**Section 611.APPENDIX G NPDWR Violations and Situations Requiring Public Notice**

See note 1 at the end of this Appendix G for an explanation of the Agency's authority to alter the magnitude of a violation from that set forth in the following table.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | MCL/MRDL/TT violations2 | | Monitoring and testing procedure violations | |
| Contaminant | 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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1a. Corresponding row 1a in appendix A to subpart Q to 40 CFR 141 no longer applies by its own terms. This statement maintains structural consistency with the federal regulations. |  |  |  |  |
| 1b. Total coliform (TT violations resulting from failure to perform assessments or corrective actions, monitoring violations, and reporting violations) | 2 | 611.1060(b)(1) | 3 | 611.1060(c)(1) 611.1060(d)(1) |
| 1c. Seasonal system failure to follow State-approved start-up plan prior to serving water to the public or failure to provide certification to the Agency | 2 | 611.1060(b)(2) | 3 | 611.1060(d)(3) |
| 2a. Corresponding row 2a in appendix A to subpart Q to 40 CFR 141 no longer applies by its own terms. This statement maintains structural consistency with the federal regulations. |  |  |  |  |
| 2b. E. coli (MCL, monitoring, and reporting violations) | 1 | 611.1060(a) | 3 | 611.1060(c), 611.1060(d)(2) |
| 2c. E. coli (TT violations resulting from failure to perform Level 2 assessments or corrective action) | 2 | 611.1060(b)(1) |  |  |
| 3. This entry relates to the obsolete MCL for turbidity in 40 CFR 141.13 that does not apply to any supplier in Illinois. This statement maintains structural consistency with the corresponding USEPA rule. | | | | |
| 4. This entry relates to the obsolete MCL for turbidity in 40 CFR 141.13 that does not apply to any supplier in Illinois. This statement maintains structural consistency with the corresponding USEPA rule. | | | | |
| 5. Turbidity (for TT violations resulting from a single exceedance of maximum allowable turbidity level) | 6 2, 1 | 611.231(b), 611.233(b)(1), 611.250(a)(2), 611.250(b)(2), 611.250(c)(2), 611.250(d), 611.743(a)(2), 611.743(b), 611.955(b)(2) | 3 | 611.531(a), 611.532(b), 611.533(a), 611.744, 611.956(a)(1)-(a)(3), 611.956(b) |
| 6. Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. allowable turbidity level (TT) | 2 | 611.211, 611.213, 611.220, 611.230-611.233, 611.240-611.242, 611.250 | 3 | 611.531-611.533 |
| 7. Interim Enhanced Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. turbidity level (TT) | 2 | 7 611.740-611.743, 611.950-611.955 | 3 | 611.742, 611.744, 611.953, 611.954, 611.956 |
| 8. Filter Backwash Recycling Rule violations | 2 | 611.276(c) | 3 | 611.276(b), (d) |
| 9. Long Term 1 Enhanced Surface Water Treatment Rule violations | 2 | 611.950-611.955 | 3 | 611.953, 611.954, 611.956 |
| 10. LT2ESWTR violations | 2 | 611.1010-611.1020 | 19 2, 3 | 611.1001-611.1005 and 611.1008-611.1009 |
| 11. Groundwater Rule violations | 2 | 611.804 | 3 | 611.802(h) |

B. Inorganic Chemicals (IOCs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Antimony | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 2. Arsenic | 2 | 611.301(b) | 3 | 611.601, 611.603 |
| 3. Asbestos (fibers greater than 10 µm) | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.602 |
| 4. Barium | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 5. Beryllium | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 6. Cadmium | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 7. Chromium (total) | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 8. Cyanide | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 9. Fluoride | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 10. Mercury (inorganic) | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 11. Nitrate | 1 | 611.301(b) | 8 1, 3 | 611.600, 611.601, 611.604, 611.606 |
| 12. Nitrite | 1 | 611.301(b) | 8 1, 3 | 611.600, 611.601, 611.605, 611.606 |
| 13. Total Nitrate and Nitrite | 1 | 611.301(b) | 3 | 611.600, 611.601 |
| 14. Selenium | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |
| 15. Thallium | 2 | 611.301(b) | 3 | 611.600, 611.601, 611.603 |

C. Lead and Copper Rule (Action Level for lead is 0.015 mg/L, for copper is 1.3 mg/L)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Lead and Copper Rule (TT) | 2 | 611.350 (except 611.350(c))-611.354, 611.355(a)–(c) and (h), and 611.363 | 3 | 611.356-611.360 |
| 2. Exceeding the lead action level | 1 | 611.350(c) |  |  |

