



## State of New Jersey

Department of Environmental Protection

Jon S. Corzine  
Governor

Mark Mauriello  
Acting Commissioner

Division of Water Supply – Water Supply Operations  
401 E. State Street - P.O. Box 426  
Trenton, New Jersey 08625-0426  
Tel #: (609) 292-5550 - Fax #: (609) 292-1654  
<http://www.state.nj.us/dep/watersupply/>

October 27, 2009

### Transient Noncommunity Water Systems

Re: Important Information about Complying with the Safe Drinking Water Act Regulations

Dear Sir/Madam:

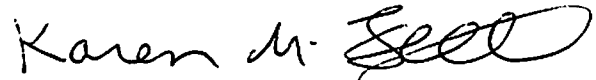
This is to provide you with a brief description of a number of new requirements and initiatives that you should be aware of in order to fully comply with the State and Federal Safe Drinking Water Act Regulations. This information, as well as future updates, is available on the Division of Water Supply's website at [www.nj.gov/dep/watersupply](http://www.nj.gov/dep/watersupply). We encourage all public water systems to routinely visit our website to keep apprised of updated information.

- **Drinking Water Watch** – “Drinking Water Watch” is a new web application available on the Division of Water Supply's website at <http://www.nj.gov/dep/watersupply/waterwatch> that allows water systems and the general public to view safe drinking water information including: water system inventories, drinking water analytical data and monitoring schedules. This on-line application is expected to improve water system compliance by allowing you to view the analytical data sent to the Division of Water Supply by your certified laboratory. Additional information about “Drinking Water Watch” is found in Attachment 1 to this letter.
- **Ground Water Rule (GWR) and Total Coliform Rule (TCR)** – All public water systems should be aware of the requirements of the Ground Water Rule (40 CFR 141 Subpart S) which will become effective December 1, 2009. A significant amount of information concerning this rule can be found on the Division of Water Supply's website at <http://www.nj.gov/dep/watersupply/gwr/index.html> and EPA's website at <http://www.epa.gov/safewater/disinfection/gwr/index.html>. Some highlights are found in Attachment 2, including some items pertaining to the Total Coliform Rule. If you missed the previous sessions of in-depth Ground Water Rule training provided by NJDEP in conjunction with the NJ Water Association, you should consider attending the additional session being offered on **November 19** in Hightstown, NJ. You must register in advance through the NJ Water Association's website at <http://www.njwater.org> or by phone at 609-242-7111.
- **Public Notice Certification** – Public notification is required for all violations, including Monitoring and Reporting (M&R) violations, in accordance with the Public Notification Rule (40 CFR 141, Subpart Q). Failure to conduct public notification within the required timeframe is a violation in and of itself. Current regulations require public water systems,

within 10 days of completing the public notification requirements, to submit to the State a certification that the public water system has fully complied with the public notification requirements. In order to assist water systems with this requirement, the Division of Water Supply has developed a new "Public Notice Certification Form." Attachment 3 provides additional information about the form and the requirements.

Thank you for your attention to these issues. We encourage you to periodically visit our website at [www.nj.gov/dep/watersupply](http://www.nj.gov/dep/watersupply) for future updates. Note that all forms referenced in this letter and attachments can also be found on our main website at <http://www.nj.gov/dep/watersupply/forms.htm>. Please contact our office at 609-292-5550 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Karen M. Fell". The signature is written in a cursive style with a large, stylized "F" and "L".

Karen M. Fell, Bureau Chief  
Bureau of Safe Drinking Water  
Implementation

#### Attachments

- C: NJDEP Water Compliance and Enforcement Element  
County Health Departments

## **Attachment 1**

### **Important Information about “Drinking Water Watch”**

The Division of Water Supply is pleased to announce the public availability of “Drinking Water Watch” online at:

<http://www.nj.gov/dep/watersupply/waterwatch>

Drinking Water Watch allows you to:

- view analytical data for all public water systems.
- determine the date sample results were entered into the Division of Water Supply’s database; as a result you will be able to see if analytical results were submitted timely, submitted late, or not submitted at all. The Division of Water Supply intends to use this information to enforce monitoring and reporting requirements.
- confirm inventory details, including number of wells and treatment plants; this information directly relates to monitoring requirements.
- view monitoring schedules “live,” including active and closed schedules. This will help public water systems achieve compliance with Safe Drinking Water Act Regulations.

