

(THIS POLICY DOES NOT HAVE THE FORCE OF LAW)

Tier 1 Public Notification Requirements	Division:	DDAGW
	Number:	WQ-07-002
	Category:	Policy
	Status:	Final
	Issued:	May 12, 2003

I. PURPOSE:

The purpose of this document is to describe appropriate additional requirements for distribution of Tier 1 public notices which Ohio EPA Division of Drinking and Ground Waters will establish during consultation with the public water system.

II. BACKGROUND:

In accordance with Ohio Administrative Code (OAC) Rule 3745-81-32, public water systems are required to give notice to all persons served by the water system for violations of drinking water regulations and for other situations in OAC Chapter 3745-81. In addition, public water systems that have a Tier 1 violation or situation that may pose an acute risk to human health are required to consult with Ohio EPA within 24 hours of learning of the violation to determine additional public notification requirements, beyond what is described in OAC 3745-81-32. Additional public notification requirements may include direction on repeat notices, duration of posted notices, and other actions designed to make sure all persons served by the water system are notified. This document is intended to help Ohio EPA staff determine which additional requirements may be appropriate for Tier 1 violations or situations.

III. GUIDANCE:

Ohio EPA staff should establish the following requirements during consultation with the public water systems, if applicable:

1. Direction on repeat notices: In most circumstances, a repeat frequency of 30 days should be required for all Tier 1 methods of public notice. Repeat frequency of weekly should be required for community surface water systems with a nitrate MCL violation.
2. Duration of posted notices: Posted notices should remain in place for as long as the violation exists.

3. Issuance of a “problem corrected” notice.
4. Copy of the public notice to the local health department.
5. Direction on appropriate methods: The tables below indicate which Tier 1 distribution methods should be required by Ohio EPA during the consultation (unless not applicable or extenuating circumstances exist). The methods used should reach all persons served by the water system.

Appropriate Methods for Community Water Systems	
Mobile Home Parks; Apartment Complexes	Hand delivery to each residence Posting in conspicuous locations (bulletin boards, etc.)
Nursing Homes	Hand delivery to employees Posting in conspicuous locations (bulletin boards, etc.) Mail to guardians of the residents
Prisons	Hand delivery to each employee and inmate Posting in conspicuous locations (bulletin boards, etc.) PA announcement (if applicable)
Municipalities	Fax notice to broadcast media (radio and television) Fax notice to newspaper (to editor, not legal notice section) Fax to local health department Contact sensitive populations (hospitals, day care, schools, nursing homes) (if applicable) Direct telecommunication (if applicable)
Consecutive Water Systems ¹	The seller must provide a copy of the notice to the consecutive system within 24 hours of learning of the violation The consecutive system is expected to notify its customers within 24 hours of receiving notice from seller
Universities	Fax notice to broadcast media (radio and television) Publication in university newspaper Electronic media to all campus residents and staff

¹ “Consecutive water system” means a public water system that receives water from one or more public water systems, excluding intermittent or emergency connections.

Appropriate Methods for Noncommunity Water Systems	
Schools and Daycares	Hand delivery of take-home notice to students/parents and employees Posting in conspicuous locations (restrooms, bulletin boards, drinking fountains, etc.) PA announcements (if applicable) Cover drinking fountains with garbage bags to prevent usage (if applicable)
Hotels and Motels	Hand delivery of notice to each hotel/lodge room Delivery to each new visitor Posting in conspicuous locations (restaurant, drinking fountains, vending areas, bulletin boards, etc.)
Campgrounds	Hand delivery of notice to each campsite Delivery to each new visitor Posting in conspicuous locations (restrooms, drinking fountains, vending areas, bulletin boards, etc.) PA announcements (if applicable)
Agricultural migrant labor camps	Hand delivery of notice to employees/residents Posting in conspicuous locations (common areas, restrooms, drinking fountains, bulletin boards, etc.) Public notice must be in the language of the migrant laborers
Golf courses; Rest stops; Gas stations; Parks; Marinas; Churches; Restaurants; Factories;	Posting in conspicuous places (restaurants, restrooms, drinking fountains, vending areas, bulletin boards, etc.)
Strip malls	Hand delivery to all mall tenants & ask them to post the notice

IV. History

The Division of Drinking and Ground Waters distributed this document in draft form on March 1, 2002. It was initially issued in final form on January 1, 2003.