



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 11, 2020

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Chokwe A. Lumumba
Mayor of City of Jackson
219 South President Street
Jackson, Mississippi 39205

Re: Notice of Noncompliance Pursuant to Section 1414(a)(1)(A) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(a)(1)(A), City of Jackson Public Water System, Jackson, Mississippi, PWS ID No. MS0250008

Dear Mayor Lumumba:

The U.S. Environmental Protection Agency is responsible for assuring public water systems provide safe drinking water in accordance with the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et. seq.*, and the regulations promulgated thereunder. Based on information contained in the Safe Drinking Water Information System (SDWIS), the City of Jackson Public Water System (System) has approximately 71,486 service connections, serves approximately 173,514 persons, and is owned and/or operated by the City of Jackson, Mississippi (hereinafter, the City). Pursuant to Section 1401(15) of the SDWA, 42 U.S.C. § 300f(15), it is therefore a community water system. As a community water system, the Jackson Public Water System (PWS) is subject to the requirements of the National Primary Drinking Water Regulations (NPDWR), 40 C.F.R. Part 141, and the Mississippi Primary Drinking Water Regulations (MPDWR), promulgated pursuant to the Mississippi Safe Drinking Water Act of 1997, Miss. Code Ann. § 46-21-1 *et. seq.*

Based on information provided by the City in response to the EPA's information request issued on November 22, 2019 pursuant to its authority under Section 1445 of the SDWA, 42 U.S.C. § 300j-4 and 40 C.F.R. § 141.31; information collected during the EPA's Inspection of the System conducted during the week of February 3, 2020; information provided to the EPA from the Mississippi Department of Health (MSDH)¹; information provided by the System's Monthly Operating Reports (MORs); and information contained in SDWIS, the EPA finds that the System is in noncompliance with the SDWA, the NPDWR, and the MPDWR, as described below.² Consistent with Executive Order No. 13892, "Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication" (Oct. 9, 2019), the EPA provided the City with advance notice of and an opportunity to discuss these violations during a meeting between the EPA and the City on April 28, 2020.

¹ The MSDH is the entity in the State of Mississippi with primary enforcement authority over the SDWA, pursuant to SDWA Section 1413, 42 U.S.C. § 300g-2. On February 28, 2020, MSDH sent a written request for EPA to assist in addressing the City of Jackson's SDWA noncompliance.

² The violations contained herein are in addition to those violations alleged in the Emergency Administrative Order, Docket No. SDWA-04-2020-2300, issued by the EPA to the City on March 27, 2020 (Enclosure A).

1. Miss. Admin. Code § 15-20-72.2.2.1(5) requires a certified Class A operator shall be onsite whenever the treatment plant for a Class A public water system treating surface water is in operation. The System is a Class A public water system, because it has surface water treatment, groundwater under the direct influence of surface water, lime softening, or coagulation and filtration for the removal of constituents other than iron or manganese. See Miss. Code Ann. § 15-20-72.2.2.1(5).

A review of the City's operating logbooks, provided to the EPA by MSDH on March 11, 2020, indicated that the System is not always fully covered by a Class A certified operator. Therefore, the City is in noncompliance with the MPDWR, Miss. Admin. Code § 15-20-72.2.2.1(5), for failure to maintain certified operators to operate the facilities.

2. 40 C.F.R. § 141.719(b)(3) and Miss. Admin. Code § 15-20-72.1.7.1 require that a PWS must conduct direct integrity testing of membrane units to demonstrate removal efficiencies.

During the February 2020 Inspection and upon review of the City's March 2020 MOR, the EPA found that the City was unable to perform direct integrity testing of some membrane units due to wear and breakage of components and compressor, and malfunctioning equipment at the O.B. Curtis WTP. Therefore, the City is in noncompliance with 40 C.F.R. § 141.719(b)(3) and Miss. Code Ann. § 15-20-72.1.7.1.

