Lead Template 1-10

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

Instructions: (template on following page)

Exceeding the lead action level of 15 ug/L triggers a Tier 1 public notification under EPA’s new and final lead and copper rule revisions (LCRR). Compliance with the LCRR begins on October 16, 2024. In order to proactively provide the public health protection of the LCRR’s public notification requirement and provide consumers with the latest public health information, MassDEP, in the interest of public health protection per MGL Chapter 111 Section 160 and MassDEP Drinking Water Policy 08-02[[1]](#footnote-2) and 310 CMR 22.16(1)(a) Table 1-3e is strongly recommending public water systems provide public notice to persons served as soon as practical but no later than 24 hours after the Public Water Supplier learns of the lead action level exceedance (ALE) under 310 CMR 22.16(2)(a) Table 3 item 8 (Tier 1 notice). Please note the Massachusetts Water Resources Authority member communities are already required to provide such notice in accordance with the MassDEP approved consecutive sampling plan.

**When does the 24-hour Public Notification period begin?**

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

* July 10 for the January to June monitoring period,
* January 10 for the July to December monitoring period, and
* October10 for the June to September four-month reduced monitoring period (unless MassDEP has approved a different four-month period).

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

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

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

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

You should also coordinate with your local health department.

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

*There is no safe level of lead in drinking water. Exposure to lead in drinking water can cause serious health effects in all age groups, especially pregnant people, infants (both formula-fed and breastfed), and young children. Some of the health effects to infants and children include decreases in IQ and attention span. Lead exposure can also result in new or worsened learning and behavior problems. The children of persons who are exposed to lead before or during pregnancy may be at increased risk of these harmful health effects. Adults have increased risks of heart disease, high blood pressure, kidney or nervous system problems. Contact your health care provider for more information about your risks.*

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

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

And

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

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

* **Given the short timeframe for a 24-hour notice, all PWS are expected to have a plan for public notification and delivery ready to get MassDEP’s approval as soon as possible but well in advance of the PWS 24-hour compliance deadline. (MassDEP strongly encourage PWSs to have a pre-approved plan to expedite their public notification).**
* Public Water Suppliers must have a plan for compliance with Public Notice requirements in their Emergency Response Plans required by 310 CMR 22.04 (13).

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

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

Note: A 24-hour notice is the equivalent to a Tier 1 Public Notice and PWS are required to deliver this notice in a way that is “reasonably calculated to reach all Persons served” as per 310 CMR 22.16(2)(c). Local cable access would not be sufficient to meet this requirement. PWS should be using the same broadcast media outlets that would be used for public health orders (e.g. boil water notices) and that should be listed in the PWS’ emergency response plan. Other methods that would reach all customers may be proposed for MassDEP’s approval.

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

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

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

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

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

**After Issuing the Notice -**

Within **24 hours** of learning of the action level exceedance:

* Send a copy of your finalized notice to EPA, by sending it to the [LeadALE@epa.gov](mailto:LeadALE@epa.gov) email address and cc’ing MassDEP Drinking Water Program at [program.director-dwp@mass.gov](mailto:program.director-dwp@mass.gov). Please also CC your MassDEP regional office LCR staff.

Within **10 days** of finalizing all Tier 1 PN required activities:

* Certify that your notice(s) were distributed, and distributed on time, by submitting the PN Certification Form. This must be sent to your MassDEP regional office and your local Board of Health, along with copies of the notices distributed. (310 CMR 22.15(3)(b)).

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

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

Note: According to the EPA LCRR implementation factsheet located at [2021 LCRR Implementation Fact Sheet (epa.gov)](https://www.epa.gov/system/files/documents/2024-04/revised-508_lcrr-compliance-fact-sheet_4.17.24.pdf) . Failure to issue 24-hour PN is a violation requiring Tier 3 notification. See the [EPA LCR Implementation Tools website](https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#TIER_1) for more information on the Tier 1 PN [<https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#TIER_1>].

Note: When using poster or handouts please include a QR code to ensure consumers can access the link directly by cellphone.

**24-HOUR NOTICE- SHORT FORM- REMOVE OR REPLACE HIGHLIGHTED TEXT**

**[System] DRINKING WATER NOTICE**

**Some homes have high levels of lead**

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

Our water system exceeded the lead drinking water action level.

