

333-061-0034

Treatment Requirements and Performance Standards for Corrosion Control

- (1) At community and NTNC water systems, when the action level for lead or copper is exceeded, water suppliers must take the following actions as approved by the Authority:
 - (a) Comply with the applicable corrosion control treatment requirements specified in sections (2) and (3) of this rule;
 - (b) Implement the applicable source water treatment requirements specified in section (4) of this rule;
 - (c) Implement the public education requirements specified in section (5) of this rule; and
 - (d) Monitor lead or copper in tap water, water quality parameters and lead and copper in source water according to 333-061-0036(10) and analyze the monitoring results according to OAR 333-061-0036(1).
 - (e) Failure to comply with the applicable requirements prescribed in this rule constitutes a violation of the rule.
- (2) The corrosion control treatment requirements specified in section (3) of this rule must be completed based on the size of the water system as specified in this section.
 - (a) At water systems serving more than 50,000 people, water suppliers must maintain and operate Authority-specified optimal water quality control parameters as prescribed in subsection (3)(m) of this rule and monitor lead and copper in tap water according to OAR 333-061-0036(10)(a) through (e).
 - (b) At water systems serving 50,000 people or less, except at systems where the Authority considers optimized corrosion control treatment to be present according to paragraphs (2)(d)(A) through (C) of this rule, water suppliers must complete the applicable corrosion control steps identified in paragraphs (2)(b)(A) through (I) of this rule when sample results exceed the action level for lead or copper.
 - (A) Water suppliers must recommend optimal corrosion control treatment within six months after the end of the monitoring period when sample results exceed the action level.
 - (B) Water suppliers must perform corrosion control studies within 12 months after the end of the monitoring period when sample results exceed the action level, if required by the Authority.
 - (C) If the Authority requires corrosion control studies according to paragraph (2)(b)(B) of this rule, the water supplier must complete the studies within 18 months.
 - (D) The Authority shall designate optimal corrosion control treatment within six months after a water supplier completes corrosion control studies according to paragraph (2)(b)(C) of this rule.
 - (E) If the Authority does not require corrosion control studies according to paragraph (2)(b)(B) of this rule, the Authority shall designate optimal corrosion control treatment:

- (i) Within 18 months for water systems serving 3,301 to 50,000 people; or
 - (ii) Within 24 months for water systems serving 3,300 people or less.
 - (F) Water suppliers must install optimal corrosion control treatment within 24 months after the Authority designates optimal corrosion control treatment.
 - (G) Water suppliers must complete follow-up monitoring according to OAR 333-061-0036(10)(d)(B) within 12 months after the deadline designated by the Authority to install optimal corrosion control treatment.
 - (H) The Authority shall designate optimal water quality control parameters within 6 months after a water supplier completes follow-up monitoring.
 - (I) Water suppliers must monitor according to OAR 333-061-0036(10)(f) and operate treatment such that the Authority-designated optimal water quality control parameters are met at all times.
- (c) At any water system where the corrosion control steps specified in subsection (2)(b) of this rule are required because the action level for lead or copper was exceeded, the water supplier may cease completing the treatment steps if sample results subsequently collected according to OAR 333-061-0036(10)(d) are at or below the action levels for both lead and copper during each of two consecutive monitoring periods. If any such water system thereafter exceeds the lead or copper action level during any monitoring period, the water supplier (or the Authority if applicable) shall recommence completing the applicable treatment steps, beginning with the first treatment step which was not previously completed in its entirety. The Authority may require a water supplier to repeat treatment steps previously completed if the Authority determines it is necessary to properly implement the treatment requirements specified in this rule. The Authority shall notify the water supplier in writing of such a determination and explain the basis for its decision.
- (d) At any water system considered to have optimized corrosion control according to this subsection, water suppliers must operate and maintain existing corrosion control treatment and also comply with any requirements determined to be necessary by the Authority. The Authority considers optimized corrosion control treatment to be present at a water system and that the corrosion control treatment steps identified in this section are not required if at least one of the criteria identified in this subsection is met.
- (A) At water systems serving 50,000 people or less, sample results are consistently at or below the lead and copper action levels and no more than one round of samples has exceeded the action level at the water system.
 - (B) At any water system where the water supplier demonstrated to the Authority's satisfaction that it conducted activities equivalent to the corrosion control steps identified in paragraphs (2)(b)(A) through (H) of this rule. If the Authority makes this determination, it shall provide the water supplier written notice explaining the basis for the decision and

