



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

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EPA REGION VIII
HEARING CLERK

Ref: 8 ENF-W

Ms. Holman
China Wok Restaurant
192 Hwy 12 East
Townsend, MT 59644

Re: Administrative Order
Docket No. SDWA-08-2007-0060
China Wok, Inc.
PWS ID # WY5600965

Dear Ms. Holman:

This letter is in response to our November 13, 2007 telephone conversation regarding the October 15, 2007 nitrate maximum contaminant level (MCL) exceedance at the China Wok Restaurant. As a result of the nitrate MCL, China Wok is required to issue public notice and perform confirmation sampling for nitrate. Please post the enclosed public notice in a conspicuous place in the China Wok Restaurant so that it may be seen by your customers. The notice should remain posted for as long as the System has a nitrate exceedance. Please submit a signed copy of the public notice along with certification, to EPA within 10 days of completion of the public notification. You may forward this information to my attention at the address on the letterhead (please include mail code 8-ENF-W) or by fax to 303-312-7518.

Please feel free to call me if you have any questions. I may be reached at 1-800-227-8917 extension 6983 or 303-321-6983.

Sincerely,

Kimberly Pardue Welch
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure
Public Notice Template



Printed on Recycled Paper

Instructions for Nitrate Notice-Tier 1

Template on Reverse

Since exceeding the nitrate maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time period you must also contact your Primacy Agency. You should also coordinate with your local health department. **This template is also applicable to nitrite and total nitrate and nitrite violations.** You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- **Posting in conspicuous locations**

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). If you post or hand deliver, print your notice on letterhead, if available.

Alternative Sources of Water

If you are providing alternative sources of water for infants, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets the standard for nitrates by contacting the bottler and asking for the most recent test results.

Repeat Notices

If this is a repeat notice (as required by the Division of Drinking Water), or if your system's nitrate levels fluctuate around the MCL, you may wish to include an explanation similar to the following:

You were initially notified of high nitrate levels on [date]. Since that time we have been monitoring the nitrate concentration every three months. Seasonal fluctuations in nitrate concentrations have been observed, due to nitrates contained in fertilizer. It appears that high nitrates occur during the later summer and fall. Note that prior to [year] we were meeting drinking water standards for nitrate.

Corrective Action

In your notice, describe corrective actions you are taking. The bullet below describes one action commonly taken by water systems with nitrate/nitrite violations. Use this language, if appropriate, or develop your own:

- We are investigating water treatment and other options. These may include drilling a new well, mixing the water with low-nitrate water from another source, or buying water from another water system.

After Issuing the Notice

Make sure to send your Primacy Agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)). You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Division of Drinking Water sets.

You should notify health professionals in the area of the violation. People may call their doctors with questions, and the doctors should have the information they need to respond appropriately. They also need to make sure the water is not provided to infants in their care.

DRINKING WATER WARNING

China Wok Restaurant water has high levels of nitrate

DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR USE IT TO MAKE INFANT FORMULA

Water sample results received October 10, 2007 showed nitrate levels of 11.00mg/L. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 mg/L. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.* Blue baby syndrome is indicated by blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- Adults and children older than six months can drink the tap water (nitrate is a concern for infants because they can't process nitrates in the same way adults can). However, if you are pregnant or have specific health concerns, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year. We'll let you know when the amount of nitrate is again below the limit.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

For more information, please contact [operator] _____
at [phone] _____ or [mailing address] _____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system].
Water System ID#: _____. Date distributed:

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

Please send a copy of your notice and dates posted to:

Kimberly Pardue Welch
US EPA Region 8
8ENF-W
1595 Wynkoop Street
Denver, CO 80202-1129

Or, you may fax a copy to: Attn: Kimberly Pardue Welch at 303-312-7518.

Certification of Public Notification

I _____ certify that the attached public notification was issued from
(PWS Operator / Responsible Party)

_____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____