**Instructions for GWR Failure to Take Corrective Action within Required Time Frame Notice - Template 2-21**

**Instructions: (**Template follows instructions)

A system’s failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a fecal indicator-positive ground water source sample or significant deficiency under the Ground Water Rule is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (310 CMR 22.16 (3)(b)). You must issue a repeat notice every three months for as long as the violation persists. You may be required to provide water from an alternate source so check with your regional MassDEP office to be sure you meet all requirements.

If this notice is for failing to address a fecal indicator-positive source sample, a Tier 1 notice for detecting a fecal indicator in the source water should have already been issued. Consider providing the history of the situation in this notice (i.e., what events lead to requiring corrective action) to avoid confusing the public when this second notice is issued.

Community systems must use one of the following methods (310 CMR 22.16 (3)(c)):

* Hand or direct delivery
* Mail, as a separate notice or included with the bill

Noncommunity systems must use one of the following methods (310 CMR 22.16 (3)(c)):

* Posting in conspicuous locations
* Hand delivery
* Mail

In addition, both community and noncommunity systems must use another method reasonably calculated to reach others if they would not be reached by the first method (310 CMR 22.16 (3)(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on your system’s letterhead, if available.

The notice on the last pages is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required PN elements (310 CMR 22.16(5)) and leave the mandatory language unchanged.

**Mandatory Language**

Mandatory language on health effects (310 CMR 22.16 Table 7) must be included as written and is presented in this notice in *italics*.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable (310 CMR 22.16(5)(d)). This language is also presented in this notice in *italics*.

**Corrective Action**

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. Depending on the corrective action you are taking, you can use one or more of the following statements, if appropriate, or develop your own text:

* Although we did not meet our deadline, we are now in consultation with the state to develop a corrective action plan.
* The [source of contamination/significant deficiency] has been identified and addressed.
* We have implemented a short-term plan to address the immediate issue while we pursue the long-term solution.

**Repeat Notices**For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out any previous notices. If you are making progress with correcting the significant deficiency or addressing the fecal indicator-positive source sample, describe it. Alternatively, if funding or other issues are delaying corrective action, let consumers know.

**After Issuing the Notice**

Make sure to send your MassDEP regional office and your local board of health a copy of each type of notice and a certification that you have met all public notification requirements within ten days after issuing the notice (310 CMR 22.15 (3)(b)).

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

**[System] Failed to to [Correct a Significant Deficiency/Address a Fecal Indicator-Positive Source Sample] within Required Time Frame.**

Our water system recently violated a drinking water requirement. Although this situation does not require that you take immediate action, as our customers, you have a right to know what happened, what you should do, and what we [did, are doing] to correct this situation.

A routine inspection conducted on [mm/dd/yyyy] by MassDEP found [describe significant deficiency in our water system] OR use: Sampling conducted at our groundwater source on [mm/dd/yyyy] found indication of fecal contamination of our source(s).

As required by Environmental Protection Agency’s (EPA’s) Ground Water Rule, we were required to take action to [correct this deficiency/address the fecal-indicator positive source sample]. However, we failed to take this action by the deadline established by MassDEP.

**What should I do?**

* There is nothing you need to do. You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
* If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available by emailing the EPA at safewater@epa.gov.

**What does this mean?**

This is not an emergency. If it had been, you would have been notified within 24 hours.

*Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.*

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

**What is being done?**

[Describe the corrective action.] We anticipate resolving the problem within [estimated time frame] OR the problem was resolved on [mm/dd/yyyy].

**Where can I get additional information?**

If you have questions about your water system’s operation, water quality monitoring, or response to this issue, please contact the system operator directly. If you have questions about the drinking water regulations or health risks posed by this contaminant you can contact the MassDEP Drinking Water Program at: program.director-dwp@mass.gov or (617) 292-5770. If you have questions about specific symptoms, you can contact your doctor or other health care provider.  If you have general questions about public health, you can contact the Massachusetts Department of Public Health at 617-624-5757.

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

*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]. System ID#: [XXXXXXX] Date distributed: [mm/dd/yyyy]