



ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER  
300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601

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## 10 Elements of a Public Notice

From EPA Regulation: §141.205 Content of the public notice.

Drinking Water Branch Contact: [DrinkingWaterCompliance@ky.gov](mailto:DrinkingWaterCompliance@ky.gov) or phone: 502-564-3410.

After Hours Contact: **1-800-928-2380**

**(a) What elements must be included in the public notice for violations of National Primary Drinking Water Regulations (NPDWR) or other situations requiring a public notice?** When a public water system violates a NPDWR or has a situation requiring public notification, each public notice must include the following elements:

1. A description of the violation or situation, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
2. When the violation or situation occurred;
3. Any potential adverse health effects from the violation or situation, including the standard language under paragraph (d)(1) or (d)(2) of this section, whichever is applicable;
4. The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;
5. Whether alternative water supplies should be used;
6. What actions consumers should take, including when they should seek medical help, if known;
7. What the system is doing to correct the violation or situation;
8. When the water system expects to return to compliance or resolve the situation;
9. The 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; and
10. A statement to encourage the notice recipient to distribute the public notice to other persons served, using the standard language under paragraph (d)(3) of this section, where applicable.

**(b) What elements must be included in the public notice for public water systems operating under a variance or exemption?**

1. If a public water system has been granted a variance or an exemption, the public notice must contain:
  - i. An explanation of the reasons for the variance or exemption;
  - ii. The date on which the variance or exemption was issued;
  - iii. A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and
  - iv. A notice of any opportunity for public input in the review of the variance or exemption.
2. If a public water system violates the conditions of a variance or exemption, the public notice must contain the ten elements listed in paragraph (a) of this section.

**(c) How is the public notice to be presented?**

1. Each public notice required by this section:
  - i. Must be displayed in a conspicuous way when printed or posted;
  - ii. Must not contain overly technical language or very small print;
  - iii. Must not be formatted in a way that defeats the purpose of the notice;
  - iv. Must not contain language which nullifies the purpose of the notice.

2. Each public notice required by this section must comply with multilingual requirements, as follows:
  - i. For public water systems serving a large proportion of non-English speaking consumers, as determined by the primacy agency, the public notice must contain information in the appropriate language(s) regarding the importance of the notice or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the notice or to request assistance in the appropriate language.
  - ii. In cases where the primacy agency has not determined what constitutes a large proportion of non-English speaking consumers, the public water system must include in the public notice the same information as in paragraph (c)(2)(i) of this section, where appropriate to reach a large proportion of non-English speaking persons served by the water system.

(d) **What standard language must public water systems include in their public notice?** Public water systems are required to include the following standard language in their public notice:

1. Standard health effects language for MCL or MRDL violations, treatment technique violations, and violations of the condition of a variance or exemption. Public water systems must include in each public notice the health effects language specified in appendix B [see excerpt below] to this subpart corresponding to each MCL, MRDL, and treatment technique violation listed in appendix A to this subpart [see p. 26042 of the regulation [here](#)], and for each violation of a condition of a variance or exemption.
2. Standard language for monitoring and testing procedure violations. Public water systems must include the following language in their notice, including the language necessary to fill in the blanks, for all monitoring and testing procedure violations listed in appendix A to this subpart:
3. We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period], we “did not monitor or test” or “did not complete all monitoring or testing” for [contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time.
4. Standard language to encourage the distribution of the public notice to all persons served. Public water systems must include in their notice the following language (where applicable):

*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.*

## Standard Health Effects Language for Public Notification

Excerpts from **40 CFR Appendix B to Subpart Q of Part 141**

Information in this Table to be used as a reference only; for complete instructions,  
see [pp. 26043-26047 of 40 CFR 141, Subpart Q](#)

Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/ <i>E. coli</i>	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
Turbidity	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
Fluoride	Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums.
Nitrate	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.
Nitrite	Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
Lead	Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.
Copper	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
Combined radium	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
Total trihalomethanes (TTHM)	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.
Haloacetic acids (HAA)	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
Chlorite	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
Chlorine	Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.