D. Synthetic Organic Chemicals (SOCs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. 2,4-D | 2 | 611.311(c) | 3 | 611.648 |
| 2. 2,4,5-TP (silvex) | 2 | 611.311(c) | 3 | 611.648 |
| 3. Alachlor | 2 | 611.311(c) | 3 | 611.648 |
| 4. Atrazine | 2 | 611.311(c) | 3 | 611.648 |
| 5. Benzo(a)pyrene (PAHs) | 2 | 611.311(c) | 3 | 611.648 |
| 6. Carbofuran | 2 | 611.311(c) | 3 | 611.648 |
| 7. Chlordane | 2 | 611.311(c) | 3 | 611.648 |
| 8. Dalapon | 2 | 611.311(c) | 3 | 611.648 |
| 9. Di(2-ethylhexyl)adipate | 2 | 611.311(c) | 3 | 611.648 |
| 10. Di(2-ethylhexyl)phthalate | 2 | 611.311(c) | 3 | 611.648 |
| 11. Dibromochloropropane (DBCP) | 2 | 611.311(c) | 3 | 611.648 |
| 12. Dinoseb | 2 | 611.311(c) | 3 | 611.648 |
| 13. Dioxin (2,3,7,8-TCDD) | 2 | 611.311(c) | 3 | 611.648 |
| 14. Diquat | 2 | 611.311(c) | 3 | 611.648 |
| 15. Endothall | 2 | 611.311(c) | 3 | 611.648 |
| 16. Endrin | 2 | 611.311(c) | 3 | 611.648 |
| 17. Ethylene dibromide | 2 | 611.311(c) | 3 | 611.648 |
| 18. Glyphosate | 2 | 611.311(c) | 3 | 611.648 |
| 19. Heptachlor | 2 | 611.311(c) | 3 | 611.648 |
| 20. Heptachlor epoxide | 2 | 611.311(c) | 3 | 611.648 |
| 21. Hexachlorobenzene | 2 | 611.311(c) | 3 | 611.648 |
| 22. Hexachlorocyclopentadiene | 2 | 611.311(c) | 3 | 611.648 |
| 23. Lindane | 2 | 611.311(c) | 3 | 611.648 |
| 24. Methoxychlor | 2 | 611.311(c) | 3 | 611.648 |
| 25. Oxamyl (Vydate) | 2 | 611.311(c) | 3 | 611.648 |
| 26. Pentachlorophenol | 2 | 611.311(c) | 3 | 611.648 |
| 27. Picloram | 2 | 611.311(c) | 3 | 611.648 |
| 28. Polychlorinated biphenyls (PCBs) | 2 | 611.311(c) | 3 | 611.648 |
| 29. Simazine | 2 | 611.311(c) | 3 | 611.648 |
| 30. Toxaphene | 2 | 611.311(c) | 3 | 611.648 |

E. Volatile Organic Chemicals (VOCs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Benzene | 2 | 611.311(a) | 3 | 611.646 |
| 2. Carbon tetrachloride | 2 | 611.311(a) | 3 | 611.646 |
| 3. Chlorobenzene (monochlorobenzene) | 2 | 611.311(a) | 3 | 611.646 |
| 4. o-Dichlorobenzene | 2 | 611.311(a) | 3 | 611.646 |
| 5. p-Dichlorobenzene | 2 | 611.311(a) | 3 | 611.646 |
| 6. 1,2-Dichloroethane | 2 | 611.311(a) | 3 | 611.646 |
| 7. 1,1-Dichloroethylene | 2 | 611.311(a) | 3 | 611.646 |
| 8. cis-1,2-Dichloroethylene | 2 | 611.311(a) | 3 | 611.646 |
| 9. trans-1,2-Dichloroethylene | 2 | 611.311(a) | 3 | 611.646 |
| 10. Dichloromethane | 2 | 611.311(a) | 3 | 611.646 |
| 11. 1,2-Dichloropropane | 2 | 611.311(a) | 3 | 611.646 |
| 12. Ethylbenzene | 2 | 611.311(a) | 3 | 611.646 |
| 13. Styrene | 2 | 611.311(a) | 3 | 611.646 |
| 14. Tetrachloroethylene | 2 | 611.311(a) | 3 | 611.646 |
| 15. Toluene | 2 | 611.311(a) | 3 | 611.646 |
| 16. 1,2,4-Trichlorobenzene | 2 | 611.311(a) | 3 | 611.646 |
| 17. 1,1,1-Trichloroethane | 2 | 611.311(a) | 3 | 611.646 |
| 18. 1,1,2-Trichloroethane | 2 | 611.311(a) | 3 | 611.646 |
| 19. Trichloroethylene | 2 | 611.311(a) | 3 | 611.646 |
| 20. Vinyl chloride | 2 | 611.311(a) | 3 | 611.646 |
| 21. Xylenes (total) | 2 | 611.311(a) | 3 | 611.646 |

