

§ 141.209

40 CFR Ch. I (7–1–04 Edition)

home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.”

§ 141.209 Special notice for nitrate exceedances above MCL by non-community water systems (NCWS), where granted permission by the primacy agency under § 141.11(d)

(a) *When is the special notice to be given?* The owner or operator of a non-community water system granted permission by the primacy agency under § 141.11(d) to exceed the nitrate MCL must provide notice to persons served according to the requirements for a Tier 1 notice under § 141.202(a) and (b).

(b) *What is the form and manner of the special notice?* Non-community water systems granted permission by the primacy agency to exceed the nitrate MCL under § 141.11(d) must provide con-

tinuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure, according to the requirements for Tier 1 notice delivery under § 141.202(c) and the content requirements under § 141.205.

§ 141.210 Notice by primacy agency on behalf of the public water system.

(a) *May the primacy agency give the notice on behalf of the public water system?* The primacy agency may give the notice required by this subpart on behalf of the owner and operator of the public water system if the primacy agency complies with the requirements of this subpart.

(b) *What is the responsibility of the public water system when notice is given by the primacy agency?* The owner or operator of the public water system remains responsible for ensuring that the requirements of this subpart are met.

APPENDIX A TO SUBPART Q OF PART 141—NPDWR VIOLATIONS AND OTHER SITUATIONS REQUIRING PUBLIC NOTICE¹

Contaminant	MCL/MRDL/TT violations ²		Monitoring & testing procedure violations	
	Tier of public notice required	Citation	Tier of public notice required	Citation
I. Violations of National Primary Drinking Water Regulations (NPDWR):³				
A. Microbiological Contaminants				
1. Total coliform	2	141.63(a)	3	141.21(a)–(e)
2. Fecal coliform/E. coli	1	141.63(b)	4, 3	141.21(e)
3. Turbidity MCL	2	141.13(a)	3	141.22
4. Turbidity MCL (average of 2 days' samples >5 NTU)	5, 2, 1	141.13(b)	3	141.22
5. Turbidity (for TT violations resulting from a single exceedance of maximum allowable turbidity level)	6, 2, 1	141.71(a)(2), 141.71(c)(2)(i), 141.73(a)(2), 141.73(b)(2), 141.73(c)(2), 141.73(d), 141.173(a)(2), 141.173(b), 141.551(b)	3	141.74(a)(1), 141.74(b)(2), 141.74(c)(1), 141.174, 141.560(a)–(c), 141.561.
6. Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. allowable turbidity level (TT)	2	141.70–141.73	3	141.74
7. Interim Enhanced Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. turbidity level (TT)	7, 2	141.170–141.173, 141.500–141.553	3	141.172, 141.174, 141.530–141.544, 141.560–141.564.
8. Filter Backwash Recycling Rule violations	2	141.76	3	141.76