

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Manisha Juthani, MD
Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

ENVIRONMENTAL HEALTH AND DRINKING WATER BRANCH

DRAFT Circular Letter #2021-88

TO: Community and Non-Transient Non-Community Public Water Systems (PWSs)
CT DPH Certified Water System Operators

FROM: Lori J. Mathieu, Public Health Branch Chief *Lori J. Mathieu '21*
Environmental Health & Drinking Water Branch

DATE: October 19, 2021

SUBJECT: Important Survey - Supply Shortage in Water Treatment Chemical and
Water System Components

The Connecticut Department of Public Health (CT DPH) is examining the current national level of reported shortages / delays in shipment of water treatment chemicals and water system components. Our immediate concern is the inability of water systems to produce a safe and adequate supply of drinking water for Connecticut residents and the associated impact to public health. It is important for this office and PWSs to understand the scope of these shortages and their potential effect on water system operations. This letter includes recommended measures water systems should take including the completion of a survey to assist in summarizing the status of their supplies.

Chemical shortages are discussed in the June 30, 2021 letter ([EPA OW-21-000-4574](#)) from Environmental Protection Agency's (EPA's) Administrator, which requests the chemical sector to prioritize deliveries to "drinking water and wastewater systems as customers of critical water treatment chemicals, such as gaseous chlorine, sodium hypochlorite and calcium hypochlorite". There have been additional reports of delivery delays of water system components (pipes, electronics controllers, pumps, etc.) and other treatment chemicals like sodium fluoride, sodium fluorosilicate, ferric chloride and as well as potassium permanganate.

These shortages are highlighted by water utilities receipt of "Force Majeure" letters or similar notifications of delay in delivery from water treatment chemical suppliers /manufacturers. Force majeure refers to a clause that is included in contracts for unforeseeable, unavoidable catastrophes or events that interrupt and prevent contract participants from fulfilling obligations.

CT DPH recommends the following measures, should a Public Water System (PWS) receive a Force Majeure letter or similar notification of delay in water treatment chemical delivery or delays in water system components delivery that are critical to projects or operation / maintenance functions:

- a. PWSs that reach an "emergency out of chemical supply" or "critical minimal chemical supply" status conditions are required to provide notification to the CT DPH, Drinking Water Section via email to dph.dwdcompliance@ct.gov email address.
- b. PWSs to complete the [CT DPH Survey - Supply Shortage in Water Treatment Chemical and Water System Components](#) no later than this Friday, October 22, 2021. Our plan is to share survey collected information back to Connecticut Water Utilities, the EPA and other state and federal partners who may be able to aid in response to these shortages.



Phone: (860) 509-7333 • Fax: (860) 509-7359
Telecommunications Relay Service 7-1-1
410 Capitol Avenue, MS#12DWS, P.O. Box 340308
Hartford, Connecticut 06134-0308
www.ct.gov/dph

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- c. PWSs to assess and institute any required items of their Emergency Response Plan that may lengthen on-site chemical supplies, including and not limited to evaluating use of alternate chemicals, instituting conservation measures, procuring shipment from other suppliers, assessing use of reserve amounts from other utilities, etc.
- d. PWSs to send a response letter to the supplier/manufacturee (see enclosed templates), which points to the expected public health impact and compliance issues that could be faced and that requires written acknowledgement by the supplier/manufacturee of your utility's needs as a critical and that requests written confirmation of the supplier/manufacturee's continued supply to meet those needs.

Should you have any questions please do not hesitate to contact Bill Sullivan (dph.opcert@ct.gov | (860) 936-1266) of the Operator Certification Program.

Template Letter to Water Treatment Chemical Manufacturer/Supplier

Contact Name
Chemical Manufacturer/Supplier Name
Street Address
City, State Zip

DATE

RE: Response to Force Majeure Letter sent to **[insert PWS Name here]**

Or

RE: Response to Notification of Delay in Delivery sent to **[insert PWS Name here]**

Dear Name,

Please note **[insert PWS Name here]**, as requested, has provided notification to the CT Department of Public Health of your Force Majeure letter or notification of a delay in chemical delivery.

[insert PWS Name here] has an critical need for the treatment chemicals your company provides and an associated public health impact to the community of persons served by **[insert PWS Name here]** is expected if there is a loss in supply of **[insert chemical name here]** from Chemical Manufacturer/Supplier Name. **[insert PWS Name here]** provides water service to **[XY]** persons who depend upon an adequate supply of potable water **[you may also wish to document the PWS's service to any critical care facilities, schools, daycares, or populations of vulnerable persons]**

Please note the EPA Administrator's June 30, 2021 letter ([\(EPA OW-21-000-4574\)](#)), which requests Chemical Sector Partners (chemical manufactures) prioritize delivery to drinking water / wastewater systems, noting that drinking water / wastewater systems are "critical" to the wellbeing of the nation's citizens and businesses and warning of the "cascading impacts" for even short duration loss of chemical supply services,

With the loss of **[insert chemical name here]** water treatment chemical, **[insert PWS Name here]** will not be able to maintain compliance with established drinking water quality standards (Maximum Contaminant Levels (MCLs)) of the federal Safe Drinking Water Act (SDWA) and Regulations of Connecticut State Agencies (RCSA).

With the loss of water treatment chemical and expected violation of MCLs, the **[insert PWS Name here]** will be required to issue Public Notifications as specified by RCSA Sec. 19-13-B102 and where applicable issue Boil Water Advisories to all drinking water system customers.

With the loss of **[insert chemical name here]**, the PWS will be required to provide notification to the CT DPH and the Local Directors of Health to comply with the interrupted treatment of the public water supply requirements, as specified by RCSA Sec. 19-13-B46.

[insert PWS Name here] request **Water Treatment Chemical Manufacturer/Supplier** written acknowledgement of this **[insert PWS Name here]** needs as a critical and request written confirmation of their timely supply is necessary to meet those needs.

Sincerely,

Utility Representative Name
Representative Title

Cc:

Template Letter to Water System Component Manufacturer/Supplier

Contact Name
Water System Component Manufacturer/Supplier Name
Street Address
City, State Zip

DATE

RE: Response to Notification of Delay in Delivery of Water System Components – [write in component name]

Dear Contact Name,

Please note **[insert PWS Name here]**, as requested, has provided notification to the CT Department of Public Health of your notification of a delay in delivery of ordered water system components. **[you may insert here references to letter date or order number or product number]**.

[insert PWS Name here] provides water service to **[XY]** persons who depend upon an adequate supply of potable water **[you may also wish to document the PWS's service to any critical care facilities, schools, daycares, or populations of vulnerable persons]**

[insert PWS Name here] has a critical need for the components your company provides and there **[has been or we expect there to be]** a delay in project completion or required operation/routine maintenance functions, which are necessary for the provision of a safe and adequate supply of potable water to persons served by this Public Water System (PWS).

[use as appropriate] Without the ordered [write in component name] **[insert PWS Name here]** may also fail to comply with certain provisions of the Safe Drinking Water Act (SDWA) and/or Regulations of Connecticut State Agencies (RCSA).

[insert PWS Name here] requires your written acknowledgement of this utility's needs as critical and request written confirmation of their timely delivery of the order water system components is necessary to meet those needs.

Sincerely,

Utility Representative Name
Representative Title

Cc: