Instructions for Tier 2 and Tier 3 Public Notification Templates for LCRR

## Introduction

The EPA required that the following key elements from the 2021 Lead and Copper Rule Revisions (LCRR) requirements are implemented by water systems as of October 16, 2024:

* Initial Service Line Inventories. Water systems must develop and submit to their State[[1]](#footnote-2) an initial service line inventory to identify the materials of service lines connected to the public water system by October 16, 2024.
  + The inventory must include all service lines connected to the public water distribution system regardless of ownership status. Each service line must be characterized as lead, galvanized requiring replacement, lead status unknown (or unknown), or non-lead, using the sources described in the LCRR.
  + The service line inventory must also be publicly accessible, and the publicly accessible inventory must include location identifiers for lead and galvanized requiring replacement service lines. Water systems serving greater than 50,000 persons must make the publicly accessible inventory available online.
  + When a water system has no lead, galvanized requiring replacement, or lead status unknown service lines (regardless of ownership) in its inventory, it may comply with the public accessibility requirement using a written statement declaring that the distribution system has no lead or galvanized requiring replacement lines and including a general description of all sources described in 1414.84(a)(3)(5) and (6) that were used to make this determination.
  + For more information, see [*Guidance for Developing and Maintaining a Service Line Inventory and Inventory Template*](https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#SLI%20Dev)*.*
* Notification of service lines characterized as lead, galvanized requiring replacement, or lead status unknown to persons served within 30 days of completion of the inventory (initial). Repeat notification on an annual basis until the entire service connection is no longer lead, galvanized requiring replacement, or unknown. For new customers, water systems must also provide the notice at the time of service initiation. For more information, please see the [*Notification of Known or Potential Service Lines Containing Lead Fact Sheet and Templates*](https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#NOTIF_LSL).
* Requirements to distribute Tier 1 Public Notice (PN) to persons served by the water system no later than 24 hours after the system learns of the lead action exceedance (ALE) as specified in 141.80(c). A copy of the Tier 1 PN for the lead ALE must be sent to the primacy agency and the EPA Administrator no later than 24 hours after the system learns of the exceedance. For more information, please see [*Lead Action Level Exceedance (ALE) Tier 1 Public Notice (PN) Factsheet and Templates*](https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#TIER_1).

The Public Notification Rule requires water systems to provide notice to the people they serve following violations and situations based on the severity of the potential health risk [[40 CFR 141 subpart Q Appendix A](https://www.ecfr.gov/current/title-40/part-141/appendix-Appendix%20A%20to%20Subpart%20Q%20of%20Part%20141)]. This document includes instructions and templates for issuing public notification for the following violations:

* Failure to Develop Initial Inventory for Service Line Materials and/or Make Publicly Accessible - Template 2.
* Failure to Report Initial Inventory to the State - Template 3a.
* Failure to Certify Notification to Consumers Served by Known or Potential Service Line Containing Lead – Template 3b.

Note, this document does not cover the Tier 1 PN required following a lead action level exceedance, but does consider this separate instructions and template as [Template 1](https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#TIER_1).

This document is intended for community water systems (CWS)[[2]](#footnote-3) and Non-Transient Non-Community Water Systems (NTNCWS)[[3]](#footnote-4) providing PN as direct delivery or posting in a public place. If you modify the notice, you must still include all required public notice elements and **leave all *mandatory language* *as noted in italics* with an asterisk\* on each end on the template unchanged.**

For water systems serving a large proportion of non-English speaking consumers, this notice must have information in the appropriate language(s) or information on how to receive a translated copy of the notice or contact information on how to request assistance in the appropriate language [[40 CFR 141.205(c)(2)(i)](https://www.ecfr.gov/current/title-40/part-141/subpart-Q#p-141.205(c)(2)(i))]. EPA strongly encourages the use of multilingual notification if non-English speaking populations are in the system’s service area, whether or not there is a large proportion of non-English speaking people, because public notification of drinking water violations and other situations is an important means of protecting public health. Although full translations of notices are not required, EPA also strongly encourages going beyond the minimum multilingual requirements in the Rule, particularly for Tier 1 notices and other situations that pose a serious health risk and provide a translated copy of the notice on request or offer telephone assistance in the appropriate language.

The State of Washington Department of Health has a website that provides translations of typical drinking water public notice phrases, located here: <https://doh.wa.gov/community-and-environment/drinking-water/drinking-water-emergencies/public-notification/translations-public-notification>. Information on whether there is a significant non-English speaking population in a community can be found through the US Census Bureau’s Web site at <https://data.census.gov/>.

