**Section 611.908 Special Notice for Exceedance** **of the Fluoride Secondary Standard**

a) When to Give Special Notice. A CWS supplier that exceeds the federal fluoride secondary MCL of 2 mg/ℓ (see 40 CFR 143.3)) (determined by the last single sample taken in accordance with Section 611.603), but does not exceed the maximum contaminant level (MCL) of 4 mg/ℓ for fluoride (as specified in Section 611.301), must provide the public notice in subsection (c) to persons served. Public notice must be provided as soon as practical but no later than 12 months from the day the supplier learns of the exceedance. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the Department of Public Health. The PWS supplier must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the fluoride SMCL is exceeded, but in no case less than seven days (even if the exceedance is eliminated). On a case-by-case basis, the Agency may require an initial notice sooner than 12 months and repeat notices more frequently than annually.

BOARD NOTE: The federal regulations provide at 40 CFR 143.1 that secondary MCLs relate to the aesthetic qualities of water; they are not enforceable standards. The National Primary Drinking Water Regulations, however, include an enforceable requirement, at corresponding 40 CFR 141.208, that requires public notice upon exceedance of the secondary MCL for fluoride.

b) The Form and Manner of a Special Notice. The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in Section 611.904(c), (d)(1), and (d)(3).

c) Mandatory Language in a Special Notice. The notice must contain the following language, including the language necessary to fill in the blanks:

 This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/ℓ) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system (name) has a fluoride concentration of (insert value) mg/ℓ. Dental fluorosis, in its moderate or severe forms, may result in a brown staining or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.

 Drinking water containing more than 4 mg/ℓ of fluoride (the USEPA's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/ℓ of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/ℓ because of this cosmetic dental problem.

 For more information, please call (name of water system contact) of (name of community water system) at (phone number). Some 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.

BOARD NOTE: Derived from 40 CFR 141.208.

(Source: Amended at 44 Ill. Reg. 6996, effective April 17, 2020)