3. 40 C.F.R. § 141.719(b)(4) and Miss. Admin. Code § 15-20-72.1.7.1 require that a PWS must conduct continuous indirect integrity monitoring on each membrane unit unless the system implements continuous direct integrity testing of membrane units in accordance with the criteria in 40 § C.F.R. 141.719 (b)(3)(i) through (v). If indirect integrity monitoring includes turbidity and if the filtrate turbidity readings are above 0.15 nephelometric units (NTU), the PWS must immediately perform direct integrity testing on the associated membrane unit in accordance with 40 C.F.R. § 141.719(b)(3). Pursuant to 40 C.F.R. § 141.719(b)(3), the direct integrity testing log removal value (LRV) for the membrane units at O.B. Curtis Water Treatment Plant (WTP) must be greater than or equal to the control limit³ of 4, or else it is considered to have failed the direct integrity testing and the System must remove the membrane unit from service, conduct a direct integrity test to verify any repairs, and may return the membrane unit to service only if the direct integrity test is within the control limit. See 40 C.F.R. § 141.719(b)(3)(v).

As indicated by a review of the City's MORs, on several days in March 2020, the indirect integrity monitoring of the membrane units at the O.B. Curtis WTP showed turbidity readings greater than 0.15 NTU. Subsequent direct integrity testing performed showed failures of several of the membrane units, due to LRVs lower than the control limit of 4. The City did not remove these membrane units from service, as required by 40 C.F.R. § 141.719(b)(3)(v). Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.719(b)(3)(v) and 141.719(b)(4) and Miss. Code Ann. § 15-20-72.1.7.1.

³ Under 40 C.F.R. § 141.719(b)(3)(iv), a System must establish a control limit within the sensitivity limits of the direct integrity test that is indicative of an integral membrane unit capable of meeting the removal credit awarded by the State. This control limit is known as the minimum log removal value and is set by the primary enforcement agency for membrane treatment systems (in this matter, MSDH).

4. Pursuant to 40 C.F.R. § 141.132(b)(2) and Miss. Code Ann. § 15-20-72.1.3.6, a PWS using chlorine dioxide for disinfection or oxidation must conduct daily monitoring for chlorite.

On February 5, 2020, the EPA observed the System treating with chlorine dioxide at the J.H. Fewell WTP. However, the February 2020 MOR stated that the System did not use chlorine dioxide at the J.H. Fewell WTP on February 5, 2020, nor did the report show that the System conducted the required monitoring on that date for chlorite. Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.132(b)(2) and Miss. Code Ann. § 15-20-72.1.3.6.

5. Pursuant to 40 C.F.R. § 141.90(a)(3) and Miss. Code Ann. § 15-20-72.1.5.1, as early as possible prior to the addition of a new source or any long-term change in water treatment, a water system deemed to have optimized corrosion control under 40 C.F.R. § 141.81(b)(3) or a water system subject to reduced monitoring pursuant to 40 C.F.R. § 141.86(d)(4) shall submit written documentation to the State describing the change or addition. Under 40 C.F.R. § 141.90(a)(3), the State must review and approve the addition of a new source or long-term change in treatment before it is implemented by the PWS.

In 2014, the City had been deemed to have both optimized corrosion control and was, at that time, subject to reduced monitoring. In or around October 2014, the City merged the ground water system and the surface water systems under the PWS ID No. MS0250008, thereby replacing the groundwater system area with surface water from the O.B. Curtis WTP and turning the ground water wells into an emergency supply source. According to the City, this was intended to be a long-term change. In or around July 2015, due to water treatment plant and distribution issues, the City turned the wells back on and began using ground water for those areas served by surface water after the merger. The City returned the System to its pre-October 2014 operational configuration, as follows: (1) ground water system service area was again fully served by ground water only; (2) this service area was no longer served by surface water; and (3) the ground water service area was again using gaseous chlorine for disinfection. However, the System remained merged under the PWS ID No. MS0250008 and was not identified as two separate public water systems, despite the System no longer operationally considering the ground water wells as an emergency source. In October 2014, the City did not provide a formal request to MSDH to change its source from groundwater to surface water; nor did it notify MSDH in 2015, when the change from surface water back to groundwater occurred. Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.90(a)(3) and 141.81(b)(3) and Miss. Code Ann. § 15-20-72.1.5.1.

