

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
GUIDANCE FROM HOTLINE COMPENDIUM

WSG H29
Date Issued: August 1990

SUBJECT: NTNCWSs and Public Notification for Special Monitoring

SOURCE: Carl Reeverts

Title 40 CFR, Section 141.35, requires the owner or operator of a Community Water System (CWS) or Non-Transient, Non-Community Water System (NTNCWS) to notify persons served by the system of the availability of the results of sampling conducted under 40 CFR 141.40 (special monitoring for organic chemicals). This notification is to be accomplished by including a notice in the first set of water bills issued by the system after the receipt of the results, or by written notice within three months after the receipt of the results.

Since NTNCWS normally do not bill their consumers, and are allowed to post notices in order to meet the public notification requirements under 40 CFR Section 141.32, would posting notices of availability of the results of sampling fulfill the requirements of 40 CFR 141.35?

Response:

Although Section 141.35 does not specifically allow NTNCWS to post notices as an option of meeting these requirements, it is EPA's intent that NTNCWS notify customers in a manner that is most conducive to public education and appropriate to the situation.

Therefore, unless specifically precluded by the primacy State, posting a notice of availability of monitoring results would be an acceptable method of written notification where mail delivery is not appropriate. NTNCWS could also fulfill the requirements of Section 141.35 by hand delivery of the notice of availability. For example, the written notice could be included in the paychecks of workers being served by a NTNCWS.