See Chapter 3 and Appendix C of the [*Revised Public Notification Handbook*](https://www.epa.gov/system/files/documents/2023-05/CWS_NTNC%20PN%20Handbook_508_March%202023.pdf). The handbook also provides more information on how to meet general public notification requirements.

The attached template provides mandatory text from the regulation, example language that you may use and/or modify for required content, and places to fill in or with instructions in **[bracketed, bold, and underlined text]**.

## Public Notice Content Requirements

The Federal Public Notice Rule contains 10 required elements [[40 CFR 141.205](https://www.ecfr.gov/current/title-40/section-141.205)] incorporated into the attached templates.

1. **Description of the Violation or Situation, including the contaminant of concern (e.g., lead)**

The notice must describe what happened and give some background.

1. **When the Violation or Situation Occurred**

The public notice should notify consumers of the date the violation or situation occurred.

1. **Any Potential Adverse Health Effects from the Violation or Situation**

You must include mandatory language on health effects, (from Appendix B to 40 CFR 141 Subpart Q) as it appears on the attached template and is presented in italics with an asterisk\* on each end. You must not edit any mandatory text on the template in italics with an asterisk\* on each end.

1. **The Population at Risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water.**

Consumers that are particularly vulnerable if exposed to lead are infants, children, pregnant people, and people that have high blood pressure or heart disease.

1. **Whether Alternative Water Supplies Should be Used**

Include whether alternative water supplies should be used. Consider whether to recommend use of bottled water and/or point-of-use or pitcher filters independently certified to remove lead, and to refer consumers to *EPA’s Consumer Tool for Identifying POU Filters Certified to Remove Lead* (<https://www.epa.gov/water-research/consumer-tool-identifying-point-use-and-pitcher-filters-certified-reduce-lead>).

1. **What Actions Consumers Should Take, including when they should seek medical help if known**

The notice must tell customers any actions they should take, even if no action is necessary. Because consumers may be inclined to boil their water in response to the notice, EPA recommends stating that boiling water does not remove lead.

1. **What You Are Doing to Correct the Violation or Situation**

Inform consumers of the steps you are taking to correct the problem.

1. **When You Expect to Return to Compliance or Resolve the Situation**

Identify the expected timeframe for returning to compliance or, the problem has already been corrected, identify when that occurred.

1. **Your Name, Business Address, and Phone Number, of the Water System owner, operator, or designee of the public water system as a source of additional information concerning the notice.**

EPA recommends that you also include your PWS ID number at the bottom of the notice to help the State track compliance and prevent tracking errors among systems with similar names and include the date you distributed the notice.

1. **A Statement Encouraging Notice Recipients to Distribute the Notice to Other- Persons Served, using the standard language in 141.205(d)(3), where applicable.**

The standard language is in the following templates.

## Resources

*Guidance for Developing and Maintaining a Service Line Inventory and Inventory Template.* EPA 816-B-22-001. August 2022. Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#SLI%20Dev>, last accessed 10/24/2024.

*LCRR Frequently Asked Questions* April 11, 2024. Office of Water. Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#LCRR_FAQs>, last accessed 10/24/2024.

*LCRR Implementation Factsheet*. October 29, 2024. Office of Water. Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#LCRR%20Imp%20FS>, last accessed 10/24/2024.

*Lead Action Level Exceedance (ALE) Tier 1 Public Notice (PN) Factsheet and Templates*. April 11, 2024. Office of Water. Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#TIER_1>, last accessed 10/24/2024.

*Notification of Known or Potential Service Lines Containing Lead Fact Sheet and Templates*. July 29, 2024. Office of Water. Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#NOTIF_LSL>, last accessed 10/24/2024.

*State Implementation Guidance for Lead and Copper Rule Revisions (LCRR) Retained Elements*. EPA 816-F-24-021. October 2024. Office of Water. Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#SIG>, last accessed 10/24/2024.

*Revised Public Notification Handbook*. EPA 816-R-23-002. March 2023. Office of Water. Available at: <https://www.epa.gov/system/files/documents/2023-05/CWS_NTNC%20PN%20Handbook_508_March%202023.pdf>, last accessed 10/24/2024.