6. Pursuant to 40 C.F.R. § 141.80(c) and Miss. Code Ann. § 15-20-72.1.3.2, the lead action level is exceeded if the concentration of lead in more than 10% of tap water samples collected during any monitoring period conducted in accordance with 40 C.F.R. § 141.86 is greater than 0.015 mg/L, (i.e., if the “90th percentile” lead level is greater than 0.015 milligrams per liter (mg/L) (or 15 parts per billion (ppb))). Under 40 C.F.R. § 141.80(e), any PWS exceeding the lead action level shall implement all applicable source water treatment requirements specified by the State under 40 C.F.R. § 141.83. Pursuant to 40 C.F.R. § 141.83, any PWS exceeding the lead action level must complete source water monitoring and make treatment recommendations to the State within 180 days after the end of the monitoring period during which the lead action level was exceeded. The State then makes a determination regarding source water treatment, and, if necessary, the State may require the PWS to install and operate such treatment.

The System exceeded the lead action level of 0.015 mg/L for the following monitoring periods: January – June 2015; January – June 2016; and July – December 2016. On February 12, 2016, MSDH issued a compliance plan to the City to address the lead action level exceedances (ALEs). As a result of the June 2015 lead ALE, the City conducted an optimal corrosion control treatment (OCCT) study between October 2016 and April 2017 and provided the recommended treatment to MSDH on June 13, 2017. MSDH concurred with the recommended treatment and provided a deadline of May 31, 2019 to complete source water treatment installation. Although MSDH later extended the completion date to December 2019, this deadline remains unmet and the City has failed to install OCCT at the J.H. Fewell WTP. Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.80(e) and 141.83 and Miss. Code Ann. § 15-20-72.1.3.2, for failure to install OCCT and provide applicable source water treatment.

7. Pursuant to 40 C.F.R. § 141.82(g) and Miss. Code Ann. § 15-20-72.1.4.3, all systems optimizing corrosion control shall continue to operate and maintain OCCT, including maintaining water quality parameters (WQPs) at or above minimum values or within ranges designated by the State under 40 C.F.R. § 141.82(f). A water system is out of compliance with the requirements of 40 C.F.R. § 141.82(g) for a six-month period if it has excursions for any State-specified WQP on more than nine days during the period. An excursion occurs whenever the daily value for one or more of the WQPs measured at a sampling location is below the minimum value or outside the range designated by the State. Additionally, PWSs must provide the public notice of treatment technique requirement violations (such as WQP excursions) within 30 days of learning of the violation, pursuant to 40 C.F.R. § 141.203 and Miss. Code Ann. § 15-20-72.1.5.2.

The City failed to comply with the lead and copper rule (LCR) treatment technique requirements for pH and/or alkalinity WQPs for the following monitoring periods:

- January – June 2016 (186 days of excursions of WQPs);
- July – December 2016 (221 days of excursions of WQPs);
- January – June 2017(200 days of excursions of WQPs);
- July – December 2017(258 days of excursions of WQPs);
- January – June 2018 (91 days of excursions of WQPs);
- July – December 2018 (166 days of excursions of WQPs);
- January – June 2019 (211 days of excursions of WQPs);
- July – December 2019 (113 days of excursions of WQPs); and
- January – June 2020 (62 days of excursions of WQPs – Note: this is based on data through April 2020).

The City failed to report the WQP violations to SDWIS and did not provide public notification for the following monitoring periods: July – December 2016; January – June 2017; and July – December 2017. Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.82(g) and 141.203 and Miss. Code Ann. §§ 15-20-72.1.4.3 and 72.1.5.2 for failure to maintain optimal WQPs and provide the appropriate public notification.

8. Pursuant to 40 C.F.R. § 141.723(d) and Miss. Admin. Code § 15-20-72.1.4.1, a PWS must correct any significant deficiencies identified in an EPA- or State-conducted sanitary survey in accordance with EPA- or State-approved schedules.