specifying the water quality control parameters representing optimal corrosion control according to subsection (3)(l) of this rule. At water systems considered to have optimized corrosion control treatment according to this paragraph, water suppliers must operate the treatment in compliance with the Authority-designated optimal water quality control parameters according to subsection (3)(m) of this rule and monitor for lead and copper and water quality parameters according to OAR 333-061-0036(10)(d) and OAR 333-061-0036(10)(f), respectively. Water suppliers must provide the Authority with the following information to allow a determination according to this paragraph:

- (i) The results of all samples collected for each of the water quality parameters identified in subsection (3)(d) of this rule;
 - (ii) A report explaining the test methods used by the water supplier to evaluate the corrosion control treatments listed in subsection (3)(c) of this rule, the results of all tests conducted, and the basis for the water supplier's selection of optimal corrosion control treatment;
 - (iii) A report explaining how corrosion control was installed and how it is maintained to ensure minimal lead and copper concentrations at consumers' taps; and
 - (iv) The results of tap water samples collected according to OAR 333-061-0036(10)(d)(B) at least once every six months for one year after corrosion control treatment was installed.
- (C) At any water system where the results of tap water monitoring and source water monitoring conducted according to OAR 333-061-0036(10)(d) and (g), respectively demonstrate for two consecutive six-month monitoring periods that the difference between lead concentrations in the 90th percentile tap water sample result calculated according to OAR 333-061-0030(1)(c)(A) and the highest source water concentration is less than 0.005 mg/l.
- (i) At water systems where the highest concentration of lead in source water is below the method detection limit, lead in the 90th percentile tap water sample result must be less than or equal to the practical quantitation level in two consecutive six month monitoring periods;
 - (ii) Water suppliers must monitor for lead and copper no less frequently than once every three years according to OAR 333-061-0036(10)(d)(D) if the Authority considers a water system to have optimized corrosion control treatment present.
 - (iii) At any water system considered to have optimized corrosion control treatment, water suppliers must notify the Authority in writing of any upcoming, long-term change in treatment (for example, changing disinfectants or corrosion control chemicals) or if a new water source will be utilized. The Authority must review and approve the changes at the water system before they are

implemented by the water supplier. At any such water system, the Authority may require additional monitoring or other actions it deems appropriate to ensure minimal levels of corrosion in the water distribution system;

- (iv) If sample results collected according to OAR 333-061-0036(10)(d) exceed the action level for lead or copper for two consecutive six month rounds at any water system where optimized corrosion control treatment is considered to be present, the water supplier must complete the corrosion control steps specified in subsection (2)(b) of this rule according to the deadlines prescribed therein.

(3) Water suppliers must complete the corrosion control treatment requirements described in this section as required by section (2) of this rule.

- (a) At water systems serving 50,000 people or less and where the action level for lead or copper was exceeded, water suppliers must recommend installation of one or more of the corrosion control treatment methods listed in subsection (3)(c) of this rule that constitute optimal corrosion control for the water system in question, based upon monitoring results for lead and copper and water quality parameters. The Authority may require the water supplier to conduct additional water quality parameter monitoring according to OAR 333-061-0036(10)(f) to facilitate Authority review of the water supplier's recommendation.
- (b) Water suppliers performing corrosion control studies must evaluate the effectiveness of each treatment method identified in this subsection and, if appropriate, combinations of the treatment methods to identify optimal corrosion control treatment for a system. Water suppliers must evaluate each of the corrosion control treatment methods using either pipe rig/loop tests, metal coupon tests, partial-system tests, or analyses based on documented analogous treatments at other water systems of similar size and with similar water chemistry and distribution system configuration. Treatment methods include:
 - (A) Alkalinity and pH adjustment;
 - (B) Calcium hardness adjustment; and
 - (C) The addition of a phosphate or silicate based corrosion inhibitor at a concentration sufficient to maintain an effective residual concentration in all test tap samples.
- (c) Water suppliers must measure the following water quality parameters in any tests before, during or after evaluating the corrosion control treatment methods listed in subsection (3)(b) of this rule:
 - (A) Lead;
 - (B) Copper;
 - (C) pH;
 - (D) Alkalinity;
 - (E) Calcium;
 - (F) Conductivity;

