

# SERVICE CONNECTION

The Maine Drinking Water Program Newsletter

Working Together for Safe Drinking Water

Fall/Winter 2019 ○ Volume 27, Issue 3

## Lead Customer Notification

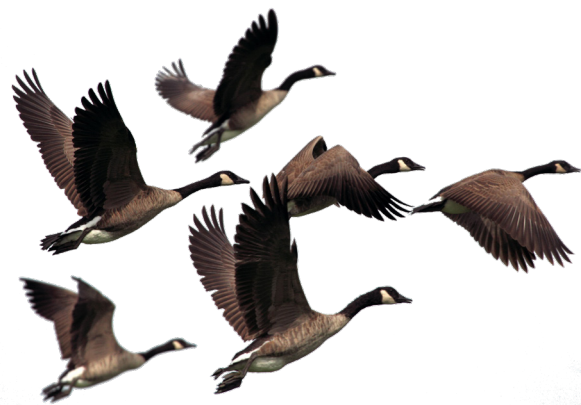
**The LCNT requirement is one way public water systems can assure consumers their water is safe.**

*Amilyn Stillings*

Lead Customer Notification (LCNT) is a requirement that came out of the short-term revisions to the Lead/Copper Rule. Basically, as part of a public water system's lead/copper rule testing requirements, the system must provide each customer who participated in a lead/copper sampling survey with the lead results of their test. That doesn't seem that hard, does it? Well, there are a few things that the water system must be aware of and include when giving each customer their result. You must provide:

- the individual lead result, not the 90th percentile;
- the maximum contaminant level goal (MCLG) – both the level and a definition, using specific language provided by the EPA;
- the action level for lead – again, both the level and a definition, using specific language provided by the EPA;
- the health effects of lead, incorporating specific language provided by the EPA;
- steps consumers can take to reduce their risk of exposure; and
- contact information for your public water system – specifically, the person to contact with questions concerning lead sampling, results, and health effects.

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## Maine's Efforts to Address PFAS in 2019

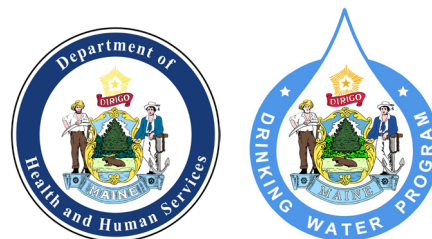
*Michael Abbott, Program Director*

As many of you know, there has been a lot of attention on a set of chemical compounds known as per- and polyfluoroalkyl substances (PFAS) in drinking water, wastewater and the environment. Because so many messages from numerous sources have been flying around, I'd like to provide you with a clear summary of the Drinking Water Program's current understanding of this issue and what may be on the horizon in terms of drinking water regulations.

### What is the State of Maine doing to address PFAS?

On March 6, 2019, Governor Janet Mills signed an executive order

*Continued on page 2...*



### Maine Department of Health & Human Services

*Jeanne M. Lambrew, PhD., Commissioner*

Maine Center for Disease Control  
*Dr. Nirav Shah, Director*

Drinking Water Program  
*Michael Abbott, PE, CG, Director*

## PFAS in Maine *Continued from Page 1...*

establishing Maine's PFAS Task Force to:

1. Identify the extent of PFAS exposure in Maine;
2. Examine the risks of PFAS to Maine residents and the environment; and
3. Recommend State approaches to most effectively address PFAS in Maine.

The Task Force began meeting monthly in April and will submit a report to the Governor with recommendations for future actions to address PFAS in Maine by December 31st.

### Who is on the PFAS Task Force?

The Task Force consists of members from several state agencies along with representatives from the drinking water and wastewater industry, biosolids management professionals, the pulp and paper industry, the Maine Public Health Association, and the Environmental Health Strategy Center. DWP doesn't have a seat *per se* on the Task Force, but we are represented through the position occupied by DHHS Commissioner Jeanne Lambrew. Along with the State Toxicologist, DWP has provided information to the PFAS Task Force to help with their discussions and decision making.

### How much PFAS testing has been done at Maine's public water systems?

DWP's primary role has been to report on PFAS levels detected in Maine drinking water based on information gathered through EPA's 2013-2015 sampling round and two voluntary sampling rounds coordinated by DWP in 2017 and 2019. These programs were part of a data gathering effort to help evaluate the presence of PFAS in Maine's public water systems to inform future decisions on possible regulation of these chemicals as drinking water contaminants. The combined sampling efforts have resulted in analysis of drinking water samples for PFAS in a total of 53 public water systems in Maine, mostly Community Water Systems. These systems represent more than 65% of the population served by Community Water Systems.