On November 18, 2016, MSDH conducted a sanitary survey, during which MSDH made a finding of inadequate application of treatment chemicals and techniques. Thereafter, MSDH issued a significant deficiency report on May 12, 2017 citing the System for failure to achieve the target hardness and alkalinity goals [i.e. WQPs], and thereafter issued a compliance plan to the System, requiring improvements to the System be completed by December 29, 2019 to bring the System into compliance. The System failed to complete the required compliance measures by the December 29, 2019 deadline established by the State. Therefore, the City is in noncompliance with 40 C.F.R. § 141.723(d) and Miss. Admin. Code § 15-20-72.1.4.1.

9. Pursuant to 40 C.F.R. §§ 141.80(f) and 141.84(a) and Miss. Code Ann. § 15-20-72.1.3.2, a water system that fails to meet the lead action level in tap samples taken pursuant to 40 C.F.R. § 141.86(d)(2), after installing corrosion control and/or source water treatment (whichever sampling occurs later), shall replace lead service lines in accordance with the requirements of 40 C.F.R. § 141.84 and Miss. Code Ann. § 15-20-72.1.1.6(8).

Pursuant to 40 C.F.R. § 141.84(b), a water system shall replace annually at least seven percent (7%) of the initial number of lead service lines in its distribution system. The initial number of lead service lines is the number of lead lines in place at the time the replacement program begins. The system shall identify the initial number of lead service lines in its distribution system, including an identification of the portion(s) owned by the system, based on a materials evaluation, including the evaluation required under § 141.86(a) and legal authorities (e.g., contracts, local ordinances) regarding the portion owned by the system. The first year of lead service line replacement shall begin on the first day following the end of the monitoring period in which the action level was exceeded.

As detailed under Item No. 6 above, the City was required to commence its lead service line replacement program in June 2016. Despite exceeding the lead action level on several occasions, the City has failed to implement a lead service line replacement program at any time from June 2016 to the present. Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.80(f) and 141.84 and Miss. Code Ann. § 15-20-72.1.1.6(8).

10. Pursuant to 40 C.F.R. § 141.86(a)(1) and Miss. Code Ann. § 15-20-72.1.3.2, each water system shall complete a materials evaluation of its distribution system in order to identify a pool of targeted sampling sites that meets the requirements of this section, and which is sufficiently large to ensure that the water system can collect the number of lead and copper tap samples required in 40 C.F.R. § 141.86(c).

The EPA requested in its November 2019 Information Request that the City provide its materials evaluation required under 40 C.F.R. § 141.86(a)(1) and Miss. Code Ann. § 15-20-72.1.3.2. Additionally, during the February 2020 inspection, EPA questioned the City about a materials evaluation and what information was used to make sampling site selections. The City has not provided a complete materials evaluation, utilizing the information specified in 40 C.F.R. § 141.86(a)(2), to identify potential lead service lines, which was required when the LCR was promulgated in 1991. Therefore, the City is in noncompliance with 40 C.F.R. § 141.86(a)(1) and Miss. Code Ann. § 15-20-72.1.3.2.

11. Pursuant to 40 C.F.R. § 141.86(b)(2) and Miss. Code Ann. § 15-20-72.1.3.2, each first-draw tap sample for lead and copper shall be one liter in volume and have stood motionless in the plumbing system of each sampling site for at least six hours.

Based upon a review of the City's records conducted during the EPA's February 2020 Inspection, the EPA found that information on the System's customer sampling procedure forms showed that either the samples failed to sit motionless for at least six hours and/or did not have enough information provided for the determination to be made. Therefore, the City is in noncompliance with 40 C.F.R. § 141.86(b)(2) and Miss. Code Ann. § 15-20-72.1.3.2.

12. Pursuant to 40 C.F.R. § 141.86(c) and Miss. Code Ann. § 15-20-72.1.3.2, the City is required to collect 100 unique tap samples every six months.

The City collected duplicate tap samples from the same site in the same compliance period and used those samples to meet the required minimum number of samples. This was observed in the monitoring data collected by the City and submitted to MSDH in October 2017, October 2018, April 2019, and October 2019. Therefore, the City is in noncompliance with 40 C.F.R. § 141.86(c) and Miss. Code Ann. § 15-20-72.1.3.2.