- (G) Orthophosphate (when an inhibitor containing a phosphate compound is used);
 - (H) Silicate (when an inhibitor containing a silicate compound is used); and
 - (I) Water temperature.
- (d) Any additional chemical treatment methods considered by a water supplier must be evaluated by conducting appropriate studies and analyses approved by the Authority that are equivalent in scope to the studies and analyses required in this section.
 - (e) Water suppliers must identify all chemical or physical constraints that limit or prohibit the use of a particular corrosion control treatment and document such constraints with at least one of the following:
 - (A) Data and documentation showing that a particular corrosion control treatment has adversely affected other water treatment processes when used at another water system with comparable water quality characteristics; or
 - (B) Data and documentation demonstrating that the water supplier previously attempted to evaluate a particular corrosion control treatment and found that the treatment is ineffective or adversely affects other water quality treatment processes.
 - (f) Water suppliers must evaluate the effect of the chemicals used for corrosion control treatment on other water quality treatment processes.
 - (g) Water suppliers must recommend to the Authority in writing the treatment option that corrosion control studies indicate constitutes optimal corrosion control treatment for a water system on the basis of an analysis of the data generated during each evaluation. The water supplier must provide a rationale for its recommendation along with all supporting documentation specified in subsections (3)(b) through (f) of this rule.
 - (h) The Authority shall either approve the corrosion control treatment option recommended by the water supplier or designate a different corrosion control treatment method listed in subsection (3)(b) of this rule after considering available information, including where applicable, studies performed according to subsection (3)(b) through (f) of this rule and a water supplier's recommended alternative. When designating optimal treatment, the Authority shall consider the effects that additional corrosion control treatment will have on water quality parameters and on other water quality treatment processes.
 - (i) Water suppliers must provide additional information upon request if necessary for the Authority's review. The Authority shall notify water suppliers in writing of decisions about optimal corrosion control treatment and explain the basis for any determination.
 - (j) Water suppliers must properly install and operate the optimal corrosion control treatment designated by the Authority according to subsection (3)(h) of this rule throughout a water distribution system.
 - (k) The Authority shall evaluate the results of all lead and copper tap samples and water quality parameter samples reported by water suppliers and determine

whether the water supplier properly installed and operated the optimal corrosion control treatment designated by the Authority. The Authority shall designate values for the optimal water quality control parameters after reviewing the results of tap water and water quality parameter monitoring from both before and after the water supplier installs optimal corrosion control treatment. The Authority may also designate values for additional water quality control parameters if determined necessary to reflect optimal corrosion control for a water system. The Authority shall notify the water supplier in writing of these determinations and explain the basis for its decisions. The optimal water quality control parameters designated by the Authority shall include:

- (A) A minimum value or a range of values for pH measured at each entry point to the distribution system;
 - (B) A minimum pH value, measured in all tap samples. Such value shall be 7.0, unless the Authority determines that meeting a pH level of 7.0 is not technologically feasible or is not necessary for the system to optimize corrosion control;
 - (C) If a corrosion inhibitor is used, a minimum concentration or a range of concentrations for the inhibitor, measured at each entry point to the distribution system and in all tap samples, that the Authority determines is necessary to form a passivating film on the interior walls of the pipes of the distribution system;
 - (D) If alkalinity is adjusted as part of optimal corrosion control treatment, a minimum concentration or a range of concentrations for alkalinity, measured at each entry point to the distribution system and in all tap samples; and
 - (E) If calcium carbonate stabilization is used as part of corrosion control, a minimum concentration or a range of concentrations for calcium, measured in all tap samples.
- (1) At all water systems where optimal corrosion control was installed, water suppliers must continue to operate and maintain the corrosion control treatment, including maintaining water quality parameters at or above minimum values or within ranges designated by the Authority according to subsection (3)(k) of this rule for all samples collected according to OAR 333-061-0036(10)(f). Compliance shall be determined every six months as specified in OAR 333-061-0036(10)(f)(H). A water system is out of compliance for a six-month period if any Authority-designated water quality parameter is not met on more than nine days during the period. An excursion occurs whenever the daily value for one or more of the water quality parameters measured at a sampling location is below the minimum value or outside the range designated by the Authority. Daily values are calculated as follows:
- (A) On days when more than one measurement for the water quality parameter is collected at the sampling location, the daily value shall be the average of all results collected during the day regardless of whether

they are collected through continuous monitoring, grab sampling or a combination of both;