F. Radioactive Contaminants

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Beta/photon emitters | 2 | 611.330(d) | 3 | 611.720(a), 611.732 |
| 2. Alpha emitters | 2 | 611.330(c) | 3 | 611.720(a), 611.731 |
| 3. Combined radium (226 and 228) | 2 | 611.330(b) | 3 | 611.720(a), 611.731 |
| 4. Uranium | 2 | 611.330(e) | 3 | 611.720(a), 611.731 |

G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals. If disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs).13

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Total trihalomethanes (TTHMs) | 2 | 11611.312(b) | 3 | Subparts W and Y |
| 2. Haloacetic Acids (HAA5) | 2 | 611.312(b) | 3 | Subpart Y |
| 3. Bromate | 2 | 611.312(a) | 3 | 611.382(a)-(b) |
| 4. Chlorite | 2 | 611.312(a) | 3 | 611.382(a)-(b) |
| 5. Chlorine (MRDL) | 2 | 611.313(a) | 3 | 611.382(a), (c) |
| 6. Chloramine (MRDL) | 2 | 611.313(a) | 3 | 611.382(a), (c) |
| 7. Chlorine dioxide (MRDL), if any two consecutive daily samples at entrance to distribution system only are above MRDL | 2 | 611.313(a), 611.383(c)(3) | 212, 3 | 611.382(a), (c), 611.383(c)(2) |
| 8. Chlorine dioxide (MRDL), if samples in distribution system the next day are also above MRDL | 131 | 611.313(a), 611.383(c)(3) | 1 | 611.382(a), (c), 611.383(c)(2) |
| 9. Control of DBP precursors – TOC (TT) | 2 | 611.385(a)-(b) | 3 | 611.382(a), (d) |
| 10. Benchmarking and disinfection profiling | N/A | N/A | 3 | 611.742, 611.953,  611.954 |
| 11. Development of monitoring plan | N/A | N/A | 3 | 611.382(f) |

H. Other Treatment Techniques

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Acrylamide (TT) | 2 | 611.296 | N/A | N/A |
| 2. Epichlorohydrin (TT) | 2 | 611.296 | N/A | N/A |

II. Unregulated Contaminant Monitoring: 14

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Unregulated contaminants | N/A | N/A | 3 | as required by USEPA under 40 CFR 141.40 |
| 1. Nickel | N/A | N/A | 3 | 611.603, 611.611 |

III. Public Notification for Relief Equivalent to a SDWA section 1415 Variance or a section 1416 Exemption.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Operation under relief equivalent to a SDWA section 1415 variance or a section 1416 exemption | 3 | 15 1415, 1416 | N/A | N/A |
| 1. Violation of conditions of relief equivalent to a SDWA section 1415 variance or a section 1416 exemption | 2 | 1415, 1416, 16 611.111, 611.112 | N/A | N/A |

IV. Other Situations Requiring Public Notification.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Fluoride secondary maximum contaminant level (SMCL) exceedance | 3 | 611.858 | N/A | N/A |
| 1. Exceedance of nitrate MCL for a non‑CWS supplier, as allowed by the Agency | 1 | 611.300(d) | N/A | N/A |
| 1. Availability of unregulated contaminant monitoring data | 3 | as required by USEPA under 40 CFR 141.40 | N/A | N/A |
| 1. Waterborne disease outbreak | 1 | 611.101, 611.233(b)(2) | N/A | N/A |
| 1. Other waterborne emergency17 | 1 | N/A | N/A | N/A |
| 1. Source water sample positive for Groundwater Rule fecal indicators: E. coli, enterococci, or coliphage | 1 | 611.802(g) | N/A | N/A |
| 1. Other situations as determined by the Agency in a SEP under Section 602.600 | 181, 2, 3 | N/A | N/A | N/A |

Appendix G – Endnotes

1. Violations and other situations not listed in this table (e.g., failure to prepare Consumer Confidence Reports) do not require notice, unless the Agency issues a SEP requiring otherwise. The Agency may issue a SEP further requiring a more stringent public notice tier (e.g., Tier 1 instead of Tier 2 or Tier 2 instead of Tier 3) for specific violations and situations listed in this Appendix, as authorized under Sections 611.902(a) and 611.903(a).

