



REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129

May 9, 2024

Ref: 8WD-SDR

SENT VIA EMAIL

Andrew Beecher
Hilliard Ward
50 East North Temple Street, 12th Floor
Salt Lake City, Utah 84150-0012
andrew.beecher@churchofjesuschrist.org

Re: **Notice of Noncompliance**
Ground Water Rule
Failure to Complete Corrective Action
PWS ID# WY5601491 NC

Dear Andrew Beecher:

The purpose of this letter is to inform you that Hilliard Ward has failed to complete corrective action(s) to address *E. Coli* in the well (WL02) under a Ground Water Rule Corrective Action Plan according to 40 C.F.R. §§ 141.403(a)(6) of the National Primary Drinking Water Regulations (NPDWR). Public water systems are required to complete corrections within 120 days after notification from the laboratory of a fecal indicator positive sample analysis result, which in this case was **by December 8, 2023**. After many extensions, the summary of daily chlorine residuals for the month of March 2024 was to be received by EPA no later than April 10, 2024, to prove the 4-log inactivation of viruses is being met. No report was received by April 10, 2024. This is a violation of the NPDWR.

Please take the following actions:

- (1) Please contact EPA immediately and provide the chart of the summary of daily chlorine residuals for the month of March 2024.

- (2) Notify your customers of this violation as soon as practical, and no later than 30 days after you learn of the violation. The public notice (PN) must be delivered either by hand or direct delivery, by mail or posting in conspicuous locations.

In addition, noncommunity systems 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, print your notice on your system's letterhead if available.

- (3) This PN must be repeated every three months for as long as the violation exists. A Ground Water Rule (GWR) Failure to Take Corrective Action Within Required Time Frame Public Notice template is attached.
- (4) Provide EPA with a copy of your public notice and certification within 10 days of completion.

Please send the daily chlorine residual chart for the month of March 2024, public notice and certification to the EPA office using one of the methods listed below. Include your PWS name and PWS ID# on all correspondence.

Email: R8DWU@epa.gov (preferred)

Fax: 1-877-876-9101

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

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 \$69,733 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 questions, please contact the Ground Water Rule Corrective Action Plan Manager, Jamie Harris at 303-312-6072, or by email at R8DWU@epa.gov and harris.jamie@epa.gov.

Sincerely,

SETH TOURNEY

Digitally signed by SETH
TOURNEY
Date: 2024.05.09 14:02:51
-06'00'

Seth Tourney, P.E.
Supervisor, Rule Implementation Section
Drinking Water Program

Enclosure:

Cc: Jesse Rowe, Technician
Hilliard Ward
jrowe@kpsserv.com

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

_____ Failed to Address an *E. coli* Positive Source Sample Within the Required Time Frame

Our water system, _____, was required to take action to address an *E. coli* positive source sample by _____. However, we failed to take action by the required date.
[Water System Name]
[due date]

What This Means

This is not an emergency. If it had been, you would have been notified within 24 hours. We do not know of any cases of contamination. However, until the problem is corrected, there is an increased chance that disease-causing organisms could contaminate the water supply.

Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms, however, are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

You may drink the water. However, if you have specific health concerns, consult your doctor. If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water.

Steps We Are Taking

[Describe corrective action.]

We expect to have the source of *E. coli* corrected by _____.
[give date]

For more information, please contact _____ of _____
[name of contact] [public water system name]

at _____ or _____
[phone number] [location/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 _____ State Water System ID#: _____.
[public water system name]

Date distributed: _____.

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 GWR Violation that occurred on _____.
(Method of delivery – by hand, mail, email, etc.) (Date)

Signature _____ Date _____

Public Water System Name: _____ PWS ID Number: _____

Instructions for GWR Failure to Take Corrective Action Within Required Time

Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a fecal indicator-positive ground water source sample or significant deficiency under the Ground Water Rule is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 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. Your primacy agency may have more stringent requirements for treatment technique violations. Check with your agency to make sure you meet all requirements.

If this notice is for failing to address a fecal indicator-positive source sample, a Tier 1 notice for detecting a fecal indicator in the source water should have already been issued. Consider providing the history of the situation in this notice (i.e., what events lead to requiring corrective action) to avoid confusing the public when this second notice is issued.

Community systems must use one of the following methods [40 CFR 141.203(c)]:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Noncommunity systems must use one of the following methods [40 CFR 141.203(c)]:

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and noncommunity systems 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, print 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 PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

Mandatory Language

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

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 presented in this notice in italics and with an asterisk on either end.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. Depending on the corrective action you are taking, you can use one or more of the following statements, if appropriate, or develop

your own text:

- Although we did not meet our deadline, we are now in consultation with the state to develop a corrective action plan.
- The [source of contamination/significant deficiency] has been identified and addressed.
- We have implemented a short term plan to address the immediate issue while we pursue the long-term solution.

Repeat Notices

For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out any previous notices. If you are making progress with correcting the significant deficiency or addressing the fecal indicator-positive source sample, describe it. Alternatively, if funding or other issues are delaying corrective action, let consumers know.

After Issuing the Notice

Send a copy to EPA Region 8 Drinking Water Unit (8WD-SDR), Attn: GWR Manager, 1595 Wynkoop Street, Denver, CO 80202 or email a copy of the PN and the certification to R8DWU@epa.gov within ten days after issuing the notice [40 CFR 141.31(d)].