### What do we know about PFAS in Maine drinking water?

The current EPA Health Advisory for drinking water is a combined concentration of 70 ppt for two PFAS compounds, perfluorooctanoic acid (PFOA) and perfluoro octane sulfonate (PFOS). To date, only one public water supply was found to have combined PFOA and PFOS above the health advisory of 70 ppt. This is a small community system in Houlton, Maine, serving approximately 140 people. This system is currently providing bottled water

to their customers while considering installation of a treatment system and/or replacement of the water source. In addition, Kennebunk, Kennebunkport & Wells Water District, serving a population of approximately 34,250, elected to install a treatment system for PFAS in one of their well sources, although PFAS levels in the well did not exceed 70 ppt.

### Does Maine have a PFAS problem?

Based on PFAS sampling in Maine's public water systems to date, PFAS does not appear to be present in most public drinking water. Where detected, PFAS levels tend to be very low (i.e., well below EPA's Health Advisory), with a couple of exceptions as noted above. Considering that all the systems included in the State-coordinated sampling programs were selected due to their proximity to potential sources of PFAS contamination, these results indicate that Maine does not have widespread PFAS contamination of public drinking water. However, since PFAS is present in many consumer products, waste streams, and industrial processes, we cannot be certain if an individual drinking water supply contains PFAS until we test.

### What is next for PFAS regulation in Maine?

The Task Force will likely recommend a requirement for all Community systems to test for PFAS. This would require action by the Maine Legislature to enact new laws requiring Community Water Systems to test for PFAS at specified intervals in addition to their regular monitoring requirements under the Safe Drinking Water Act. DWP will continue to recommend that public water systems use EPA's Health Advisory to guide decision making on treatment and public notification when PFAS is detected, until the point in time when EPA's Health Advisory may be superseded by new MCLs established at the federal level. In addition to representation on the PFAS Task Force, the drinking water industry will have the opportunity to weigh in during the legislative process to help ensure that any future regulatory requirements are fair and consistent with everyone's desire to protect public health in a way that is not overly burdensome to public water systems.

Updates from the PFAS Task Force can be found online at: <https://www.maine.gov/pfastaskforce/>. ■

## REMINDER

Have you taken all your required samples for 2019? Check the Required Testing Sheet you received earlier in the year to make sure you haven't missed anything. If you need assistance, please contact your district's PWS Inspector.



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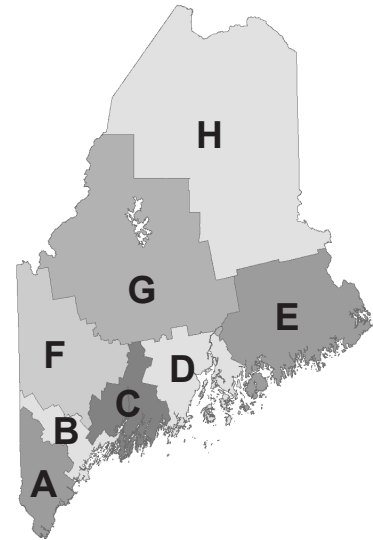
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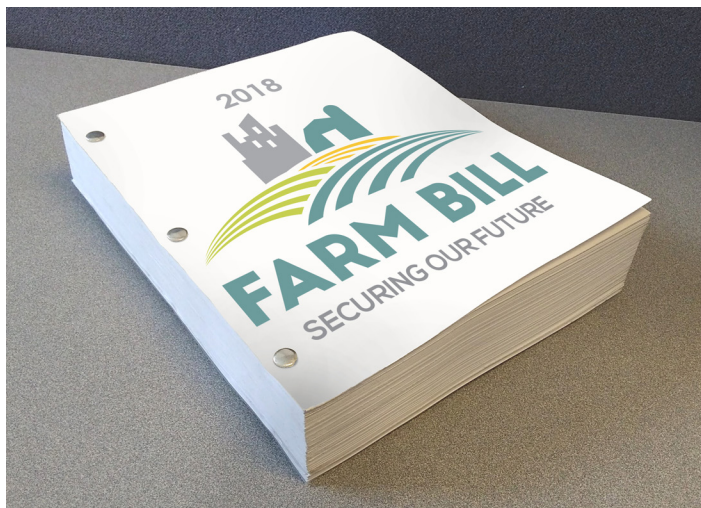
*Source Water Protection Coordinator (Vacant Position)*

## Great News for Source Protection in 2018 Farm Bill

Susan Breau

A new spending requirement in the federal Agriculture Improvement Act of 2018 (a.k.a. the Farm Bill) could be a huge boost for all of us trying to protect drinking water in Maine and nationwide.

