



REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129

February 17, 2024

Ref: 8WD-SDB

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Steven Terry, Water Specialist
Hilliard Ward
50 East North Temple Street, 12th Floor
Salt Lake City, Utah 84150-0012
drinkingwater@churchofjesuschrist.org

Re: **Notice of Noncompliance**
Revised Total Coliform Rule
Failure to Complete Corrective Action from Level 2 Assessment
PWS ID# WY5601491 NC

Dear Steven Terry:

The purpose of this letter is to inform you that Hilliard Ward has failed to complete the corrective action specified during your June 29, 2023, 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 by February 1, 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: 1-877-876-9101

Mail: Refer to the address at the top of this letter. Use Mail Code 8WD-SDB 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 violations of the National Primary Drinking Water Regulations may result in formal enforcement action taken against your water system. If formal enforcement action were to be necessary, the Safe Drinking Water Act provides for civil penalties of up to \$69,733 per day of violation. 69,733We prefer to address problems before such formal enforcement is necessary and ask 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,

**JUDY
BLOOM**

Judy Bloom

Supervisor, Drinking Water Section B
Water Division

Digitally signed by
JUDY BLOOM
Date: 2024.02.17
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Enclosure(s)

cc:

Jesse Rowe, Technician
Hilliard Ward
jrowe@wetcousa.com

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Failed to Correct a Problem Discovered

[Water System Name]

During an Assessment of the Water System after Testing Positive for *E. coli*

During recent monitoring, our water system tested positive for *E. coli*. **E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems. We violated the standard for E. coli, indicating the need to look for potential problems in water treatment or distribution.*

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

*[Describe the TT violation, using the mandatory language of *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. You were notified of the *E. coli* in our water on _____ [enter date when Tier 1 public notice of the MCL violation that triggered the assessment was provided] and on _____ [enter date] that no additional contamination has been identified and that you do not need to boil your water or take other corrective actions. Although our recent sampling has indicated coliform bacteria are absent, we are still required to assess the system and correct any defects found.

What should I do?

- You still do not need to boil your water or take 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?

This is not an emergency. If it had been you would have been notified within 24 hours.

Failure to identify and correct system defects has the potential to cause 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 you expect to return to compliance or resolve the situation.]

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

Beginning April 1, 2016, a public water system triggers a Level 2 assessment when:

- The public water system has an *E. coli* maximum contaminant level (MCL) violation;

A TT violation related to a Level 2 assessment that was triggered by an *E. coli* MCL violation requires Tier 2 public notice with mandatory health effects language stating *E. coli* was detected in the water system. Violations of Level 2 assessments related to *E. coli* require Tier 2 public notice and occur when any public water system has:

- Failed to conduct the triggered Level 2 assessment within 30 days after learning that it has exceeded the trigger; or
- Failed to correct any sanitary defect found through a Level 2 assessment within 30 days or in accordance with a schedule acceptable to the EPA.

TT violations for Level 2 assessments that are triggered by more than one Level 1 assessment require different mandatory health effects language and are addressed in Template 2-21.

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 EPA Region 8 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 EPA Region 8.

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 EPA Region 8.

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.

E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems. We violated the standard for E. coli, indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct a detailed assessment 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 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 *E. coli* in the distribution system will likely differ from system to system. Your notice must describe the corrective action(s) you are taking [40 CFR 141.205(a)(7)] 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 supplies are protected against contamination, we are working with EPA Region 8 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 [EPA Region 8].

After Issuing the Notice

Make sure to send a copy of each type of notice and a certification that you have met all the public notification requirements to EPA Region 8 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: 1-877-876-9101

Mail: Refer to the address at the top of your letter. Use Mail Code 8WD-SDB 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: _____

WY5601491 Hilliard Ward

Assess Conducted Date	Sanitary Defect	EPA REQUIRED ACTION	PWS PROPOSED ACTION	EPA REQUIRED DUE DATE	MOST RECENT ACTION
6/29/2023	1.8	1.8 Install cross connection prevention devices. Without an atmospheric breaker, bacteria can grow from piping in the yard into the home plumbing. Cross connections allow non potable water into a potable water system.	1.8 Atmospheric Vacuum Breakers (AVBs) will be installed on outside hose spigots by August 1, 2023.	1.8 Send labeled photo documentation of the cross connection prevention devices by 09/11/2023.	1.8 No photo received. This is a violation of the Level 2 Assessment.
6/29/2023	5.1a	5.1a Since May 2023 there have been 15 out of 18 TC+ sample results. Change the UV bulb that was identified as needing to be replaced in the June 2023 Level 1 Assessment. Change any filters that weren't changed in already in 2023.	5.1a An O&M schedule will be developed and implemented by September 1, 2023.	5.1a Send EPA a summary of all the maintenance that has been done on the treatment units since May 2023, when the TC+ samples started occurring. Send the summary by 09/11/2023.	5.1a Email from EPA on 12/27/23: You also need to complete a change form that says that the UV has been removed and the system is now chlorinating so that EPA can update the schematic and sampling requirements. The form can be found at https://www.epa.gov/region8-waterops/epa-r8-public-water-system-inventory-change-form . Send the change form and a photo that shows the UV is no longer hooked up, to R8DWU@epa.gov. Once I receive the photo showing the UV is no longer active I can close sanitary defect 5.1a. This is a violation of the Level 2 Assessment.