



Tier 1 Public Notice for Lead Action Level Exceedance Standard Operating Procedure

All community water systems (CWS) and non-transient non-community water systems (NTNCWS) must issue Tier 1 Public Notification (PN) following a lead action level exceedance (ALE) starting October 16, 2024 ([40 CFR 141.202\(a\)\(10\)](#)).

A lead ALE occurs when the 90th percentile concentration of lead is greater than 15 parts per billion (ppb) or 0.015 milligrams per liter (mg/L).

Required PWS Actions Within 24 Hours After Learning of a Lead ALE

Within 24 hours after learning of a lead ALE, a public water system (PWS) must take the following actions:

Step 1: Consult with your Division of Drinking Water (DDW) District Office or Local Primacy Agency (LPA) as soon as practical to notify them of the ALE.

Step 2: Issue the PN to reach all persons served by the water system within 24 hours after you learn of the lead ALE even if you are unable to contact DDW.

Step 3: Provide a copy of the notice within 24 hours after you learn of the lead ALE via email to each of the following:

- ☐ US EPA at LeadALE@epa.gov
- ☐ DDW District Office/LPA using current contact information
- ☐ DDW Lead and Copper Rule (LCR) Unit at DDW-LCR@Waterboards.ca.gov

Step 4: Send a certification that all PN requirements were met and a copy of each type of notice to DDW within ten (10) days after issuing the notice. DDW recommends sending it as soon as possible after completing all PN requirements.

Required Elements of the Public Notice

DDW developed a template for the notice that includes all the required elements. It is available in English and Spanish below.

- [Tier 1 PN Template for Lead ALE \(English\)](#)
- [Tier 1 PN Template for Lead ALE \(Spanish\)](#)



Tier 1 Public Notice for Lead Action Level Exceedance Standard Operating Procedure

Accepted Delivery Methods

Delivery of the notice must be designed to reach all people served by the system, including residential, transient, and non-transient customers. You must use at least one of the following forms of delivery:

- Hand delivery of the notice to persons served
- Appropriate broadcast media (e.g., radio and television)
- Posting the notice in prominent locations throughout the water system's service area (posted notices must remain in place for as long as the exceedance continues and no less than seven days)
- Another delivery method approved in writing by DDW

When does a water system “learn of” the lead ALE?

The water system may learn of a lead ALE when it receives a laboratory result if one value is exceptionally high, or it may be later, when the 90th percentile level is calculated and compared to the action level. The system must report results of the 90th percentile calculation no later than 10 days after the end of the monitoring period. However, reporting requirement deadlines should not be used to postpone when a system “learns of” the ALE. In the interest of protecting public health, the 90th percentile level should be calculated as soon possible after receiving results from all analyzed samples for timely notification of affected customers.

How can we prepare to respond quickly to an ALE?

Make a system-specific plan for issuing Tier 1 PN for lead ALE or incorporate it in your existing public notice procedures. Understand the customers in your service area, how best to reach them, and decide ahead of time which delivery methods you will use. US EPA has provided guidance for planning for effective public notification. See Chapter 4 of the [Revised Public Notification Handbook](#).

How do we reach all customers effectively?

Delivery of the notice must be designed to reach residential, transient, and non-transient users of the water system. Using multiple delivery methods may be advantageous to ensure all customers receive the information. You can supplement the accepted delivery methods above with other methods such as email or posting on the internet to ensure wide distribution of the notice. US EPA has provided suggestions for effective delivery. See Chapter 5 of the [Revised Public Notification Handbook](#)



Tier 1 Public Notice for Lead Action Level Exceedance Standard Operating Procedure

Resources

DDW lead ALE Tier 1 Public Notification templates and other water system resources:

https://www.waterboards.ca.gov/lead-copper-rule/water_system_resources.html

US EPA Revised Public Notification Handbook: https://www.epa.gov/system/files/documents/2023-05/CWS_NTNC%20PN%20Handbook_508_March%202023.pdf