- (B) On days when only one measurement for the water quality parameter is collected at the sampling location, the daily value shall be the result of that measurement; and
 - (C) On days when no measurement is collected for the water quality parameter at the sampling location, the daily value shall be the daily value calculated on the most recent day on which the water quality parameter was measured at the sample site.
- (m) The Authority may, upon its own initiative or in response to a water supplier or other interested party, modify its determination of the optimal corrosion control treatment designated according to subsection (3)(h) of this rule or of the optimal water quality control parameters designated according to subsection (3)(k) of this rule. A request for modification from a water supplier or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The Authority may modify its determination where it concludes that such change is necessary to ensure that a water supplier continues to optimize corrosion control treatment. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the Authority's decision, and provide an implementation schedule for completing the treatment modifications.
- (4) Source water treatment requirements.
- (a) Water suppliers must complete the applicable source water monitoring and treatment requirements specified in subsection (4)(b) of this rule and in OAR 333-061-0036(10)(g) by the deadlines identified in this subsection.
 - (A) At water systems where the lead or copper action level was exceeded, water suppliers must complete lead and copper source water monitoring as prescribed by OAR 333-061-0036(10)(g) and make a treatment recommendation to the Authority as prescribed by paragraph (4)(b)(A) of this rule no later than 180 days after the end of the monitoring period during which the lead or copper action level was exceeded.
 - (B) The Authority shall make a determination regarding source water treatment as prescribed in paragraph (4)(b)(B) of this rule within six months after submission of monitoring results collected according to paragraph (4)(a)(A) of this rule.
 - (C) If the Authority requires installation of source water treatment, the water supplier must install the treatment as prescribed in paragraph (4)(b)(C) of this rule within 24 months after completing the requirements prescribed in paragraph (4)(a)(B) of this rule.
 - (D) Water suppliers must complete follow-up tap water and source water monitoring as prescribed by OAR 333-061-0036(10)(d) and (g) within 12 months after the deadline prescribed by paragraph (4)(a)(C) of this rule.
 - (E) The Authority shall review the water supplier's installation and operation of source water treatment and specify maximum permissible source water

levels as prescribed by paragraph (4)(b)(D) of this rule within 6 months after a water supplier completes the requirements prescribed by paragraph (4)(a)(D) of this rule.

- (F) Water suppliers must operate in compliance with the Authority-specified maximum permissible lead and copper source water levels as prescribed in paragraph (4)(b)(D) of this rule and continue source water monitoring as prescribed in OAR 333-061-0036(10)(g).
- (b) Source water treatment evaluation and installation.
 - (A) At any water system where the lead or copper action level was exceeded, water suppliers must recommend in writing to the Authority the installation and operation of one of the source water treatment methods listed in paragraph (4)(b)(B) of this rule. A water supplier may recommend that treatment is not necessary based upon a demonstration that source water treatment is not necessary to minimize lead and copper levels at users' taps.
 - (B) The Authority shall evaluate the results of all source water samples submitted for a water system to determine whether source water treatment is necessary to minimize lead or copper levels in water delivered to users' taps. If the Authority determines that treatment is necessary, the Authority shall either require installation and operation of the source water treatment recommended by the water supplier or require the installation and operation of another source water treatment method from among the following: ion exchange, reverse osmosis, lime softening or coagulation/filtration. If the Authority requests additional information to aid in its review, the water supplier must provide the information by the date specified by the Authority in its request. The Authority shall notify the water supplier in writing of its determination and set forth the basis for its decision.
 - (C) Each water supplier must properly install and operate the source water treatment designated by the Authority according to paragraph (4)(b)(B) of this rule.
 - (D) The Authority shall review the source water samples collected both before and after the installation of source water treatment and determine whether the water supplier properly installed and operated the source water treatment designated by the Authority. The Authority shall designate the maximum permissible lead and copper concentrations for finished water entering the distribution system based upon its review. Such concentrations shall reflect the contaminant removal capability of the treatment properly operated and maintained. The Authority shall notify the water supplier in writing and explain the basis for its decision.
 - (E) Water suppliers must maintain lead and copper below the maximum permissible concentrations designated by the Authority at each sampling point monitored according to OAR 333-061-0036(10)(g). Water suppliers violate this rule if the concentration of lead or copper at any sampling

point is greater than the maximum permissible concentration designated by the Authority.

