



REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129

January 21, 2025

Ref: 8WD-SDR

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Shane Bullard, President
Alcova Lakeview Estates II
P.O. Box 51733
Casper, Wyoming 82605
sbullard@psiwy.com

Re: **Notice of Noncompliance**
Revised Total Coliform Rule
Failure to Complete Corrective Action from Level 2 Assessment
PWS ID# WY5601585 NC

Dear Shane Bullard:

The purpose of this letter is to inform you that **Alcova Lakeview Estates II** has failed to complete the corrective action specified during your **August 26, 2024**, Level 2 Assessment as required by 40 C.F.R. § 141.859-141.860 of the National Primary Drinking Water Regulations (NPDWR). Level 2 Assessments are triggered when the water system has triggered two Level 1 Assessments in a rolling 12-month period or an *E. coli* maximum contaminant level (MCL) violation has been triggered. The corrective actions associated with a Level 2 Assessment were due 30 days after monitoring results triggered the Assessment or according to a timeframe approved by the EPA. Your system failed to meet the required timeframe for completing the corrective actions, after an extension was approved, by **December 31, 2024**.

If you have already completed the corrective actions from the Level 2 Assessment, please forward a description and photographic evidence of all the corrections to our office using one of the methods listed below. Include your PWS name and PWS ID# on all correspondence.

Email: R8DWU@epa.gov

Fax: 303-312-7517

Mail: Refer to the address at the top of this letter. Use Mail Code 8WD-SDR on the envelope.

If you have not completed the corrective actions, please take the following actions:

- (1) Please contact EPA immediately and provide an update (including photos and dates) on the status of the sanitary defects identified during the Level 2 Assessment.
- (2) Notify your customers of this treatment technique violation by issuing public notice no later than 30 days after the violation by posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); **and** any other method reasonably calculated to reach other persons served by the system if they would not normally be reached by the first distribution method. Such persons may include those served who may not see a posted notice because the posted notice is not in a location they routinely pass by. Other methods may include: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or, delivery of multiple copies in central locations (e.g., community centers). Enclosed is a copy of a public notice that meets all of the Federal requirements or you may consult <https://www.epa.gov/dwreginfo/public-notification-instructions-and-templates-revised-total-coliform-rule-rtcr> electronic templates. If the public notice is posted, the notice must remain in place for as long as the violation or situation persists, but in no case for less than seven days, even if the violation or situation is resolved.
- (3) Please forward a copy of your public notice to our office within ten days of completion.

You should be aware that repeated violations of the National Primary Drinking Water Regulations may result in formal enforcement action taken against your water system. If formal enforcement action becomes necessary, the Safe Drinking Water Act provides for civil penalties of up to \$71,545 per day of violation. We prefer to address problems before such formal enforcement is necessary and ask for your cooperation to resolve problems quickly and effectively.

If you have any questions, please contact Jamie Harris at 303-312-6072 or by email at harris.jamie@epa.gov.

Sincerely,

**SETH
TOURNEY**

Seth Tourney, P.E.

Supervisor, Rule Implementation Section
Drinking Water Program

Digitally signed by SETH
TOURNEY
Date: 2025.01.21 13:39:52
-07'00'

Enclosure(s)

cc:

Jerome Sholtz, Operator
Contract Operator
307wateroperators@gmail.com

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Failed to Perform Activities Required

[Water System Name]

to Address Coliform Bacteria Contamination of the Water System

During recent routine monitoring, our water system tested positive for total coliforms. **Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, waterborne pathogens may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution.*

*When this occurs, we are required to conduct assessments to identify problems and to correct any problems that are found.**

[Describe the TT violation, using the mandatory language of **We failed to conduct the required assessment* by [Enter date the assessment was due] and/or **We failed to correct all identified sanitary defects that were found during the assessment(s)* by [Enter date correction was due].**

As our customers, you have a right to know what happened and what we are doing to correct this situation.

What should I do?

- You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, are pregnant, or are elderly, you may be at increased risk and should seek advice from your healthcare provider about drinking this water. You should also seek advice from your healthcare provider about using the water if you have an infant. General guidelines on ways to lessen the risk of infection by bacteria and other disease-causing organisms are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

Since total coliform bacteria are generally not harmful themselves, this is not an emergency. If it had been you would have been notified within 24 hours.