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

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

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

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

**What does this mean?**

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

*There is no safe level of lead in drinking water. Exposure to lead in drinking water can cause serious health effects in all age groups, especially pregnant people, infants (both formula-fed and breastfed), and young children. Some of the health effects to infants and children include decreases in IQ and attention span. Lead exposure can also result in new or worsened learning and behavior problems. The children of persons who are exposed to lead before or during pregnancy may be at increased risk of these harmful health effects. Adults have increased risks of heart disease, high blood pressure, kidney or nervous system problems. Contact your health care provider for more information about your risks.*

**What should I do to reduce my exposure to lead?**

* **Use only cold, fresh water for drinking, cooking, and preparing baby formula.** Run the water for at least 1 minute or until after it turns cold. For more guidance on the use of filters, cleaning aerators, how to flush your water lines to reduce lead in drinking water exposure, and how to have your water tested, see [this MassDEP webpage](https://mass.gov/info-details/guidance-for-single-family-residents-at-risk-of-lead-in-drinking-water-exposure) [<https://mass.gov/info-details/guidance-for-single-family-residents-at-risk-of-lead-in-drinking-water-exposure>] [insert a QR code for all posters or handouts to allow consumers to access this link directly by cell phone]
* **Do not boil the water to remove lead.**
* **Check whether your home has a lead service line. IF YOU DO, HAVE IT REMOVED.** Please contact [insert PWS contact information] for more information about your home's service line, how to have it removed, or for information about plumbing materials in your home that may contain lead.
* **[If applicable: Learn what your service line material is by checking your home address at [website]].**
* **Contact your health care provider if you have any health-related questions or contact your local health department to find out if your child needs to be tested for lead.**

**What is our system doing?**

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

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

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

For more information on lead see [weblink]

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

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

Distributed media type [insert type]

**REMOVE OR REPLACE HIGHLIGHTED TEXT**

**LONG FORM-Notice For Other Types of Media**

**[System] DRINKING WATER NOTICE**

**Some homes have high levels of lead**

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

Our water system exceeded the lead drinking water action level.

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

**What does this mean?**

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

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**What should I do to reduce my exposure to lead?**

* Use only cold, fresh water for drinking, cooking, and preparing baby formula. 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. If you are not familiar with the structural and plumbing details of your residence, run the water for at least one (1) minute or until after it turns cold.

For more information about building flushing, see <https://www.mass.gov/doc/massdep-building-flushing-information/>.

* **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 [Home Drinking Water Filtration Fact Sheet | US EPA](https://www.epa.gov/ground-water-and-drinking-water/home-drinking-water-filtration-fact-sheet) and EPA’s [A Consumer Tool for Identifying Point of Use (POU) Drinking Water Filters Certified to Reduce Lead (epa.gov)](https://www.epa.gov/sites/default/files/2018-12/documents/consumer_tool_for_identifying_drinking_water_filters_certified_to_reduce_lead.pdf).
* **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.
* **Learn about construction in your neighborhood**. Contact your public water supplier to find out about any construction or maintenance work that could disturb your service line. Activities that physically disturb the service line may cause more lead to be released from a lead service line if present.
* **Have your water tested.** **You cannot see, taste or smell lead in drinking water.** Contact your public water supplier to learn more about the lead levels in your drinking water and any information about how to get your water tested. The only way to determine the level of lead in drinking water at your home is to have the water tested by a state certified laboratory. See [Certified Laboratory Search Results (state.ma.us)](https://eeaonline.eea.state.ma.us/DEP/Labcert/Labcert.aspx) for a list of certified laboratories that offer lead in drinking water testing.
* **Do not boil the water to remove lead.** Boiling water will not reduce lead. Excessive boiling can increase lead levels as lead remains behind when the water boils away.
* **Check whether your home has a lead service line. IF YOU DO, HAVE IT REMOVED.** 
  + **[If applicable” Learn what your service line material is by checking your home address at [PWS website]].**
  + Please contact [insert PWS contact information] for more information about your home's service line, how to have it removed, or for information about plumbing materials in your home that may contain lead.
  + You may use EPA’s Protect Your Tap tool to help identify if your service line is lead – see [www.epa.gov/pyt.](http://www.epa.gov/pyt.%5bInsert)
* **Contact your health care provider if you have any health-related questions or contact your local health department to find out if your child needs to be tested for lead.** A blood lead level test is the only way to know if your child is being exposed to lead. For more information on Massachusetts’ childhood lead testing program, contact the Department of Public Health at 1-800-532-9571 or see [www.mass.gov/orgs/childhood-lead-poisoning-prevention-program](file:///C:/Users/jessica/Downloads/www.mass.gov/orgs/childhood-lead-poisoning-prevention-program).

**What is our system doing?**

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

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

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

For more information on lead see [weblink]

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

Distributed media type [insert type]

1. DWP Policy 08-02 “Actions to Protect Public Health in the Period Between Federal Rule Promulgation And State Promulgation” is intended to document MassDEP’s practice for ensuring public health protection during the period between the promulgation of a final U.S. Environmental Protection Agency (“EPA”) National Primary Drinking Water Regulation and the promulgation of a corresponding MassDEP regulation. See <https://www.mass.gov/files/documents/2016/08/st/plcy0802.pdf> [↑](#footnote-ref-2)