

# Instructions for Nitrate MCL Exceedance Notice

## Template on Reverse

Since exceeding the nitrate maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but no more than 24 hours from learning of the violation [40 CFR 141.202(b)]. During this time period you must also contact your primacy agency. You should also coordinate with your local health department. This template is also applicable to nitrite and total nitrate and nitrite violations. You must use one or more of the following methods to deliver the notice to consumers [40 CFR 141.202(c)]:

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g. newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand deliver, print your notice on your system's letterhead, if available.

The notice on the reverse provides suggested public notice content and format and is appropriate for hand delivery or for publication in a newspaper. However, you may wish to modify it before using it for a radio or TV broadcast. If you do modify the notice on the reverse, you must still include all required PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

### **Mandatory Language**

Mandatory language on health effects (from Appendix B to Subpart Q) must be included as written (with blanks filled in) and is presented in this notice in italics and with an asterisk on either end.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable [40 CFR 141.205(d)]. This language is also presented in this notice in italics and with an asterisk on either end.

### **Alternative Sources of Water**

If you are selling or providing bottled water, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets US Food and Drug Administration (FDA) and/or state bottled water safety standards.

### **Repeat Notices**

If this is a repeat notice (as required by your primacy agency), or if your system's nitrate levels fluctuate around the MCL, you may wish to include an explanation similar to the following:

You were initially notified of high nitrate levels on [give date]. Since that time we have been monitoring the nitrate concentration every three months. Seasonal fluctuations in nitrate concentrations have been observed, due to nitrates contained in fertilizer. It appears that high nitrates occur during the later summer and fall. Note that prior to [give year] we were meeting drinking water standards for nitrate.

### **Corrective Action**

In your notice, describe corrective actions you are taking. The bullet below describes one action commonly taken by water systems with nitrate/nitrite violations. You can use the following language, if appropriate, or develop your own:

- We are investigating water treatment and other options. These may include drilling a new well, mixing the water with low-nitrate water from another source, or buying water from another water system.

### **After Issuing the Notice**

Please send the copy of your public notice and certification using one of the following methods:

Email: R8DWU@epa.gov  
Fax: 1(877) 876-9101  
Mail: Nitrate Rule Manager, Bailey Smith  
US EPA REGION 8, Drinking Water Program (8WD-SDA)  
1595 Wynkoop Street  
Denver, CO 80202-1129.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

## Nitrate MCL Exceedance Notice

### DRINKING WATER WARNING

[System] water has high levels of nitrate -

**DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD  
OR USE IT TO MAKE INFANT FORMULA**

On [give date], we received notice that the sample collected on [give date] showed nitrate levels of [level and units]. This is above the nitrate standard, or maximum contaminant level (MCL), of [state/federal MCL]. Nitrate in drinking water is a serious health concern for infants less than six months old.

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year.

#### What should I do? What does this mean?

- **DO NOT GIVE THE WATER TO INFANTS.** *\*Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.\** Blue baby syndrome is indicated by blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- Adults and children older than six months can drink the tap water (nitrate is a concern for infants because they can't process nitrates in the same way adults can). However, if you are pregnant or have specific health concerns, you may wish to consult your doctor.

#### What is being done?

[Describe corrective action and when system expects to return to compliance.]

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

*\*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]. State Water System ID#: \_\_\_\_\_.  
Date distributed:\_\_\_\_\_.

## Certification of Public Notification

I \_\_\_\_\_ certify that the attached public notice was issued from  
(Public Water System [PWS] Operator/Responsible Party)

\_\_\_\_\_ to \_\_\_\_\_. The notice attached was issued by  
(Date) (Date)

\_\_\_\_\_ for the Nitrate Rule Violation that occurred on  
(Method of delivery – by hand, mail, etc.)

\_\_\_\_\_  
(Date)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PWS Name: \_\_\_\_\_ PWS Identification Number: \_\_\_\_\_