Failure to identify and correct the defects has the potential to cause continued distribution system contamination. Inadequately treated or inadequately protected water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches.

What is being done?

[Describe corrective action including when your water system expects to return to compliance or resolve the violation.]

For more information, please contact _____ at _____ or _____.
[name of contact] [phone number] [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 _____ EPA Water System ID#: _____
[water system name]

Date distributed: _____.

ATTENTION: PWS OPERATOR/RESPONSIBLE PARTY

TT violations related to any Level 1 assessment or to a Level 2 assessment that is not triggered by an *E. coli* MCL violation require similar Tier 2 public notice. TT violations for Level 2 assessments that are triggered by *E. coli* MCL violations require different mandatory health effects language and are addressed in Template 2-22.

You must provide public notice to persons served as soon as practical but no later than 30 days after you learn of the violation [40 CFR 141.203(b)]. You must issue a repeat notice every three months for as long as the violation persists. Check with your state to make sure you meet all its requirements.

Community water systems (CWSs) must use one of the following methods to deliver the notice to consumers [40 CFR 141.203(c)]:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill (if delivered within 30 days of the violation)
- Another method approved in writing by the state

Non-community water systems (NCWSs) must use one of the following methods to deliver the notice to consumers [40 CFR 141.203(c)]:

- Posting in conspicuous locations
- Hand delivery
- Mail
- Another method approved in writing by the state

In addition, both CWSs and NCWSs must use another method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)]. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, EPA recommends printing your notice on your system's letterhead, if available.

The notice on the reverse is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required public notice elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below). All posted notices must remain in place for as long as the violation or situation persists but in no case for less than seven days, even if the violation or situation is resolved.

Mandatory Language

Mandatory language on health effects (from Appendix B to 40 CFR 141 Subpart Q) must be included as written and is presented in this notice in italics with an asterisk on each end.

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, waterborne pathogens may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessments to identify problems and to correct any problems that are found.

You are also required to include one or both of the following statements, also presented in this notice in italics with an asterisk on each end, as appropriate for the violation:

We failed to conduct the required assessment.

We failed to correct all identified sanitary defects that were found during the assessment that we conducted.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable [40 CFR 141.205(d)]. This language is also provided below and presented in this notice in italics with an asterisk on each end.

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.

Corrective Action

The specific cause(s) of total coliforms in the distribution system that triggered the assessment will likely differ from system to system. Your notice must describe the corrective action(s) you are taking [40 CFR 141.205(a)(7)] to address the TT violation and when you expect to return to compliance or resolve the situation [40 CFR 141.205(a)(8)]. You can use one or more of the following statements, if appropriate, or develop your own text.

- We have begun to correct the sanitary defect(s) identified during an assessment of our water system by taking the following corrective actions: [Describe corrective actions].
- To ensure that our water system is protected against contamination, we are working with the state to implement the following corrective actions: [Describe corrective actions].
- We completed the required assessment and identified the cause of the sanitary defect to be addressed [describe the issue or problem found, for example, damage to the storage tank, a missing vent screen, etc.] We are currently correcting the problem on a schedule approved by [State Department of Public Health].

After Issuing the Notice

Make sure to send a copy of each type of notice and a certification (**see section below**) that you have met all the public notification requirements to your state within 10 days after the original or any repeat notice(s) [40 CFR 141.31(d)].

It is a good idea to inform your consumers when the violation has been resolved. See Template 1-6 of the Revised Public Notification Handbook (2nd Revision of Document: EPA 816-R-09-013, March 2010) and Template NC-7 of the Public Notification Handbook for Transient Non-community Water Systems, EPA 816-R-09-009, March 2010 for a “problem corrected” notice template.

Send the copy of your notice and certification to:

Email: R8DWU@epa.gov (Preferred)

Fax: 303-312-7517

Mail: Refer to the address at the top of your letter. Use Mail Code 8WD-SDR on the envelope.

If you have questions about your Revised Total Coliform Rule violation, please call Jamie Harris, the RTCR Manager at 303-312-6072.

