

64463.1 Tier 1 Public Notice

(a)

A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs: (1) Violation of the E. coli MCL (as specified in section 64426.1(b)) (2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL; (3) Violation of a Chapter 17 treatment technique requirement resulting from a single exceedance of a maximum allowable turbidity level if: (A) The State Board determines after consultation with the water system and a review of the data that a Tier 1 public notice is required; or (B) The consultation between the State Board and the water system does not take place within 24 hours after the water system learns of the violation; (4) Occurrence of a waterborne microbial disease outbreak, as defined in section 64651.91, or other waterborne emergency, a failure or significant interruption in water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that has the potential for adverse effects on human health as a result of short-term exposure; (5) Other violation or occurrence that has the potential for adverse effects on human health as a result of short-term exposure, as determined by the State Board based on a review of all available toxicological and

analytical data; (6) Violation of the MCL for perchlorate or when a system is unable to resample within 48 hours of the system's receipt of the first sample showing an exceedance of the perchlorate MCL as specified in section 64432.3(d)(3); (7) For chlorite: (A) Violation of the MCL for chlorite; (B) When a system fails to take the required sample(s) within the distribution system, on the day following an exceedance of the MCL at the entrance to the distribution system; or (C) When a system fails to take a confirmation sample pursuant to section 64534.2(b)(4); or (8) Violation of the MRDL for chlorine dioxide; or when a system fails to take the required sample(s) within the distribution system, on the day following an exceedance of the MRDL at the entrance to the distribution system.

(1)

Violation of the E. coli MCL (as specified in section 64426.1(b))

(2)

Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL;

(3)

Violation of a Chapter 17 treatment technique requirement resulting from a single exceedance of a maximum allowable turbidity level if: (A) The State Board determines after consultation with the water system and a review of the data that a Tier 1 public notice is required; or (B) The consultation between the State Board and the water system does not take place within 24 hours after the water system learns of the violation;

(A)

The State Board determines after consultation with the water system and a review of the

data that a Tier 1 public notice is required; or

(B)

The consultation between the State Board and the water system does not take place within 24 hours after the water system learns of the violation;

(4)

Occurrence of a waterborne microbial disease outbreak, as defined in section 64651.91, or other waterborne emergency, a failure or significant interruption in water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that has the potential for adverse effects on human health as a result of short-term exposure;

(5)

Other violation or occurrence that has the potential for adverse effects on human health as a result of short-term exposure, as determined by the State Board based on a review of all available toxicological and analytical data;

(6)

Violation of the MCL for perchlorate or when a system is unable to resample within 48 hours of the system's receipt of the first sample showing an exceedance of the perchlorate MCL as specified in section 64432.3(d)(3);

(7)

For chlorite: (A) Violation of the MCL for chlorite; (B) When a system fails to take the required sample(s) within the distribution system, on the day following an exceedance of the MCL at the entrance to the distribution system; or (C) When a system fails to take a confirmation sample pursuant to section 64534.2(b)(4); or

(A)

Violation of the MCL for chlorite;

(B)

When a system fails to take the required sample(s) within the distribution system, on the day following an exceedance of the MCL at the entrance to the distribution system; or

(C)

When a system fails to take a confirmation sample pursuant to section 64534.2(b)(4); or

(8)

Violation of the MRDL for chlorine dioxide; or when a system fails to take the required sample(s) within the distribution system, on the day following an exceedance of the MRDL at the entrance to the distribution system.

(b)

As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the State Board that it has determined there is a potential for adverse effects on human health [pursuant to paragraph (a)(4), (5), or (6)], the water system shall: (1) Give public notice pursuant to this section; (2) Initiate consultation with the State Board within the same timeframe; and (3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.

(1)

Give public notice pursuant to this section;

(2)

Initiate consultation with the State Board within the same timeframe; and

(3)

Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.

(c)

A water system shall deliver the public notice in a manner designed to reach

residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms: (1) Radio or television; (2) Posting in conspicuous locations throughout the area served by the water system; (3) Hand delivery to persons served by the water system; or (4) Other method approved by the State Board, based on the method's ability to inform water system users.

(1)

Radio or television;

(2)

Posting in conspicuous locations throughout the area served by the water system;

(3)

Hand delivery to persons served by the water system; or

(4)

Other method approved by the State Board, based on the method's ability to inform water system users.