



Regulatory update for public water systems

Important information about public notice and notification requirements

Public water systems have to meet a variety of requirements for notifying their customers and users about water quality. Failing to provide a public notice or notification when one is required can cause a violation for a public water system. The method for handling some violations is changing this year, and this fact sheet contains a summary of the changes.

What is changing in 2014?

Beginning in 2014, the Wisconsin Department of Natural Resources (DNR) will respond to violations of notification requirements related to the Lead and Copper Rule, Consumer Confidence Reports, and Tier 2 and 3 public notices. In the past, these violations were handled at the federal level, by the US Environmental Protection Agency (EPA).

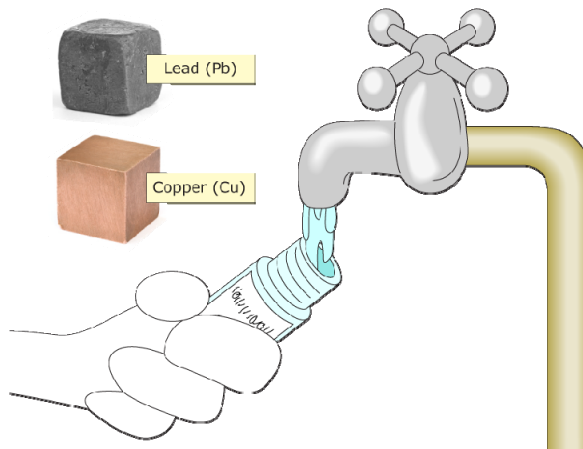
All of these requirements have been in effect for several years and are detailed in Wisconsin's Safe Drinking Water rule, Wisconsin Administrative Code chapter NR 809. It's important to note that *the requirements themselves have **not** changed*. Only the method for responding to violations is changing.

What requirements are affected?

Three types of public notification requirements are affected:

- **Lead customer notifications and certification**

Public water systems are required to notify their customers of lead and copper sample analysis results. Water systems also need to send sample copies of their notifications to DNR, along with a certification that the notifications were distributed as required. Violations can occur when a public water system fails to provide either the customer notification or the DNR certification by the appropriate deadline.



- **Tier 2 and 3 public notices**

The Safe Drinking Water rule requires public water systems to notify the public about certain violations or situations with the potential to adversely affect human health. Tier 2 public notices are required for non-acute exceedances of Maximum Contaminant Levels, for example. Various monitoring and reporting violations trigger the need for Tier 3 public notices. Public Notice violations can occur whenever a water system fails to issue a Tier 2 or Tier 3 public notice by the required deadline.

- **Consumer Confidence Reports**

Community water system owners are required to deliver a Consumer Confidence Report (CCR) annually that contains detailed information about water quality, contaminants detected in the drinking water supply, and compliance with drinking



Make sure to meet all requirements and avoid public notice violations!

Public Notice Requirements Affected

- Lead customer notifications and certification
- Tier 2 and 3 public notices
- Consumer Confidence Reports

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water regulations. Water system owners also must provide a copy of each CCR to the DNR, along with a certification that the report was distributed as required. CCR violations can occur when a public water system fails to prepare a complete CCR, deliver the report as required, or send a certification to DNR by the required deadline.

What’s required, and when are the deadlines?

The table below summarizes these requirements and the recent changes. Keep in mind that the changes do not involve any new regulatory requirements. The main change is that *DNR will now respond when these violations occur*, rather than US EPA.

In addition to notifying water systems when violations occur, DNR field staff will work with the systems to help them complete their requirements and return to compliance. For more information, contact your facility’s DNR rep or Steve Elmore, Public Water Supply Section Chief, at steve.elmore@wisconsin.gov or 608-264-9246.

Summary of public notice requirements and violation responses					
Type of public notice	Applicability	Requirements	Deadlines	Response to violation	Effective date
Lead customer notifications and certification	Municipal, OTM (Other-than-Municipal), and NN (Nontransient Noncommunity) systems	Notify customers of sample results from lead-copper samples. Provide example copies of notifications to DNR. Provide certification to DNR.	Customer notification—within 30 days of receiving sample results. Certification—within 3 months of end of sampling period.	DNR now informs public water systems about violations by sending Notice of Noncompliance letters for all violations that begin January 1, 2014 or after.	January 1, 2014
Tier 2 and 3 public notices	All public water systems	Issue Tier 2 public notices as required and according to deadline. Issue Tier 3 public notices as required and according to deadline.	Tier 2—within 30 days of learning about violation. Tier 3—within 1 year of learning about violation.	DNR now informs public water systems about violations by sending Notice of Noncompliance letters.	January 1, 2014
Consumer Confidence Reports	Municipal and OTM systems	Deliver CCR by July 1 each year that meets all content requirements. Provide copy of CCR to DNR. Provide certification to DNR.	CCR copy—due by July 1. Certification—due within 3 months afterward.	DNR’s field staff will review CCRs to ensure they meet all requirements. DNR will inform public water systems about violations by sending Notice of Noncompliance letters to the systems.	July 1, 2014

Lead and copper figure (page 1) courtesy of eTrain Online Inc./Waterhelp.org Project, www.waterhelp.org. Reprinted with permission.