Please contact the Division of Water Supply’s Bureau of Safe Drinking Water Implementation at 609-292-5550 if you have any questions.

## Attachment 2

# Ground Water Rule and Total Coliform Rule Updates

- **NJDEP WEBSITE** - All public water systems are encouraged to visit the Division of Water Supply's website at <http://www.nj.gov/dep/watersupply/> for new information on the Ground Water Rule. You may also go directly to our Ground Water Rule webpage at <http://www.nj.gov/dep/watersupply/gwr/index.html>.
- **EPA WEBSITE** - EPA has a wealth of information on the Ground Water Rule on its website including guidance documents and compliance information. This information is available at <http://www.epa.gov/safewater/disinfection/gwr/index.html>.
- **TRAINING OPPORTUNITY** - If you missed the previous sessions of in-depth Ground Water Rule training provided by the Division of Water Supply in conjunction with the NJ Water Association, consider attending the additional session being offered on November 19 in Hightstown, NJ. You must register in advance through the NJ Water Association. Registration may be completed through their website at <http://www.njwater.org> or via phone at 609-242-7111. This session is free and 4.0 Water TCH will be provided.
- **REQUIREMENT TO COLLECT CERTAIN SAMPLES WITHIN 24 HOURS** - Both the Ground Water Rule and the Total Coliform Rule require follow up samples to be collected within 24 hours of notification by the laboratory that the initial sample is total coliform positive. This is to notify you that the Division of Water Supply intends to enforce this requirement. A monitoring and reporting violation will be incurred by a water system if samples are not collected within 24 hours of notification by the laboratory. For the Ground Water Rule, a source water sample must be collected from all wells<sup>1</sup> within 24 hours of notification by the laboratory that a routine distribution system sample collected as part of the Total Coliform Rule is total coliform positive; if that first source water sample is E. coli positive, five additional source water samples must be collected within 24 hours of notification by the laboratory. For the Total Coliform Rule, repeat samples must be collected within 24 hours of notification by the laboratory that a routine sample is total coliform positive.
- **TIER 1 PUBLIC NOTIFICATION** - If a source water sample collected under the Ground Water Rule is E. coli positive, the public water system must conduct Tier 1 Public Notification. Each public water system should have a plan in place to reach all customers as soon as possible but no later than 24 hours after learning of the E. coli positive result in a source water sample. Methods may include but not be limited to reverse 911 notification, hand delivery of information, and television and/or radio message broadcasting. The public water system must also consult with the Division of Water Supply within 24 hours of notification of the E. coli positive result to determine if the Division of Water Supply will require other public notification.

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<sup>1</sup> This condition applies unless the public water system has previously received State approval for 4 log virus treatment of the E.coli positive source. A sample must be collected from each well in use at the time the total coliform-positive sample was collected; the Division of Water Supply will generally consider "in use at the time" to be within one week from the collection date of the total coliform positive sample.

