



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ELECTRONIC MAIL
CONFIRMATION OF EMAIL RECEIPT REQUESTED

James Bowman Wiley, Jr.
Owner, CJT Group, LLC
301 Blue Bell Lane
Americus, Georgia 31210
wwautosalesllc@gmail.com

Re: Notice of Noncompliance and Concerns Pursuant to Section 1414(a)(1)(A) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(a)(1)(A), Arlington Terrace MHP, Graystone Village, Koinonia Forest Park, Koinonia Village, and Southern Hills Subdivision Public Water Systems in Americus, Georgia. PWS ID Numbers: GA2610036, GA2610045, GA2610013, GA2610017, and GA2610039

Dear James Bowman Wiley, Jr.:

The U.S. Environmental Protection Agency is responsible for assuring public water systems (PWSs) provide safe drinking water in accordance with the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et seq.*, and the regulations promulgated thereunder. According to the information in the EPA's Safe Drinking Water Information System, the Arlington Terrace Mobile Home Park Public Water System (Arlington Terrace) serves a population of approximately 38, with 15 service connections. Graystone Village Public Water System (Graystone Village) serves a population of approximately 89, with 33 service connections. Koinonia Forest Park Public Water System (Koinonia Forest Park) serves a population of approximately 84, with 31 service connections. Koinonia Village Public Water System (Koinonia Village) serves a population of approximately 70, with 26 service connections. Southern Hills Subdivision Public Water System (Southern Hills) serves a population of approximately 149, with 55 service connections. Pursuant to Section 1401(15) of the SDWA, 42 U.S.C. § 300f(15), the PWSs are therefore a community water system.

A community water system is subject to the requirements of the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. Part 141; and the Georgia Rules for Safe Drinking Water, promulgated pursuant to the Georgia Safe Drinking Water Act of 1977, Act No. 231 O.C.G.A. § 12-5-170 *et seq.* Pursuant to SDWA Section 1413, 42 U.S.C. § 300g-2, the Georgia Environmental Protection Division (EPD) is the primary agency responsible for implementing and enforcing the public water supply program for Georgia. See O.C.G.A. § 12-5-171.

Notice of Noncompliance

Based on information observed during the drinking water inspection conducted by the EPA and EPD on June 16, 2023, and contained in the inspection report dated July 10, 2023, the EPA

alleges that the Arlington Terrace, Graystone Village, Koinonia Forest Park, Koinonia Village, and Southern Hills PWSs are in noncompliance with the SDWA, the NPDWRs, and the Georgia Primary Drinking Water Regulations, as described below:

1. Pursuant to 40 C.F.R. § 141.33, any owner or operator of a PWS shall retain on its premises or at a convenient location near its premises the following records:
 - (a) Records of microbiological analyses and turbidity analyses shall be kept for not less than five years. Records of chemical analyses shall be kept for not less than 10 years.
 - (b) Records of action taken by the system to correct violations of primary drinking water regulations shall be kept for a period not less than three years after the last action taken with respect to the particular violation involved.
 - (c) Copies of any written reports, summaries or communications relating to sanitary surveys of the system conducted by the system itself, by a private consultant, or by any local, State or Federal agency, shall be kept for a period not less than 10 years after completion of the sanitary survey involved.
 - (d) Records concerning a variance or exemption granted to the system shall be kept for a period ending not less than five years following the expiration of such variance or exemption.
 - (e) Copies of public notices issued pursuant to subpart Q and certifications made to the primacy agency pursuant to § 141.31 must be kept for three years after issuance.
 - (f) Copies of monitoring plans shall be kept for the same period of time as the records of analyses taken under the plan are required to be kept under paragraph (a).

At all five Systems identified above, the only records housed onsite and available for review during the inspection were monthly operating reports and several posted public notices. No other records, including sampling schedules, laboratory results, and correspondence related to violations, were available for review. Therefore, Arlington Terrace, Graystone Village, Koinonia Forest Park, Koinonia Village, and Southern Hills PWSs are in noncompliance with 40 C.F.R. § 141.33 for failure to follow the records retention schedule as outlined and for failure to maintain records on the premises.

2. Pursuant to 40 C.F.R. § 141.31, except where a shorter period is specified, the supplier of water shall report to the State the results of any test measurement or analysis required by this part within:
 - (1). The first 10 days following the month in which the result is received, or
 - (2). the first 10 days following the end of the required monitoring period as stipulated by the State, whichever of these is shortest.