CERTIFICATION OF PUBLIC NOTIFICATION

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

_____ to _____. The notice attached was issued by
(Date) (Date)

_____ for the RTCR Violation that occurred on _____.
(Method of delivery – by hand, mail, etc.) (Date)

Signature _____ Date _____

Public Water System Name: _____ PWS ID Number: _____

Sanitary Defect	EPA REQUIRED ACTION	PWS PROPOSED ACTION	EPA REQUIRED DUE DATE
1.1	1.1 A new Sample Siting Plan and map were received on 09/11/2024. On the Sample Plan 26063 Cedar Court is identified as an alternative sample site. Revise the Sample Plan to remove an "alternate site," there is no such thing allowed under the RTCR. Add the locations of the storage tank (ST01), well vault, and well (WL01) to the map. The sample entry point to the distribution system and the raw water source sample should not be the same sample location. See 6.14a for more information.		1.1 Submit a revised SSP, chart and map by 10/25/2024. Extended to 12/31/2024. <u>OVERDUE</u>
4.2	4.2 There should be no breaches into the storage tank other than an opening afforded by #24 mesh screen installed on the vent or overflow or by any opening no greater than 0.0027 inches. Dust is laden with bacteria. Silicone (or any other caulking) is not an acceptable permanent fix for any well opening.		4.2 Provide labeled photo documentation of the storage tank riser with no holes or breaches. Clearly show the repair work that was completed by 10/25/2024. Extended to 12/31/2024. <u>OVERDUE</u>
4.5	4.5 The storage tank (ST01) must be cleaned and inspected. Please see the enclosed Finished Water Storage Tank Inspection/Cleaning Checklist for a list of items that must be evaluated during the inspection. Tanks need to be periodically cleaned and inspected to prevent the growth of potentially harmful pathogens in the accumulated sediments and to address construction issues before they require major repairs. Inspections and cleaning may be done by a third-party professional or appropriately trained in-house staff. Please be aware that some tanks may be considered as confined spaces or hazardous environments; personnel working in or near the tanks should have all OSHA-required training, and proper safety equipment and procedures should be always used. After inspection and cleaning the tank must be disinfected according to AWWA standards (C652-92: Disinfection of Water Storage Facilities). EPA will review the inspection report and may require additional corrective actions.		4.5 Provide a completed copy of the Finished Water Storage Tank Inspection/Cleaning Checklist with labeled photo documentation by 10/25/2024. Extended to 12/31/2024. <u>OVERDUE</u>

Sanitary Defect	EPA REQUIRED ACTION	PWS PROPOSED ACTION	EPA REQUIRED DUE DATE
4.7b	4.7b Repair the #24 mesh screen on the storage tank overflow (or drain).	4.7b The operator will replace the screen by 09/01/2024.	4.7b Send labeled photo documentation that the #24 mesh screen on the storage tank overflow (or drain) has been repaired by 10/25/24. Extended to 12/31/2024. OVERDUE
5.1a	5.1a It was reported that in the past the Board of Directors added chlorine to the storage tank periodically. Under the RTCR, one is not allowed to add chlorine periodically, either it is added continuously and measured and reported to EPA with all TC samples, or it should not be used. Periodically adding chlorine to the system may cover up underlying issues with the well or distribution system. That may be what occurred in this case since the TC+ results started once the chlorine stopped being added. Any time chlorine is added to the system during a month then the chlorine residual must be measured and reported with the TC sample results.		5.1a Measure and report the chlorine residual with all total coliform samples any month that chlorine is added to the water system. Extended to 12/31/2024. OVERDUE
6.2	6.2 To prevent contamination of the well, all openings must be sealed and watertight. Repair the conduit that leads into the well. Caulking/sealer, due to the possibility of the inclusion of BTEX components, must not be used. Replace missing bolts on the well head.	6.2 The operator will try to have the system fix the conduit by 10/31/2024.	6.2 Send labeled photo documentation of the watertight closed conduit into the well and replaced bolts by 10/25/24. Extended to 12/31/2024. OVERDUE
6.14a	6.14a A raw water sample tap must be installed so that water samples can be collected directly from the water source to determine the quality of the groundwater supply before treatment. The sample tap must be installed prior to the water entering any pressure tank, filter, other treatment, or storage. The tap should be of the smooth- nosed type without interior or exterior threads suitable for obtaining samples for bacteriological analysis and should not have a screen, aerator, or other such appurtenance.		6.14a Send labeled photo documentation of the raw water tap by 10/25/2024. Extended to 12/31/2024. OVERDUE