2. Definition of the abbreviations used: "MCL" means maximum contaminant level, "MRDL" means maximum residual disinfectant level, and "TT" means treatment technique.

3. The term "violations of National Primary Drinking Water Regulations (NPDWR)" is used here to include violations of MCL, MRDL, treatment technique, monitoring, and testing procedure requirements.

4. Failure to test for fecal coliform or E. coli is a Tier 1 violation if testing is not done after any repeat sample tests positive for coliform. All other total coliform monitoring and testing procedure violations are Tier 3 violations.

5. In the corresponding USEPA rule, this note relates to an entry for the obsolete MCL for turbidity that does not apply to any supplier in Illinois. This statement maintains structural consistency with the corresponding USEPA rule.

6. A supplier with a treatment technique violation involving a single exceedance of a maximum turbidity limit under the Surface Water Treatment Rule (SWTR), the Interim Enhanced Surface Water Treatment Rule (IESWTR), or the Long Term 1 Enhanced Surface Water Treatment Rule are required to consult with the Agency within 24 hours after learning of the violation. Based on this consultation, the Agency may subsequently decide to issue a SEP elevating the violation to a Tier 1 violation. If a supplier is unable to make contact with the Agency in the 24-hour period, the violation is automatically elevated to a Tier 1 violation.

7. The Surface Water Treatment Rule (SWTR) remains in effect for a supplier serving at least 10,000 persons; the Interim Enhanced Surface Water Treatment Rule adds additional requirements and does not in many cases supersede the SWTR.

8. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.

9. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.

10. A Subpart B community or non-transient non-community system supplier must comply with new DBP MCLs, disinfectant MRDLs, and related monitoring requirements. A Subpart B transient non-community system supplier serving 10,000 or more persons using chlorine dioxide as a disinfectant or oxidant or a Subpart B transient non-community system supplier serving fewer than 10,000 persons, that uses only groundwater not under the direct influence of surface water, and that uses chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL.

11. Sections 611.312(b)(1) and 611.382(a) and (b) apply until Subpart Y takes effect under the schedule set forth in Section 611.970(c).

12. Failure to monitor for chlorine dioxide at the entrance to the distribution system the day after exceeding the MRDL at the entrance to the distribution system is a Tier 2 violation.

13. If any daily sample taken at the entrance to the distribution system exceeds the MRDL for chlorine dioxide and one or more samples taken in the distribution system the next day exceed the MRDL, Tier 1 notification is required. A failure to take the required samples in the distribution system after the MRDL is exceeded at the entry point also triggers Tier 1 notification.

14. Some water suppliers must monitor for certain unregulated contaminants as required by USEPA under 40 CFR 141.40.

15. This citation refers to sections 1415 and 1416 of the federal Safe Drinking Water Act. sections 1415 and 1416 require that "a schedule prescribed...for a public water system granted relief equivalent to a SDWA section 1415 variance or a section 1416 exemption must require compliance by the system...."

16. In addition to sections 1415 and 1416 of the federal Safe Drinking Water Act, 40 CFR 142.307 specifies the items and schedule milestones that must be included in relief equivalent to a SDWA section 1415 small system variance. In granting any form of relief from an NPDWR, the Board will consider all applicable federal requirements for and limitations on the State's ability to grant relief consistent with federal law.

17. Other waterborne emergencies require a Tier 1 public notice under Section 611.902(a) for situations that do not meet the definition of a waterborne disease outbreak given in Section 611.101, but that still have the potential to have serious adverse effects on health as a result of short-term exposure. These could include outbreaks not related to treatment deficiencies, as well as situations that have the potential to cause outbreaks, such as failures or significant interruption in water treatment processes, natural disasters that disrupt the water supply or distribution system, chemical spills, or unexpected loading of possible pathogens into the source water.

18. The Agency may place any other situation in any tier it deems appropriate in writing, based on the prospective threat which it determines that the situation poses to public health, and subject to Board review under Section 40 of the Act.

19. A failure to collect three or more samples for Cryptosporidium analysis is a Tier 2 violation requiring special notice, as specified in Section 611.911. All other monitoring and testing procedure violations are Tier 3.

BOARD NOTE: This Appendix G derives from appendix A to subpart Q of 40 CFR 141.

(Source: Amended at 47 Ill. Reg. 16486, effective November 2, 2023)