*Revised State Implementation Guidance for the Public Notification (PN) Rule.* EPA 816-R-23-003. March 2023. Office of Water. Available at: <https://www.epa.gov/system/files/documents/2023-05/Revised%20State%20IG%20for%20the%20PN%20Rule_508_March%202023.pdf>, last accessed 10/24/2024.

*Tier 1 Public Notice for Lead Action Level Exceedances Template SOP for State Implementation Programs*. EPA 816-F-24-020. October 2024. Office of Water Available at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#:~:text=15/2024%2C%20816F24021) ,Tier%201%20Public%20Notice%20for%20Lead%20Action%20Level%20Exceedances%C2%A0Template%20SOP%20for%20State%20Implementation%20Programs,-The%20Tier%201>, last accessed 10/24/2024.

Instructions for Failure to Complete Initial Inventory for Service Line Materials and/or Make Publicly Accessible - Template 2[[4]](#footnote-5)

Template Attached

All CWSs and NTNCWSs were required to develop an initial service line inventory to identify the materials of service lines and submit it to their State[[5]](#footnote-6) by October 16, 2024 [40 CFR 141.84(a)]. The inventory must include all service lines connected to the public water distribution system regardless of ownership status. Each service line must be characterized as lead, galvanized requiring replacement, lead status unknown (or unknown), or non-lead using information sources described in the 2021 Lead and Copper Rule Revisions (LCRR) [40 CFR 141.84(a)]

The service line materials inventory must also be publicly accessible. The publicly accessible inventory must include a location identifier, such as a street address, associated with each lead and galvanized requiring replacement service lines.[[6]](#footnote-7) Water systems serving greater than 50,000 persons must make the publicly accessible inventory available online.

This template is written for systems which have failed to develop the initial service line material inventory [40 CFR 141.84(a)] and/or make the inventory publicly accessible by October 16, 2024 [141.84(a)(8)). These are considered lead and copper treatment technique violations. See Appendix A to Subpart Q of Part 141.

Lead and copper treatment technique violations require Tier 2 public notification, and therefore you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [[40 CFR 141.203(b)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.203#p-141.203(b))]. Your State may have more stringent requirements for treatment technique violations. Check with your State to make sure you meet all its requirements.

The notice must be provided in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system.

Unless otherwise directed by the State, CWSs must use one of the following methods [[40 CFR 141.203(c)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.203#p-141.203(c))]:

* Hand or direct delivery
* Mail, as a separate notice or included with the bill (if delivered within 30 days of the violation)
* Another method approved in writing by the State.

Unless otherwise directed by the State, NTNCWSs must use one of the following methods [[40 CFR 141.203(c)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.203#p-141.203(c))]:

* Posting in conspicuous locations
* Hand delivery
* Mail
* Another method approved in writing by the State.

The attached template is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required public notice elements from [40 CFR 141.205(a)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)) and leave the mandatory language unchanged (see below).

The Federal Public Notice Rule contains 10 required elements incorporated into the attached template. Please refer to the *Instructions for Tier 2 and Tier 3 Public Notification Templates for LCRR* or the PN rule [[40 CFR 141.205](https://www.ecfr.gov/current/title-40/section-141.205)] for a list of these elements.

Mandatory Language

Mandatory language on health effects (from [Appendix B to 40 CFR 141 Subpart Q](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/appendix-Appendix%20B%20to%20Subpart%20Q%20of%20Part%20141)) must be included as written as presented in this notice in \****italics with an asterisk on either end***.\* You will need to update the information presented in brackets with the appropriate information.

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)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(d))]. This language is also presented in this notice in \****italics with an asterisk on either end***. \*

Corrective Action

In your notice, describe corrective actions you are taking. You can use the following language, if appropriate, or develop your own text:

* We are in the process of completing the initial service line inventory and intend to submit it to [State agency] by [timeframe] and make it publicly accessible.
* We completed the initial service line inventory and have begun making it publicly accessible [briefly explain e.g. provide website link or how to access the inventory]. We sent a notice on [include delivery date] explaining how to access the inventory.

If consumers ask for information on testing their water, you should have on hand the names of laboratories consumers can call. You may also share the EPA’s *Consumer Tool for Identifying Point-of-Use and Pitcher Filters Certified to Reduce Lead in Drinking Water*, available in English and Spanish at: <https://www.epa.gov/water-research/consumer-tool-identifying-point-use-and-pitcher-filters-certified-reduce-lead>. For more information on lead, have consumers visit the EPA’s basic lead in water website at <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water> or generally at <https://www.epa.gov/lead>.