- (F) The Authority may, upon its own initiative or in response to a water supplier or other interested party, modify its determination of the source water treatment designated according to paragraph (4)(b)(B) of this rule or of the maximum permissible lead and copper concentrations for finished water entering the distribution system designated according to paragraph (4)(b)(D) of this rule. A request for modification from a water supplier or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The Authority may modify its determination where it concludes that such change is necessary to ensure that a water supplier continues to minimize lead and copper concentrations in source water. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the Authority's decision, and provide an implementation schedule for completing the treatment modifications.
- (5) Water suppliers must deliver a consumer notice of lead tap water monitoring results to persons served by the water system at sites that are tested, as specified in subsection (5)(e) of this rule. At water systems where the lead action level is exceeded, water suppliers must sample the tap water of any customer who requests the sampling according to subsection (5)(d) of this rule. At water systems where the lead action level is exceeded based on tap water samples collected according to OAR 333-061-0036(10)(d), water suppliers must deliver the public education materials described in subsections (5)(a) and (b) of this rule according to the requirements prescribed by subsection (5)(c) of this rule.
 - (a) For community and NTNC water system, water suppliers must include the elements identified in paragraphs (5)(a)(A) through (F) of this rule and in the same order they are listed in all printed materials distributed through a lead public education program. Paragraphs (5)(a)(A), (B) and (F) of this rule must be included in the materials exactly as written except for the text in braces for which the water supplier must include system-specific information. Any additional information presented by a water supplier shall be consistent with the information below and be in plain language that can be understood by the general public. Water suppliers must submit all written public education materials to the Authority prior to delivery to water users.
 - (A) **IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER.** Personnel at {INSERT NAME OF WATER SYSTEM} found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and young children. Please read this information closely to see what you can do to reduce lead in your drinking water.
 - (B) **HEALTH EFFECTS OF LEAD:** Lead can cause serious health problems if too much enters your body from drinking water or other sources. It can cause damage to the brain and kidneys, and can interfere with the

production of red blood cells that carry oxygen to all parts of the body. The greatest risk of lead exposure is to infants, young children and pregnant women. Scientists have linked the effects of lead on the brain with lowered IQ in children. Adults with kidney problems and high blood pressure can be affected by low levels of lead more than healthy adults. Lead is stored in the bones, and it can be released later in life. During pregnancy, the child receives lead from the mother's bones, which may affect brain development.

- (C) SOURCES OF LEAD.
 - (i) Explain what lead is.
 - (ii) Explain the possible sources of lead in drinking water and how lead enters drinking water. Include information on home/building plumbing materials and service lines that contain lead.
 - (iii) Discuss other important sources of lead exposure in addition to drinking water (for example, paint).
- (D) STEPS THE CONSUMER CAN TAKE TO REDUCE THEIR EXPOSURE TO LEAD IN DRINKING WATER.
 - (i) Encourage running the water to flush out the lead.
 - (ii) Explain concerns with using hot water from the tap and specifically caution against the use of hot water for preparing baby formula.
 - (iii) Explain that boiling water does not reduce lead levels.
 - (iv) Discuss other options consumers can take to reduce exposure to lead in drinking water, such as alternative sources or treatment of water.
 - (v) Suggest that parents have their child's blood tested for lead.
- (E) Explain why there are elevated levels of lead in the system's drinking water (if known) and what will be done to reduce the lead levels in homes/buildings in this area.
- (F) For more information, call us at {INSERT YOUR NUMBER}, {(if applicable include the following) or visit our web site at {INSERT YOUR WEB SITE HERE}}. 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> or contact your health care provider.
- (b) For community water systems, water suppliers must also:
 - (A) Tell consumers how to get their water tested; and
 - (B) Discuss lead in plumbing components and the difference between low lead and lead free.
- (c) Delivery of public education materials.
 - (A) For public water systems serving a large proportion of non-English speaking consumers as determined by the Authority, the public education materials must include 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 public education materials or to request assistance in the appropriate language.