- **RAW WATER TAP** - All wells serving a public water system must have a raw water sampling point so that a sample can be collected under the Ground Water Rule prior to any treatment or storage.
- **INFORMATION FOR PUBLIC WATER SYSTEMS SERVING 1,000 PEOPLE OR FEWER** - If your water systems collects one Total Coliform Rule distribution system sample each month or each quarter, and that sample is total coliform positive, the Division of Water Supply will allow you to use one of the four Total Coliform Rule repeat samples to satisfy the triggered source water monitoring sample requirement under the Ground Water Rule provided one of the four required Total Coliform Rule repeat samples is collected from your ground water source and the sample collected from your ground water source is tested for E.coli.
- **PROHIBITION ON APPLYING SHOCK CHLORINATION** – Applying shock chlorination is a temporary disinfection method meant to deal with a single contamination event, such as a flood or maintenance on a well. Shock chlorination is not acceptable to address a chronic problem, such as a cracked well casing or a well located next to a failed septic system. In addition, applying shock chlorination prior to collecting follow-up samples (under both the Ground Water Rule and the Total Coliform Rule) may temporarily disguise poor water quality conditions and will not meet the requirements of the regulations. Note that:
  - In addition to the requirement to analyze all routine coliform samples for chlorine residual, chlorine residual must also be analyzed for all source water samples collected as part of the Ground Water Rule and all repeat samples collected as part of the Total Coliform Rule, regardless of whether or not the public water system disinfects with chlorine. The Division of Water Supply will require the submittal of these chlorine residual results.
  - If shock chlorination is applied before repeat samples are collected as part of the Total Coliform Rule, the Division of Water Supply will consider the results of the repeat samples to be invalid. The public water system must then proceed on the assumption that the repeat sample(s) was positive for E. coli or fecal coliform. This situation will warrant Tier 1 Public Notification and the public water system must proceed to treat the situation as an Acute Violation of the Total Coliform Rule. The system will also incur a monitoring and reporting violation.
  - If shock chlorination is applied before source water samples are collected as part of the Ground Water Rule, the Division of Water Supply will consider the results of the source water samples to be invalid. The public water system must then proceed on the assumption that the source water samples were positive for E.coli. This situation will warrant Tier 1 Public Notification and will require the public water system to conduct Corrective Action under the Ground Water Rule. The public water system will also incur a monitoring and reporting violation.
  - Applying shock chlorination is not an acceptable Corrective Action under the Ground Water Rule.

Please contact the Division of Water Supply's Bureau of Safe Drinking Water Implementation at 609-292-5550 if you have any questions.

### Attachment 3

## Public Notification Certification

Public notification is required to be conducted in accordance with the Public Notification Regulations (40 CFR 141, Subpart Q) and the New Jersey Safe Drinking Water Regulations (N.J.A.C. 7:10). The purpose of the Public Notification Regulations is to require notification to the public by the public water system anytime the public water system violates primary drinking water regulations, including monitoring and reporting requirements, or has other situations posing a risk to public health. Failure to conduct public notification is also a violation.

Notices must be sent to persons served within 24 hours, 30 days, or one year depending whether the violation is classified as a Tier 1, 2, or 3 violation. Notices must be provided to all persons served, not just billing customers. Note that for Tier 1 violations, the public water system must also consult with the Division of Water Supply within 24 hours of the violation; contact from the laboratory alone does not satisfy this requirement. Public water systems must contact the Division of Water Supply within 48 hours of learning of all other types of violations.

**A public water system is required to submit a certification to the Division of Water Supply within 10 days of completing public notification requirements, stating that the public water system has fully complied with the public notification requirements.** The Division of Water Supply has developed a new **Public Notice Certification Form** that must be used to satisfy this certification requirement. The Public Notification Certification Form must be completed and submitted to the Division of Water Supply for each type of violation. A copy of the form is on the back of this page and can also be found at <http://www.nj.gov/dep/watersupply/forms.htm>.

In addition, EPA has developed a user friendly program called "PniWriter" to allow public water system owners, operators or other designated personnel to enter data to generate a public notice that meets the federal requirements. The program takes users through the 10 required elements of a public notice and allows users to insert and edit EPA's recommended text. PNiWriter is a web based application that requires internet access to use. PniWriter, along with other important information concerning the Public Notification Rule, may be found online at <http://www.epa.gov/safewater/publicnotification/compliancehelp.html>. Note that there are some contaminants for which New Jersey has more stringent Maximum Contaminant Levels than EPA, so modifications may have to be made to your Public Notification before finalizing it if it is prepared using PniWriter.