Repeat Notices

For any unresolved violation, following an initial Tier 2 public notice, you must repeat the notice every three months for as long as the violation persists unless the primacy agency determines that appropriate circumstances warrant a different repeat notice frequency (see 141.203(b)(2) for further information). For repeat notices, you must state how long the violation has been ongoing and remind consumers of when you sent out any previous notices. For example, if you are making progress, consider describing it, or if funding or other issues are delaying progress, consider letting consumers know.

After Issuing the Notice

Make sure to send a representative copy of each type of notice distributed, published, posted, and made available to persons served by the system and to the media and a certification that you have met all the public notification requirements to your State within 10 days after the original or any repeat notice(s) [[40 CFR 141.31(d)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-D/section-141.31#p-141.31(d))].

Failure to Develop Initial Inventory or make publicly accessible for Service Line Materials or Make Publicly Accessible - Template 2

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[Water System Name] Failed to [Develop and/or Make Public] an Initial Service Line Inventory

Our water system recently violated a drinking water requirement. As our customers, you have a right to know what happened, what you should do, and what we did (are doing) to correct this situation.

We were required to develop and make publicly available an initial inventory of service lines connected to our distribution system by October 16, 2024. **[If combining with reporting violation, include text: “Our system failed to submit this initial inventory of service lines to the [Name of state or other primacy agency] by October 16, 2024.”]** The inventory must identify the service line materials as lead galvanized requiring replacement (GRR)[[7]](#footnote-8), lead-status unknown/unknown, or non-lead. Identifying and ultimately removing lead and GRR service lines is an important way to protect public health.

**[If the inventory has not been developed, consider using the following text: There is the potential your service line could be made of lead or contain lead. People living in homes with service lines that are made of or contain lead have an increased risk of exposure to lead from their drinking water.”]**

**[If applicable, enter the following statement: “We notified persons served at service connections with a lead, galvanized, or unknown service line on [enter date]]”. [If applicable, include directions on how to access the publicly available inventory.]**

*\*Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems. \**

What should I do?

Listed below are some steps you can take to reduce your exposure to lead:

* **Learn what your service line material is.** Contact us at **[phone number and/or email address]** or a licensed plumber to determine if the pipe that connects your home to the water main (called a service line) is made from lead, galvanized, or other materials. [**For systems replacing lead service lines consider the following text:** “**To find out about what we are doing to replace lead service lines, please visit [website] or contact us at [phone number and/or email address."**] Protect Your Tap: A quick check for lead is the EPA's online step by step guide to learn how to find lead pipes in your home ([www.epa.gov/pyt](http://www.epa.gov/pyt)).
* **Learn about construction in your neighborhood.** Unless your service line is not made of lead or galvanized you should be aware of any nearby construction or maintenance work that could disturb the line. Ground tremors from construction may suddenly cause more lead to be released from lead or galvanized service lines in the area.
* **Use your filter properly.** Using a filter can reduce lead in drinking water. If you use a filter, make sure you use a filter certified to remove lead. Read the directions to learn how to properly install and use your cartridge and when to replace it. Using the cartridge after it has expired can make it less effective at removing lead. Do not run hot water through the filter.
* **Clean your aerator.** Regularly remove and clean your faucet’s screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. If lead particles are caught in the aerator, lead can get into your water.
* **Use cold water.** Use only cold water for drinking, cooking, and making baby formula. Remember, boiling water does not remove lead from water.
* **Run your water.** The more time water has been sitting in pipes, the more lead it may contain. Before drinking, flush your home’s pipes by running the tap, taking a shower, doing laundry, or doing a load of dishes. The amount of time to run the water will depend on whether your home has a lead service line or not, and the length of the lead service line. Residents should contact their water utility for recommendations about flushing times in their community.
* **Have your water tested.** Contact your water utility to have your water tested and to learn more about the lead levels in your drinking water.

**[Indicate whether alternative water supplies (i.e., bottled water) should be used.]**

What does this mean?