- (B) At community water systems where the lead action level was exceeded in tap water samples collected according to OAR 333-061-0036(10)(d), water suppliers must conduct the public education tasks specified in this section within 60 days after the end of the monitoring period in which the exceedance occurred unless the water supplier is already conducting public education tasks according to this rule. Water suppliers must:
- (i) Deliver printed materials meeting the content requirements of subsections (5)(a) and (5)(b) of this rule to all bill paying customers.
 - (ii) Deliver education materials that meet the requirements of subsections (5)(a) and (5)(b) of this rule to local public health agencies even if they are not located within the water system's service area for customers who are most at risk, including an informational notice that encourages distribution to all the organization's potentially affected clients. The water supplier must contact the local public health agencies directly by phone or in person. The local public health agencies may provide a list of additional community based organizations serving target populations, which may include organizations outside the service area of the water system. If such lists are provided, water suppliers must deliver education materials that meet the content requirements of subsections (5)(a) and (5)(b) of this rule to all organizations on the provided lists.
 - (iii) Delivering education materials that meet the requirements of subsections (5)(a) and (5)(b) of this rule to public and private schools or school boards; Women, Infants and children (WIC), and Head Start programs; public and private hospitals and medical clinics; Pediatricians; family planning clinics; and local welfare agencies located within the water system's service area for customers who are most at risk, including an informational notice that encourages distribution to all of the organization's potentially affected clients.
 - (iv) Make a good faith effort to locate licensed childcare centers; public and private preschools; and Obstetricians-Gynecologists and Midwives within the service area and deliver materials that meet the requirements of subsections (5)(a) and (5)(b) of this rule to them, including an informational notice that encourages distribution to all potentially affected customers or users. The good faith effort to contact at-risk customers may include requesting a specific contact list of these organizations from the local public

health agencies, even if the agencies are not located within the water system's service area.

- (v) No less often than quarterly, provide information on or in each water bill as long as samples at the water system exceed the action level for lead. The message on the water bill must include the following statement exactly as written except for the text in braces for which the water system must include system-specific information: {INSERT NAME OF WATER SYSTEM} found high levels of lead in drinking water in some homes. Lead can cause serious health problems. For more information please call {INSERT NAME OF WATER SYSTEM}, {(if applicable include the following) or visit our web site at {INSERT YOUR WEB SITE HERE}}. The message or delivery mechanisms can be modified in consultation with the Authority; specifically the Authority may allow a separate mailing of public education materials to customers if the water system cannot place the information on water bills.
 - (vi) Post material meeting the requirements of subsection (5)(a) and (5)(b) of this rule on the water system's web site if the system serves a population greater than 100,000.
 - (vii) Submit a press release to newspaper, television and radio stations.
 - (viii) Implement at least three of the following activities: public service announcements; paid advertisements; public area information displays; emails to customers; public meetings; household deliveries, targeted individual customer contact; direct material distribution to all multi-family homes and institutions or other methods approved by the Authority. The educational content and selection of these activities must be determined in consultation with the Authority.
 - (ix) For the purposes of paragraph (5)(c)(B) of this rule, at water systems where monitoring is annually or less frequent, the end of the monitoring period is considered to be September 30 of the calendar year in which monitoring occurs, or, if the Authority has established an alternate monitoring period, the last day of that period.
- (C) As long as sample results exceed the action level at community water systems, water suppliers must repeat the activities in subsection (5)(c) of this rule as follows:
- (i) Repeat the tasks contained in (5)(c)(B)(i),(ii),(iii),(iv) and (viii) of this rule every 12 months;
 - (ii) Repeat tasks contained in (5)(c)(B)(v) of this rule with each billing cycle;

