



REGION 7

LENEXA, KS 66219

November 20, 2025

SENT VIA ELECTRONIC MAIL

RECEIPT CONFIRMATION REQUESTED

Chris Vicente
Hillcrest Courts
2005 Bison Dr
Garden City, Kansas 67846
chris_vicente@yahoo.com

Re: Notice of Violation and Request for Information Pursuant to the Safe Drinking Water Act
Hillcrest Courts PWS
Water System No.: KS2005530

Dear Mr. Vicente:

The Safe Drinking Water Act (SDWA) protects public drinking water supplies throughout the nation. The Kansas Department of Health and Environment (KDHE) has the primary role in implementing the SDWA in Kansas. At the same time, the U.S. Environmental Protection Agency has the responsibility to support and oversee the state's implementation of the SDWA, including taking direct federal action, as in this case, when requested by KDHE.

According to our records and information received from the KDHE, the Hillcrest Courts Public Water System violated the National Primary Drinking Water Regulations of the Safe Drinking Water Act found at 40 Code of Federal Regulations Part 141 and 142. KDHE has made several attempts to work with you to resolve the PWS's SDWA noncompliance; however, violations and other issues of concern have continued despite their efforts. Beginning in July 2020 through February 2025, the KDHE has issued numerous Notices of Violation to Hillcrest Courts PWS requiring compliance with the SDWA. Non-compliance has continued at the PWS since issuance of those notices.

Information provided to us from the KDHE has been reviewed and it is determined that violations of SDWA were documented. The following Notice of Violation is issued pursuant to federal enforcement authority set forth in Section 1414 of the SDWA. 42 U.S.C. § 300g-3. Also, we are requesting additional information from the Hillcrest Courts PWS regarding its current compliance status with the National Primary Drinking Water Regulations of the Safe Drinking Water Act found at 40 Code of Federal Regulations Part 141 and 142.

Enclosed is a list of the violations along with questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required pursuant to the SDWA Section 1445, 42 U.S.C. Section 300j-4, and 40 C.F.R. Section 143.20 and substantial penalties may result from not complying. Please note that EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations, regardless of whether the violations were subsequently corrected.

Within thirty (30) calendar days of receiving this letter, please email your response and direct any questions you have to Morgan Hartwig, of my staff, at hartwig.morgan@epa.gov or (913) 551-7392. Thank you for your attention to this matter.

Sincerely,

DAVID
COZAD

Digitally signed by DAVID
COZAD
Date: 2025.11.20
13:47:48 -06'00'

David Cozad
Director
Enforcement and Compliance Assurance Division

Enclosures (4)

cc: William Carr; William.J.Carr@ks.gov
Rob Gavin; Rob.Gavin@ks.gov

Enclosure 1

List of Violations/Issue of Concern

Violation 1

Requirement – 40 C.F.R. § 141.403(a)(5)(i) and (ii) states that ground water systems with significant deficiencies shall, within 120 days (or earlier if directed by the State) of receiving written notification from the State of a significant deficiency, have completed corrective action or be in compliance with a State-approved corrective action plan and schedule.

Violation – KDHE completed a Sanitary Survey in September 2021 and identified that the PWS did not produce a Stage 2 Disinfection Byproducts Rule Monitoring Plan when requested by the State. In a letter dated September 14, 2021, KDHE identified the failure to produce a Stage 2 Disinfection Byproducts Rule Monitoring Plan as a significant deficiency and requested the PWS address this significant deficiency within 14 days of receipt of the letter (September 28, 2021). Based on a review of the state records, the PWS still has not addressed this significant deficiency and is in violation of 40 C.F.R. § 141.403(a)(5)(i) and (ii).

Corrective Action – To address the significant deficiency, the PWS must submit their Stage 2 Disinfection Byproducts Rule Monitoring Plan to KDHE in accordance with 40 C.F.R. § 141.132(f). Please also submit the Stage 2 Disinfection Byproducts Rule Monitoring Plan to EPA in accordance with Request for Information, Attachment 2.

Violation 2

Requirement – 40 C.F.R. § 141.85(d)(1) requires the PWS to provide a consumer notice of the individual tap results from any lead and copper tap water monitoring carried out under the requirements of 40 C.F.R. § 141.86 to the persons served by the PWS at the specific sampling site from which the sample was taken.

Violation – Based on information provided to the EPA, the PWS failed to submit the required Certificate of Delivery to KDHE as proof that the lead results and general information were distributed to the participants during the June 1 – September 30, 2024, compliance monitoring period.

Corrective Action – The PWS must distribute the lead results and general information to the participants of the June 1 – September 30, 2024, lead and copper compliance monitoring. The PWS must then provide to KDHE a signed and dated Certificate of Delivery. Please also submit a copy of the Certificate of Delivery to EPA in accordance with Request for Information, Attachment 2.