Service line inventories are the foundation from which water systems take action to address a significant source of lead in drinking water. Establishing an inventory of service line materials and identifying the location of lead and GRR service lines is a key step in getting them replaced and protecting public health. Typically, lead enters water supplies by leaching from lead pipes, brass faucets, plumbing with leaded solder, and other plumbing components containing lead. In homes with lead pipes that connect the home to the water main, also known as lead services lines, these pipes are typically the most significant source of lead in the water. Lead pipes are more likely to be found in older cities and homes built before 1986. Service lines made of galvanized iron or steel that are (or were previously) downstream of lead service lines are classified as galvanized requiring replacement (GRR) because galvanized service lines that are or ever were downstream from an LSL can adsorb lead and contribute to lead in drinking water. Identifying and ultimately removing lead and GRR service lines is an important way to protect public health.

What is being done?

**[Describe corrective action and when the system expects to return to compliance or resolve the situation.]**

For more information on reducing lead exposure around your home/building and the health effects of lead, visit EPA's Web site at [*http://www.epa.gov/lead*](http://www.epa.gov/lead) or contact your health care provider.

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 [**water system name**]. Public Water System ID#: [**\_\_\_\_\_\_\_\_\_\_\_**].

Date distributed: **[\_\_\_\_\_\_\_\_\_\_\_]**.

Instructions for Failure to Report Initial Inventory to the State Template 3a

Template Attached

Description of Violation or Situation

All CWSs and NTNCWSs were required to submit an initial service line inventory to their State[[8]](#footnote-9) by October 16, 2024 [40 CFR 141.90(e)(1)]. Failure to to submit an initial inventory of service lines to the State by the compliance date is a reporting violation that requires Tier 3 public notification. [Appendix A to Subpart Q of Part 141].

You must provide Tier 3 public notice to persons served no later than one year after you learn of the violation or situation or begin operating under a variance or exemption [[40 CFR 141.204(b)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(b))]. Public water systems must provide the initial notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements [[40 CFR 141.204(c)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(c))]:.

Unless directed otherwise by the primacy agency in writing, CWSs must provide notice by:

* Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the PWS,
* Any other method reasonably calculated to reach other persons regularly served by the system if they would not normally be reached by the mail or direct delivery. This may include persons who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include:
  + publication in a local newspaper;
  + delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers);
  + posting in public places or on the Internet; or
  + delivery to community organizations.

In some circumstances, e-mail may also be an option that is reasonably calculated to reach other persons regularly served by the system.

CWSs also have the option of using the Consumer Confidence Report to meet the Tier 3 public notice requirements for the initial Tier 3 PN and all required repeat notices as long as the CCR is provided to persons served no later than 12 months after the system learns of the violation or situation, it follows the content requirements in 40 C.F.R. 141.205, and the CCR is distributed following the delivery requirements under § 141.204(c). [[40 CFR 141.204(d)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(d))]. If those requirements are met, the notice included is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR)

Unless directed otherwise by the primacy agency in writing, NTNCWSs must provide notice by [[40 CFR 141.204(c)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(c))]:

* Posting the notice in conspicuous locations throughout the system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known), and
* Another method reasonably calculated to reach other persons served by the system, if they would not normally be reached by a notice from methods noted above because the notice is not in a location they routinely pass by. Such other methods could include newspapers or newsletters e-mail to notify employees or students, or delivery of multiple copies in central locations (e.g., community centers).

If you:

* Post the notice, it must remain posted until the violation is resolved, but in no case less than seven days (even if the situation is resolved) [[40 CFR 141.204(b)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(b))].
* Mail, post, or hand deliver, EPA recommends printing your notice on your system’s letterhead, if available.
* Modify the notice provided in this template, you must still include all required public notice elements from [40 CFR 141.205(a)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)) and leave the mandatory language unchanged (see below).

Repeat notice(s) are required annually if the violation or situation persists.

The Federal Public Notice Rule contains 10 required elements incorporated into the attached template. Please refer to the *Instructions for Tier 2 and Tier 3 Public Notification Templates for LCRR* or the PN rule [[40 CFR 141.205](https://www.ecfr.gov/current/title-40/section-141.205)] for a list of these elements.

Mandatory Language

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)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(d))]. This language is also presented in this notice in \****italics with an asterisk on each end.\****

Corrective Actions

In your notice, you must describe corrective actions you took or are taking [[40 CFR 141.205(a)(7)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)(7))] including when your water system expects to return to compliance or resolve the violation [[40 CFR 141.205(a)(8)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)(8))]. You can use the language provided in the template or develop your own.

After Issuing the Notice

Make sure to send a copy of each type of notice and a certification that you have met all the public notification requirements to your State within 10 days after the original or any repeat notice(s) [[40 CFR 141.31(d)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-D/section-141.31#p-141.31(d))].