The 2018 Farm Bill requires that 10% of conservation program spending be used to protect sources of drinking water. This amounts to \$4 billion nationwide over the next 10 years. The funding will be channeled through the voluntary (non-regulatory) conservation programs for private land owners and land managers administered by USDA NRCS (U.S. Department of Agriculture, Natural Resources Conservation Service). Tony Jenkins, NRCS State Resource Conservationist and State Soil Scientist, estimates that Maine NRCS assistance funds have averaged in excess of \$12 million annually in recent years. So, that means very substantial NRCS technical and financial assistance funding will be focused over the next 10 years to help protect our drinking water sources.



We are fortunate in Maine to have willing and able collaborators at NRCS. The DWP has worked with Mr. Jenkins and others at NRCS to delineate source protection areas statewide that may be eligible for this funding. Program funds must be spent on privately-owned land in collaboration with the land owner and/or land manager. Local partners include farmers, ranchers, poultry and livestock producers, dairymen, forest landowners, and those who rent land for any of these activities.

To find out more about this program, contact your local USDA NRCS District Conservationist (DC). A list of DCs

(organized by Local Service Center) can be found online at <https://tinyurl.com/nrcs-contact>.

You can also attend a Local Working Group (LWG) Meeting to network with NRCS and other collaborators, and potentially get your project on the agenda for the coming fiscal year. The schedule for the 2020 LWG meetings can be found here: <https://tinyurl.com/nrcs-lwg-2020>

For more information, please feel free to contact Susan Breau at the DWP: email [susan.breau@maine.gov](mailto:susan.breau@maine.gov), or phone (207) 822-2345. We hope you will take advantage of these great opportunities to form partnerships and protect your drinking water. ■

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## New Legislation Requires Testing for Lead in Schools

Christina Trufant

In May 2019, the Maine Legislature passed L.D. 153, *An Act to Strengthen Testing for Lead in School Drinking Water*, directing all schools<sup>1</sup> in the state of Maine to test first-draw water samples for lead. Under the new requirements, samples are to be taken from every fixture that provides water for drinking or culinary purposes, including drinking fountains/bubblers, bottle fill stations, and bathroom and cafeteria faucets. If a sample is found to exceed the water lead levels established by the Maine Drinking Water Program (DWP), the school will be provided guidance on reducing exposure to lead.

The law also requires the DWP to publish an annual report to the Joint Standing Committee of the Legislature. The report will provide updates on the number of schools that have tested for lead, whether the DWP issued specific guidance to any schools to reduce their exposure to lead, and the number of schools that engaged in abatement and mitigation, including details on the methods of abatement and mitigation that were employed.

The Maine Drinking Water Program is currently in the process of developing the rules that detail how the new requirements will be implemented, including sampling protocols, action levels at which the DWP will provide guidance on reducing lead exposure, and public notification requirements. In the coming months the draft rules will be made available for public comment; by January, 2020, they will go to the legislature for review and final approval. ■

<sup>1</sup> In this context, “all schools” refers to schools as defined in Title 20-A, section 1, subsections 22 and 24.

## 2020 Subsurface Wastewater Trainings

*Brent Lawson*

Subsurface wastewater training sessions for the spring of 2020 have been scheduled. Ten locations across Maine will host sessions consisting of a review of issues that arose in 2019, navigating some of the more obscure subsurface wastewater rules, and updates on septic designs and inspections. Attendees are encouraged to bring questions and topics for discussion.

Certification credits will be awarded to attending licensed

plumbing inspectors, site evaluators, and contractors.

Training sessions will start at 8:30 am and wrap up at approximately 3:30 pm. Unless otherwise noted, there will be a fee charged by each host location to cover the cost of breakfast, lunch, and refreshments (where provided).

For training dates, locations, and sign-up information, please visit our website: <https://tinyurl.com/subsurface-wastewater>. To register, phone or email the local contact for the location you wish to attend.