At all five Systems, Monthly Operating Reports, which report chlorine analysis and master meter readings, for March, April, and May 2023 were not available for review during the inspection. Staff stated that the reports were not yet completed for those

months. Therefore, Arlington Terrace, Graystone Village, Koinonia Forest Park, Koinonia Village, and Southern Hills PWSs are in noncompliance with 40 C.F.R. § 141.31 for failure to report to the State the results of measurements and analyses within the first 10 days following the months of March, April, and May 2023.

3. Pursuant to Ga. Comp. R. & Regs. R. 391-3-5-.05(3), beginning January 1, 1998, all new, additions, or extensions to public water systems shall be designed and constructed in accordance with the latest edition of the Division's "Minimum Standards for Public Water Systems".

Pursuant to "Minimum Standards for Public Water Systems" 4.17.d., human access shall be through controlled locations only. Intrusion deterrence measures (e.g., physical barriers such as fences, window grates and security doors; traffic flow and check-in points; effective lighting; lines of sight; etc.) should be incorporated into the facility design to protect critical assets and security sensitive areas.

The fences surrounding Arlington Terrace and Koinonia Village were falling down, providing uncontrolled access points to the PWSs.

The fence surrounding Graystone Village was a knee-high picket fence, which can be stepped over to gain access to the System. Likewise, the door to access the System was laying on the ground in front of the gate. Both conditions provide uncontrolled access points to the System.

The fence surrounding Koinonia Forest Park was falling down, providing uncontrolled access points to the System. Likewise, the door to access the System was unlocked and open upon arrival at the system.

Therefore, the Arlington Terrace, Graystone Village, Koinonia Forest Park, and Koinonia Village PWSs are in noncompliance with the Minimum Standards for Public Water Systems for failure to provide access to the System only through controlled locations.

4. Pursuant to Ga. Comp. R. & Regs. R. 391-3-5-.14(2), the supplier of water must continuously chlorinate the water to maintain a detectable residual of free chlorine in all parts of the distribution system in the recommended amount of at least 0.2 milligrams per Liter (mg/L), and such additional amounts as may be determined necessary by the Division, unless other means of disinfection have been approved by the Director.

At the time of the inspection, the Graystone Village chlorine pump was not dosing the raw water with chlorine due to a clog in the tubing. The measured chlorine residual was 0.12 mg/L when initially tested and 0.05 mg/L when retested to confirm that the residual was less than 0.2 mg/L.

Therefore, Graystone Village PWS is in noncompliance with Ga. Comp. R. & Regs. R. 391-3-5-.14(2) for failure to continuously chlorinate the water and maintain a detectable residual of free chlorine of at least 0.2 mg/L.

5. Pursuant to Ga. Comp. R. & Regs. R. 391-3-5-.09(d), chemical feed equipment shall be of such design and capacity to accurately supply, at all times, the treatment chemicals required.

During the sanitary survey performed by EPD on September 27, 2022 for Graystone Village PWS, EPD had noted as a significant deficiency that the backflow preventor on the chlorine injection port was operating improperly, resulting in dilution of the chlorine supply. Consequently, there is not an accurate supply of treatment chemical. EPD gave the Graystone Village PWS 30 days from receipt of the 2022 sanitary survey report to address the issue and provide documentation of the corrective action.

During the June 16, 2023 EPA inspection, Graystone Village staff stated that the backflow preventor on the chlorine injection port was still operating improperly.

Therefore, the Graystone Village PWS is in noncompliance with Ga. Comp. R. & Regs. R. 391-3-5-.09(d) for failure to ensure that the chemical feed equipment can accurately supply treatment chemicals.

6. Pursuant to “Minimum Standards for Public Water Systems” 6.1.e., the minimum effective storage volume of pressure tanks, in gallons, shall equal the peak demand, in gallons per minute (gpm), minus the pumping capacity (gpm), multiplied by 20.

During the sanitary survey performed by EPD on September 27, 2022, for Koinonia Forest Park PWS, EPD had noted that 85 gallon storage tank at the PWS was valved off. EPD stated that it would notify the PWS if the existing storage capacity was adequate following the receipt of well pump information. In a letter sent from EPD on October 26, 2022, the PWS was notified that the existing storage capacity no longer met the Minimum Standards requirement, as the required capacity calculated by EPD is 3,500 gallons. EPD gave the Koinonia Forest Park PWS 30 days from receipt of the letter to submit plans and specifications detailing how the PWS will be modified to meet the storage requirement.