13. 40 C.F.R. § 141.86 and Miss. Code Ann. § 15-20-72.1.3.2 require all sample results to be from sites or locations listed on the approved lead and copper sampling plan. 40 C.F.R. § 141.86(b)(4) requires that each first draw tap sample be collected from the same sampling site from which the system collected previous samples, unless the system cannot gain entry to collect a follow-up tap sample; under such circumstances, the system may collect a follow-up tap sample from another sampling site in its sampling pool as long as the new site meets the same criteria outlined in 40 C.F.R. § 141.86(a)(3) through (7) and is within reasonable proximity of the original site.

40 C.F.R. § 141.90(a)(1)(i) and Miss. Code Ann. § 15-20-72.1.5.1 require the City to report the results of all tap samples, including the location of each sampling site and the criteria under 40 C.F.R. § 141.86(a)(3) through (7) under which the site was selected, to the State.

In monitoring data collected by the City and submitted to MSDH in May 2017, October 2017, April 2018, October 2018, April 2019, and October 2019, the City provided sample results from sites or locations not listed on the approved lead and copper sampling plan and/or those sites or locations could not be identified from the information included on the form. Therefore, the City is in noncompliance with 40 C.F.R. § 141.86 and Miss. Code Ann. § 15-20-72.1.3.2.

Additionally, the City changed sample sites from monitoring period to monitoring period with no documentation of MSDH's approval of such changes or how the new sampling sites met the selection criteria in 40 C.F.R. § 141.86(a)(3) through (7). Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.86(b)(4) and 141.90(a)(1)(i) and Miss. Code Ann. §§ 15-20-72.1.3.2 and 72.1.5.1.

14. Pursuant to 40 C.F.R. § 141.90(a) and Miss. Code Ann. § 15-20-72.1.5.1(1), a PWS is required to analyze and report to the State the information obtained for all water samples taken pursuant to the lead and copper sampling requirements of 40 C.F.R. § 141.86. Pursuant to Miss. Code Ann. § 15-20-72.1.5.5(2), each supplier of water must utilize the services of certified laboratory or party approved by the State where applicable to complete all water quality analyses as stipulated in the NPDWRs.

During the April 2019 compliance monitoring period, some lead and copper samples collected by the City were not taken to a certified laboratory or party approved by the State for analysis. Additionally, while the City retained sample collection forms for sites 12 and 181, no

corresponding laboratory results were reported to the State for these sites. Therefore, the City is in noncompliance with 40 C.F.R. § 141.90(a) and Miss. Code Ann. §§ 15-20-72.1.5.1(1) and - 72.1.5.5(2).

15. Pursuant to 40 C.F.R. § 141.85(d) and Miss. Code Ann. § 15-20-72.1.5.2, all water systems must deliver a consumer notice of all individual lead tap water monitoring results to persons served by the water system at sites that are tested. A water system that exceeds the lead action level shall deliver the public education materials contained in 40 C.F.R. § 141.85(a) in accordance with 40 C.F.R. § 141.85(b). A water system must provide the consumer notice as soon as practical, but no later than 30 days after the system learns of the tap monitoring results.

For the first half of 2016, City provided notification to MSDH by certification that consumer notices were distributed in February 2016. However, the last sample result for February was not analyzed until March 2016 and was not included in the consumer notice for that period. Therefore, the consumer notices that went out in February 2016 were incomplete. Therefore, the City is in noncompliance with 40 C.F.R. §§ 141.85(a) and 141.85(d) and Miss. Code Ann. § 15-20-72.1.5.2.

16. Under 40 C.F.R. § 141.90(f)(3) and Miss. Code Ann. § 15-20-72.1.5.1, no later than three months following the end of each monitoring period, each system shall mail a sample copy of the consumer notification of tap results to the State along with a certification that the notification has been distributed in a manner consistent with the requirements of 40 C.F.R. § 141.85(d).

Based on a review of records obtained during the EPA's February 2020 Inspection, the City failed to provide MSDH with the consumer notice certification forms required by 40 C.F.R. § 141.90(f)(3) for the second half of 2017 and the second half of 2018. Therefore, the City is in noncompliance with 40 C.F.R. § 141.90(f)(3) and Miss. Code Ann. § 15-20-72.1.5.1.