Don't miss out – register soon! ■

## The Ins and Outs of Contract Operations

*Jim Jacobsen*

Licensed Water Operators, including contract operators, are relied upon to make sure a water system is operating appropriately and to protect public health through the delivery of safe drinking water. Here are a few key guidelines that contract operators may find useful in meeting their responsibilities:

**Sampling:** Designated operators are not required to physically collect water samples, but they are responsible for making sure samples are taken following the correct protocol. To ensure samples are received by the lab in good condition and on time, operators are encouraged to:

- **Sample early:** Early sampling allows for ample time in case you need to collect replacement samples.
- **Communicate:** A good relationship with your system and your lab can help in situations of sampling mishaps and avoid failure-to-monitor (FTM) notices. Communicate regularly about sampling requirements to make sure your system stays in compliance.
- **Understand resampling protocol:** Let your system know what happens if a sample is rejected. Describe how the lab will contact the system and deliver replacement bottles. Be aware of the resampling requirements and time period.
- **Stay on top of things:** Check the Drinking Water Program's (DWP) website, <http://bit.ly/compliancesamples>, to see if your sample results have been received. Results will be posted within 24 hours of the DWP processing the sample results.
- **Know your lab:** Talk with your lab and ask when and how frequently they submit results to the DWP. Positive *E. coli* samples and nitrate and nitrite results over the maximum

contaminant level (MCL) must be reported on the day of analysis; positive total coliform and lead samples greater than 100 parts per billion must be reported within 24 hours of learning of the results; and other analyses are due to the DWP on the 10th of the month following sample collection.

- **Check your mail:** Primary designated operators receive the same mail as the system owner or administrative contact. All sampling changes will be communicated via the postal service. It is also a good idea to periodically check in with your local post office to understand pickup times and their process to ensure on-time delivery of water samples.

**Additional Operator Responsibilities:** In addition to coordinating water sample collection, remember that operators must:

- **Review and sign MORs:** Reviewing your system's monthly operating reports (MORs) is a chance to check in and see how the system runs day to day. Remember to sign the forms and check to see that they are filled out correctly before submitting them to the DWP.
- **Sample site plans:** Water systems are required to have sample site plans for bacteria, lead and copper, and disinfection byproducts. Designated operators should provide clear directions for samplers to follow. Create hard copy sampling protocols that describe how to take a sample, where to take a sample, and when to take a sample. Sampling protocols are available on the DWP website: <http://bit.ly/dwpsampling> – feel free to copy and distribute.
- **Stay in compliance with the lead and copper rule:** Help your system review proper sample pools and

*Continued on page 7...*

## Lead Customer Notification *Continued from Page 1...*

The Drinking Water Program (DWP) has created a template that water systems can use to easily fill in test results and send to their customers (with all the required language already included). These forms are provided to laboratories that test for lead/copper; your lab should send these forms to you along with a certification form. If you don't get a LCNT form from your lab, you can always find blank forms, certification documentation, and instructions on our website: [www.medwp.com](http://www.medwp.com) (look for Public Water Systems/ Rules > Regulated Contaminants & Policies – Additional Resources section).

So, how do you make sure you perform the notification correctly and avoid getting a violation? There are five easy steps to follow:

1. Make sure you provide lead customer notification to each participating customer within 30 days of getting the results from your lab.
2. Make sure you fill out the notice correctly – include the individual lead result (not the 90<sup>th</sup> percentile), the correct units of measure, the sample location, etc.
3. Make sure you include all the required information and don't change any required language.
4. Make sure the certification form is filled out completely. Note correct dates and sign the form.
5. Make sure you send the DWP a copy of the completed, signed certification form accompanied by a copy of one of the notices you distributed. Materials must be received by the DWP within 90 days of the end of the monitoring period in which you collected.

Do these things, and you will be in full compliance with the requirements for Lead Customer Notification. If you have questions when filling out the forms, contact your inspector at the DWP. ■

### Public Water Systems and Lead Customer Notification: Common Mistakes and How to Avoid Them

The requirement for public water systems to provide customer notification of individual lead results during each round of lead/copper testing has been around for more than a decade now. Yet, some public water systems still struggle with meeting this requirement correctly.

Here are some common mistakes that water systems make when performing lead customer notification:

#### Reporting the 90<sup>th</sup> percentile result instead of the individual lead result.

Systems must provide the customer with their actual lead result.

#### Omitting mandatory information that needs to accompany the lead result.

The Drinking Water Program provides template forms with all necessary language to make this process easy. Systems should not change or remove mandatory language.

#### Failing to perform the notification at all or within required timeframe.

Systems have 30 days from the date lead results are received from the lab to get that information to each customer who sampled.

