

64463.7 Tier 3 Public Notice

(a)

Each water system shall give public notice pursuant to this section if any of the following occurs: (1) Monitoring violations; (2) Failure to comply with a testing procedure, except where a Tier 1 public notice is required pursuant to section 64463.1 or the State Board determines that a Tier 2 public notice is required pursuant to section 64463.4; (3) Operation under a variance or exemption; (4) Failure to comply with a reporting requirement pursuant to article 3; or (5) Failure to comply with a recordkeeping requirement pursuant to section 64470(b)(7).

(1)

Monitoring violations;

(2)

Failure to comply with a testing procedure, except where a Tier 1 public notice is required pursuant to section 64463.1 or the State Board determines that a Tier 2 public notice is required pursuant to section 64463.4;

(3)

Operation under a variance or exemption;

(4)

Failure to comply with a reporting requirement pursuant to article 3; or

(5)

Failure to comply with a recordkeeping requirement pursuant to section 64470(b)(7).

(b)

Each water system shall give the public notice within one year after it learns of the violation or begins operating under a variance or exemption. (1) The water system shall repeat the public notice annually for as long as the violation, variance, exemption, or other occurrence continues. (2) Posted public notices shall remain in place for as long as the violation, variance, exemption, or other occurrence continues, but in no case less than seven days. (3) Instead of individual Tier 3 public notices, a water system may use an annual report detailing all violations and occurrences for the previous twelve months, as long as the water system meets the frequency requirements specified in this subsection. (4) Failure to comply with a reporting requirement pursuant to article 3; or (5) Failure to comply with a recordkeeping requirement pursuant to section 64470(b)(7).

(1)

The water system shall repeat the public notice annually for as long as the violation, variance, exemption, or other occurrence continues.

(2)

Posted public notices shall remain in place for as long as the violation, variance, exemption, or other occurrence continues, but in no case less than seven days.

(3)

Instead of individual Tier 3 public notices, a water system may use an annual report detailing all violations and occurrences for the previous twelve months, as long as the water system meets the frequency requirements specified in this subsection.

(4)

Failure to comply with a reporting requirement pursuant to article 3; or

(5)

Failure to comply with a recordkeeping requirement pursuant to section 64470(b)(7).

(c)

Each water system shall deliver the notice in a manner designed to reach persons served within the required time period, as follows: (1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.): 1. Publication in a local newspaper; 2. Posting in conspicuous public places served by the water system, or on the Internet; or 3. Delivery to community organizations. (2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by: (A) Posting in conspicuous locations throughout the area served by the water system; and (B) Using one or more of the following methods to reach persons not likely to be reached by a posting: 1. Publication in a local newspaper or newsletter distributed to customers; 2. E-mail message to employees or students; 3. Posting on the Internet or intranet; or 4. Direct delivery to each customer.

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delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):1. Publication in a local newspaper; 2. Posting in conspicuous public places served by the water system, or on the Internet; or 3. Delivery to community organizations.

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Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B)

Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):1. Publication in a local newspaper; 2. Posting in conspicuous public places served by the water system, or on the Internet; or 3. Delivery to community organizations.

1.

Publication in a local newspaper;

2.

Posting in conspicuous public places served by the water system, or on the Internet; or

3.

Delivery to community organizations.

(2)

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violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by: (A) Posting in conspicuous locations throughout the area served by the water system; and (B) Using one or more of the following methods to reach persons not likely to be reached by a posting: 1. Publication in a local newspaper or newsletter distributed to customers; 2. E-mail message to employees or students; 3. Posting on the Internet or intranet; or 4. Direct delivery to each customer.

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Using one or more of the following methods to reach persons not likely to be reached by a posting: 1. Publication in a local newspaper or newsletter distributed to customers; 2. E-mail message to employees or students; 3. Posting on the Internet or intranet; or 4. Direct delivery to each customer.

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Publication in a local newspaper or newsletter distributed to customers;

2.

E-mail message to employees or students;

3.

Posting on the Internet or intranet; or

4.

Direct delivery to each customer.

(d)

Community and nontransient-noncommunity water systems may use the Consumer Confidence Report pursuant to sections 64480 through 64483, to meet the initial and repeat Tier 3 public notice requirements in subsection

64463.7(b), as long as the Report meets the following: (1) Is given no later than one year after the water system learns of the violation or occurrence; (2) Includes the content specified in section 64465; and (3) Is distributed pursuant to paragraph(b)(1) and (2) or subsection (c).

(1)

Is given no later than one year after the water system learns of the violation or occurrence;

(2)

Includes the content specified in section 64465; and

(3)

Is distributed pursuant to paragraph(b)(1) and (2) or subsection (c).