 310 CMR 22.20D, adds additional requirements and does not in many cases supercede the SWTR.
  8. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.
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9. Surface water sources systems (surface water systems and ground water systems under the direct influence of surface water) serving at least 10,000 persons (community and non-transient non-community systems) shall comply with the new DBP MCLs, disinfectant MRDLs, and related monitoring requirements beginning January 1, 2002. All other community and non-transient non-community systems shall meet the MCLs and MRDLs beginning January 1, 2004. Surface water sources systems (surface water systems and ground water systems under the direct influence of surface water) serving at least 10,000 persons transient non-community systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant shall comply with the chlorine dioxide MRDL beginning January 1, 2002. Surface water sources systems (surface water systems and ground water systems under the direct influence of surface water) serving at least 10,000 persons transient non-community systems serving fewer than 10,000 persons and using only ground water not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant shall comply with the chlorine dioxide MRDL beginning January 1, 2004.
  10. 310 CMR 22.07 will no longer apply after January 1, 2004.
  11. Failure to monitor for chlorine dioxide at the entrance to the distribution system the day after exceeding the MRDL at the entrance to the distribution system is a Tier 2 violation.
  12. If any daily sample taken at the entrance to the distribution system exceeds the MRDL for chlorine dioxide and one or more samples taken in the distribution system the next day exceed the MRDL, Tier 1 notification is required. Failure to take the required samples in the distribution system after the MRDL is exceeded at the entry point also triggers Tier 1 notification.
  13. Some water systems shall monitor for certain unregulated contaminants listed in 310 CMR 22.07C.
  14. This citation refers to 310 CMR 22.13 and 310 CMR 22.14 and requires that "a schedule prescribed . . . for a public water system granted a variance [or exemption] shall require compliance by the system . . ."
  15. In addition, 310 CMR 22.13A specifies the items and schedule milestones that shall be included in a variance for small systems.
  16. Other waterborne emergencies require a Tier 1 public notice under 310 CMR 22.16 (2)(a)7. for situations that do not meet the definition of a waterborne disease outbreak given in 310CMR 22.02(1) but that still have the potential to have serious adverse effects on health as a result of short-term exposure. These could include outbreaks not related to treatment deficiencies, as well as situations that have the potential to cause outbreaks, such as failures or significant interruption in water treatment processes, natural disasters that disrupt the water supply or distribution system, chemical spills, or unexpected loading of possible pathogens into the source water.
  17. The Department may place other situations in any tier they believe appropriate, based on threat to public health.