#### Omitting dates on the certification form.

All fields on the certification form must be populated – don't skip anything.

#### Failing to fill out the forms completely.

Pay attention to all fields that need to be filled out and read/follow the instructions on how this notification should be done.

#### Failing to return copies of the completed certification form and an example of a notice to the DWP.

Systems are required to return copies of both documents to the DWP within 90 days of the end of the monitoring period in which the samples were collected.

#### Using incorrect units when reporting results.

Pay close attention to the units listed on the lab report and use those units. Make sure units are the same for all results (shouldn't have some ppm and some ppb).

Making sure you follow the guidelines should help you avoid getting a violation for failing to adequately perform Lead Customer Notification.



## Contract Operations *Continued from Page 5...*

tier designations. Ensure that samples meet the proper stagnation time and do not have an unusual appearance. You can always resample before submitting your samples to the lab as long as the correct protocol is maintained. Remember that you don't have to collect all samples on the same day or on the same 141-A form. Proper system maintenance will help keep your system in compliance.

Before delivering samples to the lab, the designated operator must certify that the lead and copper samples meet the requirement of the rule and sign the 141-A form. This certification cannot be delegated. Make sure you save a final copy of the form. If the 141-A form is lost, the Drinking Water Program will not accept the samples and the system will receive a FTM violation. The lab will send the 141-A form and the sample results to the DWP.

- **Stay source protection savvy:** This is where communication with your water system really pays off. Make sure you know what is happening around your drinking water source. Are there any potential contaminants around the source? You should know the ins and outs of your wellhead protection area or direct watershed.
- **Tell your neighbors:** Make sure your neighbors and Town know that you are a public water system. There are laws to protect public water systems and as a contract operator, you can keep your local decision makers informed on the importance of source protection.

The DWP is here to help you ensure the safe and reliable delivery of drinking water to your customers. Please do not hesitate to contact us with any questions or concerns. ■

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## DWP's Water Education Model Grant Draws State-wide Interest

*Sophia Scott*

This past spring the Drinking Water Program offered a one-time grant opportunity for elementary and high school educators in Maine. The Water Education Model (WEM) grant was designed to promote public education and foster community-wide drinking water source protection actions and management practices. Approximately \$20,000 was made available for water education models; by the first week of June the entire amount of available funds for requested models had been awarded!

Nineteen schools were awarded grants for the purchase of physical groundwater or watershed models for use in the classroom; ten of the schools are served by public water suppliers (mostly municipal), while eight have their own water sources and thus are water systems in their own right. Participating schools will receive their water education models during the 2019/2020 school year. It is expected that approximately 3,000 students across Maine will use these models each year.

While this one-time school-based grant program has ended, public water suppliers may apply for the same water education models through the Wellhead and Source Water Protection grant programs for use in schools in their service area. To learn more, please contact Susan Breau: email [susan.breau@maine.gov](mailto:susan.breau@maine.gov) or phone (207) 592-6981. ■

## Water Operators' License Renewals

*Jim Jacobsen*

Last year, Governor Mills' office gave final approval for revisions to the Water System Operators Licensing Rule, 90-429 Code of Maine Rules, eliminating the 60-day "grace period" for license expirations.<sup>1</sup>

If your license is set for expiration on December 31, 2019 and you have not yet received enough training contact hours, you may wish to do so before the end of this year. Because there will no longer be a 60-day grace period in which to renew licenses, applications for renewal must be postmarked by December 31, 2019. Any licenses set for expiration on December 31, 2019 that are not renewed by that date will have their status changed to 'Inactive'. During the inactive period, operators are not permitted to be "in responsible charge" of a public water system. To reactivate an inactive license, the required TCH (Training Contact Hours), renewal fee, and reinstatement fee must be submitted to the Board.

For more information, please contact Jim Jacobsen (email [james.jacobsen@maine.gov](mailto:james.jacobsen@maine.gov)) or Tina Lemieux (email [tina.lemieux@maine.gov](mailto:tina.lemieux@maine.gov)). Both can be reached via the DWP main phone line at (207) 287-2070. ■

<sup>1</sup> The grace period in the prior rule did not comply with 22 M.R.S. §2625, which instructs the Board to issue biennial licenses, and 22 M.R.S. §2623, which makes it unlawful for any person to perform the duties of an operator, as defined, without being duly licensed.

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## The Maine Drinking Water Program Newsletter

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To be added to the mailing or email list, contact:  
Susan Breau, Editor

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