During the sanitary survey performed by EPD on September 27, 2022, for Southern Hills PWS, EPD had noted that the storage capacity at the PWS no longer met the Minimum Standards requirement for storage capacity. The calculated required storage capacity for the PWS is 2,300 gallons. Currently, and at the time of the sanitary survey, the PWS has 150 gallons of storage capacity. EPD gave the Southern Hills PWS 30 days from receipt of the 2022 sanitary survey report to submit a Corrective Action Plan describing how the storage capacity requirement would be met.

Therefore, the Koinonia Forest Park and Southern Hills PWSs are in noncompliance with the Minimum Standards for Public Water Systems for failure to have the minimum effective storage volume.

Notice of Concerns

During the June 2023 inspection, the inspection team identified several areas of concern. An area of concern may include a defect in design, operation, and/or maintenance; or a failure or malfunction of the sources, treatment, storage, and/or distribution system that is causing, or has the potential for causing, the introduction of contamination into the water delivered to consumers.

1. The inspection team observed threaded taps at the wells at all five Systems.

It is recommended that threaded taps be outfitted with backflow prevention devices or replaced with smooth-nosed sampling taps to eliminate the risk of cross-connections.

2. No backup power is available to power the wells at any of the five Systems in the event of an outage.

It is recommended that all Systems have a form of backup power to continue operations in the event of a power outage.

3. The owner of the five Systems stated that the wells are visited once or twice a month by the certified operator and approximately once per week by the owner.

It is recommended that all Systems be monitored daily. A log should be kept documenting any information pertinent to the PWSs, including master meter reading, measured chlorine residual, and pressure. Daily checks will ensure that any issues in the operation of the Systems are caught and corrected expeditiously.

4. The inspection team observed vegetative growth along the fences and within the grounds of the Koinonia Forest Park, Koinonia Village, and Southern Hills Subdivision PWSs.

It is recommended that the grounds of the Systems be kept clear and free of excessive vegetative growth.

5. Arlington Terrace MHP and Southern Hills Subdivision manually switches from one well to the other if the main well goes offline.

It is recommended that an automatic transfer switch be installed at the wells at both Systems to ensure that production is not impeded when a well goes offline.

Consistent with Section 1414(a)(1)(A) of the SDWA, 42 U.S.C. § 300g-3(a)(1)(A), the EPA is hereby notifying the Systems of the noncompliance it observed during its inspection. This Notice of Noncompliance shall not be construed as a final agency action subject to judicial review under Section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g). The EPA requests that within seven calendar days of receipt of this letter, the Systems contact the EPA to arrange a meeting to show cause why the Agency should not initiate legal proceedings against the Systems for these alleged violations. Please be advised that if the Owner fails to contact Whitney Buehler

within seven calendar days of receiving this letter to schedule a meeting/conference, the EPA may proceed with a formal enforcement action against the Systems without further notice.

In lieu of appearing in the EPA's offices for this meeting, a video or telephone conference may be scheduled. The Systems should be prepared to provide all relevant information with documentation pertaining to the above alleged violations. The Systems are encouraged to provide documentation of such actions to the EPA upon receiving this letter, or at the arranged meeting. The EPA's legal counsel may also be present at this meeting. Accordingly, the Systems have the right to have its legal counsel present.

The Systems may, if so desired, assert a confidential business information (CBI) claim covering any, or all, the information furnished to the EPA in response to this letter. Every CBI claim must be made in a manner described in 40 C.F.R. § 2.203 and must be fully substantiated with documentary evidence which shows how the claim meets every criterion listed in 40 C.F.R. §§ 2.208 and 2.304. If no CBI claim accompanies the Systems' information when it is received by the EPA, it may be made available to the public by the EPA without further notice to the Systems. Further details, including how to make a business confidentiality claim, are included in Enclosure A.

If you have any questions regarding this matter or to schedule a show cause meeting, please contact Whitney Buehler, EPA Drinking Water Enforcement Officer, at (404) 562-9739 or buehler.whitney@epa.gov. For legal inquiries, please have your attorney(s) contact Stephanie Gray, Associate Regional Counsel, at (404) 562-8251, or at gray.stephanie@epa.gov.

Sincerely,

KIMBERLY
BINGHAM

Digitally signed by
KIMBERLY BINGHAM
Date: 2023.08.18
17:06:19 -04'00'

for Keriema S. Newman
Acting Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Manny Patel, GA EPD
Manny.patel@dnr.ga.gov

Lisa Myler, GA EPD
Lisa.myler@dnr.ga.gov

ENCLOSURE A

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for information which deals with the existence, absence, or level of contaminants in drinking water, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. Applicable EPA regulations relating to business confidentiality claims are at 40 C.F.R. Part 2 and 40 C.F.R. § 2.304(e).

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential.” Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.