Violation 3

Requirement – 40 C.F.R. § 141.84(a)(1) requires that the PWS develop and submit a service line inventory that identifies the material and location of each service line connected to the public water distribution system to KDHE by October 16, 2024.

Violation – The PWS failed to complete and submit to KDHE the service line inventory by October 16, 2024.

Corrective Action – The System must develop and submit an initial service line inventory to KDHE. Please also provide EPA with a copy of the initial service line inventory in accordance with Request for Information, Attachment 2.

Issue of Concern

KDHE identified that the PWS was/is using Chlorox Bleach to disinfect the public water supply in both the September 2021 and April 2024 Sanitary Surveys. Clorox Bleach is not listed as a chemical which meets the drinking water standards from an American National Standards Institute approved organization. The drinking water standards relate to the safety of chemicals used in the production, storage, and delivery of potable water.

It is advised to utilize a chlorine disinfectant which meets the most recent requirements of applicable AWWA standards and NSF International's ANSI/NSF Standard 60: Drinking Water Treatment Chemicals – Health Effects to protect public health and the environment.

Enclosure 2

Request for Information

Pursuant to the SDWA Section 1445, 42 U.S.C. Section 300j-4, and 40 C.F.R. Section 143.20, you shall provide the EPA the following within thirty (30) days of the date of this information request.

Compliance with this information request is required by law. Failure to provide a timely, complete, and truthful response to this information request may subject Hillcrest Courts PWS to an enforcement action by the EPA, which could result in the imposition of injunctive relief and civil penalties. Please note that the Agency will consider responses that are incomplete, ambiguous, or evasive as a failure to respond to this information request. False, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used in the EPA administrative, civil, or criminal proceedings.

1. With regard to Violation Number 1, submit the Stage 2 Disinfection Byproducts Rule Monitoring Plan that complies with all the requirements of 40 C.F.R. § 141.132(f)(1-3) to KDHE and provide EPA with a copy of the plan along with a Certificate of Delivery to KDHE.
2. With regard to Violation Number 2, provide EPA with a copy of the signed and dated Certificate of Delivery submitted to KDHE illustrating that the PWS distributed the lead results and general information to the participants of the June 1 – September 30, 2024 lead and copper compliance monitoring event.
3. With regard to Violation Number 3, provide EPA with a copy of the initial service line inventory along with a Certificate of Delivery that it was submitted to KDHE.
4. Please submit a written description of the current disinfection treatment process and whether it meets the most recent requirements of applicable AWWA standards and NSF International's ANSI/NSF Standard 60: Drinking Water Treatment Chemicals – Health Effects to protect public health and the environment.
5. During the Sanitary Survey Inspection conducted by KDHE on April 29, 2024 Sanitary Survey Inspection conducted by KDHE, it was noted that the Hillcrest Courts PWS may “try to interconnect with the City of Garden City PWSS.” Provide an update and any information regarding the interconnection initiative.

Enclosure 3

Safe Drinking Water Act Section 1445 Information Request Instructions

1. Provide a separate narrative response to each request set forth above. Precede each response with the text and the number of the specific information request item, and its subpart if applicable, to which the response corresponds.
2. Any documents relied upon or used by you to answer any of the questions in this request must be copied and submitted with your response. All documents must be clearly labeled and contain a notation indicating the item and subpart of the item to which they are responsive, as well as the contents of the document.
3. If any item cannot be addressed in full, provide a response to the extent possible along with an explanation of why the item cannot be responded to in full. If your responses are qualified in any manner, please explain.
4. Provide the requested information in electronic format (e.g., on compact disc or in a pdf) or written format.
5. The information should be submitted with an electronic file system that names each folder and file name in a manner that identifies the number of the corresponding request item and subpart to which it responds as well as a brief description of the contents of the individual file.
6. All records and documents that were created and/or relied upon in responding to any part of this request must be maintained until the EPA informs you that maintenance is no longer required.
7. All information submitted pursuant to this information request must be submitted to (email one complete copy to the individual identified below):

Morgan Hartwig
U.S. Environmental Protection Agency, Region 7
Office of Enforcement and Compliance Assurance
11201 Renner Boulevard
Lenexa, Kansas 66219
hartwig.morgan@epa.gov

8. If you find, at any time after the submission of your response, that any portion of the submitted information is no longer accurate, false, and/or incomplete, you must notify the EPA of this fact immediately and provide a corrected response.
9. All responses to this request must be accompanied by a certificate that is signed and dated by you or the person who is authorized by you to respond to the request. The certification must state that the response is complete and contains all information and documentation available to you pursuant to the request. Enclosure 4 provides a Statement of Certification for this purpose.

Enclosure 4

STATEMENT OF CERTIFICATION

I certify that the information contained in or accompanying this submission is true, accurate, and complete.

As to the identified portion(s) of this submission for which I cannot personally verify truth and accuracy, I certify as the company official having supervisory responsibility for the person(s) who, acting under my direct instructions, made the submission, that this information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

(Signature)

(Full Name Printed)

(Title)

(Date)