Failure to Report Initial Inventory to the State[[9]](#footnote-10) – Template 3a

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Reporting Requirement(s) Not Met for [Water System Name]

We were required to develop and submit to the State an initial service line inventory that includes all service lines connected to the public water distribution system and characterize the materials of those service lines as either lead, galvanized requiring replacement, non-lead, or lead status unknown. Our system failed to submit an initial inventory of service lines to the [**Name of state or other primacy agency**] by October 16, 2024.

[**If applicable, enter, “We developed the initial inventory and notified persons served at service connections with service lines made of lead, galvanized, or unknown materials on [enter date]”. [If applicable, include directions on how to access the publicly available inventory.**]

Although the failure to report the initial inventory to the State does not create a risk to public health, we are required to inform you of this violation and provide additional information including what we did to correct the situation.

What should I do?

There is nothing you need to do at this time. You do not need to boil your water or take other actions. Remember, boiling water does not remove lead from water.

For more information on reducing lead exposure around your home/building and the health effects of lead, visit the EPA's websites at <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water> and [*http://www.epa.gov/lead*](http://www.epa.gov/lead).

What is being done?

**[Describe your corrective actions including when your water system expects to return to compliance or resolve the violation. If you have already submitted the inventory to the state, include text: “We completed the initial service line inventory and recently submitted it to [state agency] on [give date]”. If you have completed the inventory but not yet submitted the inventory to the state, include text: “We completed the initial service line inventory and intend to submit it to [state agency] by [give date]”.**

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 **[water system name].** Public Water System ID# \_\_\_\_\_\_\_.

Date distributed: \_\_\_\_\_\_\_.

Instructions for Failure to Certify to State[[10]](#footnote-11) Notification to Consumers Served by Known or Potential Service Line Containing Lead – Template 3b

Template Attached

Description of Violation or Situation

Beginning October 16, 2024, water systems must comply with reporting requirements in 40 CFR 141.90(e)(13) to certify on an annual basis that the system has complied with consumer notification of service line materials as specified in 141.85(e). Also, water systems must comply with 141.90(f)(4) which requires systems to demonstrate to the State that it delivered annual notification and information to affected consumers with lead, galvanized requiring replacement, or lead status unknown service lines for the previous calendar year. The demonstration must be made annually by July 1 of the previous calendar year. Systems must provide a copy of the notification and information materials to the State. [40 CFR 141.90 (f)(4)].

Failure to comply with the requirements in 40 CFR 141.90(e)(13) or 141.90(f)(4) described above is a reporting violation that requires Tier 3 public notification. [Appendix A to Subpart Q of Part 141].

You must provide Tier 3 public notice to persons served no later than one year after you learn of the violation or situation or begin operating under a variance or exemption [[40 CFR 141.204(b)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(b))]. Public water systems must provide the initial notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements [[40 CFR 141.204(c)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(c))]:

Unless directed otherwise by the primacy agency in writing, CWSs must provide notice by:

* Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the PWS,
* Any other method reasonably calculated to reach other persons regularly served by the system if they would not normally be reached by the mail or direct delivery. This may include persons who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include:
  + publication in a local newspaper;
  + delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers);
  + posting in public places or on the Internet; or
  + delivery to community organizations.

In some circumstances, e-mail may also be an option that is reasonably calculated to reach other persons regularly served by the system.

CWSs also have the option of using the Consumer Confidence Report to meet the Tier 3 public notice requirements for the initial Tier 3 PN and all required repeat notices as long as the CCR is provided to persons served no later than 12 months after the system learns of the violation or situation, it follows the content requirements in 40 C.F.R. 141.205, and the CCR is distributed following the delivery requirements under § 141.204(c). [[40 CFR 141.204(d)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(d))]. If those requirements are met, the notice included is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR)

Unless directed otherwise by the primacy agency in writing, NTNCWSs must provide notice by [[40 CFR 141.204(c)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(c))]:

* Posting the notice in conspicuous locations throughout the system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known), and
* Another method reasonably calculated to reach other persons served by the system, if they would not normally be reached by a notice from methods noted above because the notice is not in a location they routinely pass by. Such other methods could include newspapers or newsletters e-mail to notify employees or students, or delivery of multiple copies in central locations (e.g., community centers).