- (iii) At water systems serving more than 100,000 people, post and retain material on a publicly accessible web site pursuant to (5)(c)(B)(vi) of this rule;
 - (iv) Repeat the task in (5)(c)(B)(vii) of this rule twice every 12 months on a schedule agreed upon with the Authority. The Authority can allow activities in (5)(c)(B) of this rule to extend beyond the 60-day requirement if needed for implementation purposes on a case-by-case basis, however, this extension must be approved in writing by the Authority in advance of the 60-day deadline.
- (D) At NTNC water systems, water suppliers must deliver the public education materials specified by (5)(a) of this rule within 60 days after the end of the monitoring period in which samples exceeded the action level unless the water supplier is already conducting public education tasks according to this rule. Water suppliers must:
- (i) Post informational posters on lead in drinking water in a public place or common area in each of the buildings served by the system; and
 - (ii) Distribute informational pamphlets or brochures about lead in drinking water to each person served by the water system. The Authority may allow the water supplier to utilize electronic transmission in lieu of or combined with printed materials as long as it achieves at least the same coverage.
 - (iii) For the purposes of paragraph (5)(c)(B) of this rule, at water systems where monitoring is annually or less frequent, the end of the monitoring period is considered to be September 30 of the calendar year in which monitoring occurs, or, if the Authority has established an alternate monitoring period, the last day of that period.
- (E) Repeat the tasks contained in (5)(c)(D) at least once during each calendar year in which sample results exceed the action level. The Authority can allow activities to extend beyond the 60-day requirement if needed for implementation purposes on a case-by-case basis, however, this extension must be approved in writing by the Authority in advance of the 60-day deadline.
- (F) Water suppliers may discontinue delivery of public education materials if sample results collected according to OAR 333-061-0036(10)(d) have met the lead action level during the most recent six-month monitoring period. Water suppliers must recommence public education if samples subsequently exceed the lead action level during any monitoring period.
- (G) The water supplier for a community water system may request in writing to use only the text specified in (5)(a) of this rule in lieu of the text in (5)(a) and (5)(b) of this rule and to perform the tasks listed in (5)(c)(D) and (E) in lieu of the tasks in (5)(c)(B) and (C) of this rule if:

- (i) The water system is a facility, such as a prison or a hospital, where the population served is not capable of or is prevented from making improvements to plumbing or installing point of use treatment devices: and
 - (ii) The water system provides water as part of the cost of services provided and does not separately charge for water consumption.
- (H) At community water systems serving 3,300 people or less, water suppliers may limit certain aspects of their public education programs as follows:
 - (i) Implement at least one of the activities listed in (5)(c)(B)(viii); and
 - (ii) Limit the distribution of the public education materials specified in (5)(c)(B)(ii), (iii) and (iv) of this rule to facilities and organizations most likely to be visited regularly by pregnant women and children.
 - (iii) The Authority may waive the requirements of (5)(c)(B)(vii) of this rule as long as the water supplier distributes notices to every household served by the water system.
- (d) For water systems where the lead action level is exceeded on the basis of tap samples collected according to OAR 333-061-0036(10)(d), water suppliers shall offer to sample the tap water of any customer who requests it but the water supplier is not required to pay for collecting or analyzing the sample, nor is the water supplier required to collect and analyze the sample itself.
- (e) Notification of results.
 - (A) Water supplies must provide a notice of the individual tap results from lead tap water monitoring carried out according to OAR 333-061-0036(10)(d) to the persons served by the water system at the specific sampling site from which a sample was collected (for example, the occupants of the residence where the tap was tested).
 - (B) Water suppliers must provide the consumer notice as soon as practical, but no later than 30 days after learning of the tap monitoring results.
 - (C) The consumer notice must include the results of lead tap water monitoring for the tap that was tested, an explanation of the health effects of lead, list steps consumers can take to reduce exposure to lead in drinking water and contact information for the water utility. The notice must also provide the maximum contaminant level goal and the action level for lead and the definitions for these two terms.
 - (D) The Consumer notice must be provided to persons served at the tap that was tested, either by mail or by another method approved by the Authority. For example, upon approval by the Authority, at a NTNC water system, the water supplier could post the results on a bulletin board in the facility to allow users to review the information. Water supplier must provide the notice to customer at every sample tap tested, including consumers who do not receive water bills.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.131, 448.150 & 448.273