Please contact the Division of Water Supply's Bureau of Safe Drinking Water Implementation at 609-292-5550 if you have any questions.



Department of Environmental Protection - Bureau of Safe Drinking Water Implementation  
401 East State Street - P.O. Box #426  
Trenton, New Jersey 08625-0426  
Tel # 609-292-5550 - Fax #609-292-1654

Office Use Only  
Reviewed by: \_\_\_\_\_  
Date: \_\_\_\_\_

**Public Notification Certification Form – Tiers 1, 2 & 3**

Requirements Pursuant to 40 CFR 141, Subpart Q and N.J.A.C. 7:10

**\*\*This form and a copy of your Notice to the Public must be submitted to the State within 10 days of notifying your customers. \*\***

PWSID#: \_\_\_\_\_ Water System Name: \_\_\_\_\_

Violation #: \_\_\_\_\_ Violation or Situation Date: \_\_\_\_\_

Individual Contaminant or Contaminant Group: \_\_\_\_\_

Monitoring Period: \_\_\_\_\_

Violation or Situation Type: (Check appropriate box)  MCL  Treatment Technique  Water Main Break  
 MRDL  E. coli Positive Source Water Sample  Monitoring and Reporting  Other: \_\_\_\_\_

Violation or Situation Public Notification Tier: (Check appropriate box)  Tier 1  Tier 2  Tier 3

Please check all that apply and provide information as indicated below:

- 1.  Consulted with DEP within 24 hours (Tier 1) or 48 hours (Tiers 2 & 3) Date: \_\_\_\_\_
- 2.  Distributed the notice by the following method(s), and on the following date(s) in accordance with 40 CFR 141.201 et seq:
  - Reverse 911 Date: \_\_\_\_\_
  - Continuously Post Date: \_\_\_\_\_
  - Separate Mailing to Customers Date: \_\_\_\_\_
  - Hand Deliver Notice to Customers Date: \_\_\_\_\_
  - Publish Notice in Newspaper Date: \_\_\_\_\_
  - Release Notice to and Announced by Broadcast Media Date: \_\_\_\_\_
  - Post Notice on System Website Date: \_\_\_\_\_
  - Billing Date: \_\_\_\_\_
  - Annual Report (Consumer Confidence Report) Date: \_\_\_\_\_
  - Other: \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** Non-community water systems that serve a school, preschool or daycare must also hand deliver the notice to a parent or legal guardian of each child for Tier 1, 2 and 3 violations and situations. For more information reference EPA's Public Notification Handbook at: <http://www.epa.gov/safewater/publicnotification/compliancehelp.html>

- 3.  Content – 10 Required Elements Checklist: 40 CFR 141 Subpart Q (Ensure all items are included in the notice)
  - Description of violation or situation including contaminant and contaminant levels as appropriate.
  - Date violation or situation occurred.
  - Potential adverse health risks, using mandatory language provided in the rule.
  - Required language for Monitoring and Reporting Violations, provided in the rule.
  - The population at risk, including sub-populations particularly vulnerable if exposed.
  - Whether alternate water supply should be used.
  - What action consumers should take, including when to seek medical help, if known.
  - What the system is doing to correct the violation or situation.
  - When the system expects to return to compliance or resolve the situation.
  - Contact information: Owner name, business address, and phone number of the water system owner, operator or designee that can provide additional information concerning the notice.
  - A statement encouraging recipients to distribute the notice to other persons served, using standard language from the rule.
- 4.  Attach a copy of the posted Public Notice(s) to this certification form.

The public water system named above hereby certifies that public notification has been provided to its consumers in accordance with all delivery, content, and format requirements specified in 40 CFR Part 141 and N.J.A.C 7:10.

Owner/Operator: \_\_\_\_\_  
(circle one) (Signature) (Print Name) (Phone Number)

Date of Certification: \_\_\_\_\_ Operator License # (if applicable) \_\_\_\_\_