If you:

* Post the notice, it must remain posted until the violation is resolved, but in no case less than seven days (even if the situation is resolved) [[40 CFR 141.204(b)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.204#p-141.204(b))].
* Mail, post, or hand deliver, EPA recommends printing your notice on your system’s letterhead, if available.
* Modify the notice provided in this template, you must still include all required public notice elements from [40 CFR 141.205(a)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)) and leave the mandatory language unchanged (see below).

Repeat notice(s) are required annually if the violation or situation persists.

The Federal Public Notice Rule contains 10 required elements incorporated into the attached template. Please refer to the *Instructions for Tier 2 and Tier 3 Public Notification Templates for LCRR* or the PN rule [[40 CFR 141.205](https://www.ecfr.gov/current/title-40/section-141.205)] for a list of these elements.

**Mandatory Language**

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)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(d))]. This language is also presented in this notice in \****italics with an asterisk on each end.\****

Corrective Actions

In your notice, you must describe corrective actions you took or are taking [[40 CFR 141.205(a)(7)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)(7))] and when you expect to return to compliance or resolve the situation [[40 CFR 141.205(a)(8)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-Q/section-141.205#p-141.205(a)(8))]. You can use language provided in the template, if appropriate, or develop your own.

After Issuing the Notice

Make sure to send a copy of each type of service line material notifications to persons served and a certification that you have met all the public notification requirements to your State within 10 days after the original or any repeat notice(s) [[[40 CFR 141.31(d)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-D/section-141.31#p-141.31(d))](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-D/section-141.31#p-141.31(d))].

Failure to Certify Notification to Persons Served by Known or Potential Service Line Containing Lead– Template 3b

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Reporting Requirement(s) Not Met for [Water System Name]

We were required to report [**describe the information and/or certification that the system did not report, such as “a copy of the notice and materials sent to persons served by known or potential service lines containing lead”]** to the State.

Our system failed to demonstrate to the State that it delivered annual notifications and information to affected consumers with lead, galvanized requiring replacement, or lead status unknown service lines as required by July 1, [**YEAR**]. Although the failure to comply with the reporting requirement does not create a risk to public health, we are required to inform you of this violation and provide additional information including what we did to correct the situation.

It is important for consumers to know if the water they are receiving has been delivered through a lead, galvanized requiring replacement (GRR), or lead status unknown service line so they can make decisions on whether and what actions to take to reduce their exposure to lead in drinking water.

What should I do?

There is nothing you need to do at this time. You do not need to boil your water or take other actions. Remember, boiling water does not remove lead from water.

For more information on reducing lead exposure around your home/building and the health effects of lead, visit the EPA's websites at <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water> and [[*http://www.epa.gov/lead*](http://www.epa.gov/lead)](http://www.epa.gov/lead).

What is being done?

**[Describe your corrective actions including when your water system expects to return to compliance or resolve the violation. If applicable, include text: “While we did not certify and notify the State as quickly as we should have, we provided the required notifications to persons served, as well as the missing information to the State on [enter date]. We are no longer in violation.”]**

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 [**water system name**]. Public Water System ID# \_\_\_\_\_\_\_.

Date distributed: \_\_\_\_\_\_\_.

1. “State” means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a

   State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term “State” means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2] [↑](#footnote-ref-2)
2. Community water system means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. [40 CFR 141.2] [↑](#footnote-ref-3)
3. Non-transient non-community water system or NTNCWS means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year. [40 CFR 141.2] [↑](#footnote-ref-4)
4. Template 1 is the Tier 1 Public Notice template posted online here: [https://www.epa.gov/dwreginfo/lead-and-copper-rule implementation-tools#TIER\_1](https://www.epa.gov/dwreginfo/lead-and-copper-rule%20implementation-tools#TIER_1). [↑](#footnote-ref-5)
5. “State” means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term “State” means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2] [↑](#footnote-ref-6)
6. Water systems with no lead, galvanized requiring replacement, or lead status unknown service lines (regardless of ownership) in its inventory, may comply with the public accessibility requirements using a written statement declaring this and including a general description of all sources used to make this determination. [↑](#footnote-ref-7)
7. A galvanized requiring replacement service line is a galvanized service line that is or was potentially downstream of a lead service line. [↑](#footnote-ref-8)
8. “State” means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term “State” means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2] [↑](#footnote-ref-9)
9. “State” means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a

   State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term “State” means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2] [↑](#footnote-ref-10)
10. “State” means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a

    State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term

    “State” means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2] [↑](#footnote-ref-11)