17. Pursuant to 40 C.F.R. § 141.85(d) and Miss. Code Ann. § 15-20-72.1.5.2, all water systems must provide a notice of the individual tap results from lead tap water monitoring carried out under 40 C.F.R. § 141.86 to the persons served by the water system at the specific sampling site from which the sample was taken.

Customer complaints on the "Homeowner Lead/Copper Sample Collection" forms from tap sampling conducted in October 2018 indicate that several customers were not notified of the lead and copper sampling results. Therefore, the City is in noncompliance with 40 C.F.R. § 141.85(d) and Miss. Code Ann. § 15-20-72.1.5.2.

18. Pursuant to 40 C.F.R. § 141.153 and Miss. Code Ann. § 15-20-72.1.18.1, each PWS must provide to its customers an annual report (known as a "Consumer Confidence Report") which contains the informed identified in 40 C.F.R. §§ 141.153 and 141.154. Under 40 C.F.R. § 141.153(d)(4)(vi), a Consumer Confidence Report must include the 90th percentile value of the most recent round of sampling and number of sampling sites exceeding the ALE.

The City did not fully provide lead and copper results for the 2016 and 2018 monitoring periods in its Consumer Confidence Reports for those years. Therefore, the City is in noncompliance with 40 C.F.R. §141.153(d)(4)(vi) and Miss. Code Ann. § 15-20-72.1.18.1.

Consistent with Section 1414(a)(1)(A) of the SDWA, 42 U.S.C § 300g-3(a)(1)(A), the EPA is hereby notifying the City of such noncompliance. This Notice shall not be construed as a final agency action subject to judicial review under Section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g).

Therefore, within ten (10) calendar days of receipt of this Notice of Noncompliance, the City must contact this office to arrange a meeting to show cause why the EPA should not initiate legal proceedings against the City for these violations. In lieu of appearing in the EPA's offices for this meeting, a telephone conference may be scheduled. The City should be prepared to provide all relevant information with documentation pertaining to the above violations. The EPA's legal counsel may also be present at this meeting. Accordingly, the City has the right to have its legal counsel present.

To arrange the particulars of this meeting or to arrange for a telephone conference, please contact Amanda Driskell at (404) 562-9735 or Driskell.Amanda@epa.gov. If the City fails to attend the scheduled meeting/telephone conference or to contact Ms. Driskell prior to the meeting/conference date, the EPA may proceed with formal enforcement against the City without further notice.

The City may, if it so desires, assert a confidential business information (CBI) claim covering any or all information furnished to the EPA during our meeting. Every CBI claim must be made in a manner described in 40 C.F.R. § 2.203 and must be fully substantiated with documentary evidence which shows how the claim meets every criterion listed in 40 C.F.R. §§ 2.208 and 2.304. If no CBI claim accompanies the City's information when it is received by the EPA, it may be made available to the public by the EPA without further notice to the City. Further details, including how to make a business confidentiality claim, are included in Enclosure B.

If you have any questions regarding this matter, please contact Ms. Driskell at the phone number or email listed above. For legal inquiries, please have your attorneys contact Suzanne K. Armor, Associate Regional Counsel, at (404) 562-9701 or Armor.Suzanne@epa.gov.

Sincerely,

Carol L. Kemker
Director
Enforcement and Compliance Assurance Division

Enclosures

cc: Robert K Miller, Director
City of Jackson Department of Public Works

Lester Herrington, Director
Office of Environmental Health, MSDH

ENCLOSURE A

City of Jackson SDWA Section 1431, 42 U.S.C. § 300g-2

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for information which deals with the existence, absence, or level of contaminants in drinking water, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. Applicable EPA regulations relating to business confidentiality claims are at 40 C.F.R. Part 2 and 40 CFR § 2.304(e).

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential.” Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

Mailing Addresses for the CCs:

Mr. Robert K. Miller, Director
City of Jackson Department of Public Works
200 South President Street
Jackson, Mississippi 39205-0017

Lester Herrington, MSDH
Bureau of Public Water Supply
P.O. Box 1700
2423 North State Street
Jackson, MS 39215-1700