

Sent: Wednesday, January 29, 2003 8:40 AM

Subject: ITS STANDARD OPERATING PROCEDURE -- A WHOLE LOT OF BAD WATER IS BETTER THAN NONE

Dear Aquathin Dealer OnLine, Splash NewsBulletin and Allergic Reaction NewsBulletin Members;

OK, so here's the deal. The city has to provide you water, good or bad. Most cities have immunity from legal suits, but builders and contractors remain liable unless the courts state otherwise. And you cannot do anything about it...except AquathinK !

Warmest regards to all,

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"Alfie"

Alfred J. Lipshultz, President

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Regulatory Matters - 1/27/2003 11:21:36 AM

New York City cited for not notifying customers about violations

NEW YORK — The US Environmental Protection Agency (EPA) has issued an administrative order to the city for failing to provide timely public notification of a drinking water violation in the Croton Water System.

According to EPA, the recently took steps to comply with the federal public notification requirements, so the agency EPA has not assessed a monetary penalty.

But EPA required the city to mail a notice of the violation to affected customers whose water comes from the Croton system, and to inform all other affected customers through other means.

Under the federal Safe Drinking Water Act, New York City's drinking water must be monitored regularly to ensure that it meets all federal health requirements, including turbidity or cloudiness, said the agency.

In August 2002, the monthly average for turbidity for water from the Croton watershed exceeded EPA's public health standard, during a time that the city was experiencing a drought and had to use the Croton supply even though the water was not of optimal quality.

EPA said there were numerous complaints about discolored tap water when this occurred, and the city was required to inform affected customers their water exceeded federal drinking water standards.

In this case, EPA said, the city failed to do so. **Harmful organisms could be present in water with high turbidity, and particles suspended in the water may reduce the effectiveness of chlorine.**

The city also violated the turbidity standard for the Croton system in January 2002, and did not provide notification of that violation, the agency said.

The violations demonstrate the need to filter water from the Croton system, according to EPA. The city is currently designing a filtration plant for the Croton that will virtually eliminate turbidity and enable us of the Croton supply when needed.

"While steps have been taken to rectify the situation, EPA will continue to monitor the city's water quality data to ensure that New Yorkers are notified of any future violations," Jane M. Kenny, EPA regional administrator. "The best way to avoid such violations, however, is to filter the Croton supply."

New York City gets its drinking water from two sources: the Croton watershed, consisting of reservoirs in Westchester and Putnam counties, and the Catskill/Delaware watershed, consisting of reservoirs in a number of more rural counties further upstate.

Under the provisions of the Safe Drinking Water Act, the city was required to filter the Croton system by 1993.

EPA said filtration is necessary because the Croton reservoirs are located in areas that are densely populated, and are vulnerable to contamination.

Since the City failed to filter the Croton by 1993, a consent decree was reached between the city, state and federal governments in 1998 that required the city to build a filtration plant. After delays and enforcement actions, in mid-2002, the city agreed to do preliminary designs for the filtration plant for two possible locations: along the Harlem River in the Bronx; and in Eastview in Westchester County.

EPA said if the city chooses to place the plant in Eastview, it must be on-line by 30 September 2010. If it chooses the Harlem River site, the plant must be on-line by 31 October 2011.

The agency said that if the city violates EPA's order, it could be liable for penalties up to \$27,500 per day of noncompliance.