



# VERMONT

## ENVIRONMENTAL CONSERVATION

Drinking Water & Groundwater Protection Division

### FORM

### PUBLIC NOTICE CERTIFICATION

Pursuant to the Vermont Water Supply Rule (Chapter 21, Subchapter 21-10), water systems shall provide public notification in a manner that ensures that all users of the system are notified. You are required to **return this form and a copy of each type of notice** that you issued to the below address within 10 days of issuing the public notice.

Public Water System Name:	WSID Number:
Public Notice issued for:	
Date System first learned of violation or situation:	

For **Tier 1 violations**: Consultation with Water Supply Division took place on \_\_\_\_\_ (date)  
(Tier 1 includes all MCL violations and disease outbreaks)

Please indicate the method(s) and date of distribution<sup>1</sup>:

- Hand or direct delivery on \_\_\_\_\_ (date)
- Radio, aired on \_\_\_\_\_ (date and time(s) aired)
- Television, aired on \_\_\_\_\_ (date and time(s) aired)
- Posted<sup>2</sup> in conspicuous locations on \_\_\_\_\_ (date)
- Distributed with the Consumer Confidence Report<sup>3</sup> on \_\_\_\_\_ (date)

<sup>1</sup>- The required method of delivery depends on system type (i.e., community, non-transient non-community, or transient water system) and the reason for the public notice (e.g., Tier 1, 2, or 3 violation). Please see reverse side for the delivery methods you may use.

<sup>2</sup>- Community Water Systems may use **posting as a secondary method**, but must also use radio, television, or hand or direct delivery.

<sup>3</sup>- Applicable for Community Water Systems and only for Tier 3 violations.

***I certify, as the Responsible Person (or authorized representative) of the water system indicated above, that public notice has been provided to customers in accordance with the delivery, content, and format requirements and deadlines in the Vermont Water Supply Rule (Chapter 21, Subchapter 21-10)***

\_\_\_\_\_  
Signature (must be signed by Responsible Person)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please type or print name

#### Requirements for Issuing Public Notice

The following table lists the time deadlines and required delivery methods for issuing public notices. Be sure to take steps to inform people if they would not be reached by the most commonly used methods of notification.

<b>Tier</b>	<b>Deadline for Notice</b>	<b>Delivery Methods</b>
Temporary Operating Permit	30 Days	<p><b>Community Water Systems</b></p> <p>1) Radio, television, or hand or direct delivery<sup>1</sup>; and 2) Another method as needed to reach all customers.</p> <p><b>Non-Transient Non-Community</b></p> <p>1) Radio, television, posting, or hand or direct delivery; and 2) Another method as needed to reach all customers.</p>
1	24 hours	<p><b>Community Water Systems</b></p> <p>1) Radio, television, or hand or direct delivery<sup>1</sup>; and 2) Another method as needed to reach all customers.</p> <p><b>Non-Transient Non-Community and Transient Non-Community Water Systems</b></p> <p>1) Radio, television, posting, or hand or direct delivery; and 2) Another method as needed to reach all customers.</p>
2	30 days	<p><b>Community Water Systems</b></p> <p>1) Mail or hand or direct delivery<sup>1</sup>; and 2) Another method as needed to reach all customers.</p> <p><b>Non-Transient Non-Community and Transient Non-Community Water Systems</b></p> <p>1) Posting, or hand or direct delivery; and 2) Another method as needed to reach all customers.</p>
3	1 year	<p><b>Community Water Systems</b></p> <p>1) Consumer Confidence Report<sup>2</sup>, mail or hand or direct delivery<sup>1</sup>; and 2) Another method as needed to reach all customers.</p> <p><b>Non-Transient Non-Community and Transient Non-Community Water Systems</b></p> <p>1) Posting, or hand or direct delivery; and 2) Another method as needed to reach all customers.</p>

<sup>1</sup> - CWS may use posting as a secondary method, but must also use radio, television, or hand or direct delivery.

<sup>2</sup> - CWS may use the Consumer Confidence Report (CCR) as a delivery method for Tier 3 violations. However, the timing and delivery requirements for CCRs differ from those for public notices. If you use the CCR to deliver Tier 3 notices, be sure is delivered to your customers no later than 1 year from the date the violation occurred. Also note that the CCR must include all language required for the public notice.

This (fact sheet/form/application) and related environmental information are available electronically via the internet. For information visit us through the Vermont Homepage at <http://www.vermont.gov> or visit VT WSD directly at [www.drinkingwater.vt.gov](http://www.drinkingwater.vt.gov)

Drinking Water and Groundwater Protection Division  
1 National Drive, 2<sup>nd</sup> floor  
Montpelier, VT 05620-3521  
Toll free 1-800-823-6500  
Out of State 1-802-241-3400  
Fax 1-802-828-1541



**Vermont Department of Environmental Conservation  
Drinking Water and Groundwater Protection Division**

One National Life Drive - Main 2  
Montpelier, VT 05620-3521  
[www.drinkingwater.vt.gov](http://www.drinkingwater.vt.gov)

[phone] 802-828-1535  
[fax] 802-828-1541

*Agency of Natural Resources*

February 17, 2015

**NOTICE OF ALLEGED VIOLATION**

CERTIFIED MAIL

Jane Maheux  
PO Box 174  
Underhill VT 05489

Re: Failure to Monitor for Stage 2 Disinfection Byproducts  
Jericho Underhill Water (VT0005096)  
EPA Violation Type: 27, MONITORING, ROUTINE (DBP), MAJOR  
Monitoring Period: August of 2014

Dear Jane Maheux:

The purpose of this letter is to notify you that the Agency of Natural Resources has found that the Jericho Underhill Water (the system), VT0005096, is in violation of the Vermont Water Supply Rule and Environmental Protection Agency (EPA) Regulations.

**ALLEGED VIOLATION:**

**Failure to Monitor for Stage 2 Disinfection Byproducts**

The Vermont Water Supply Rule (VWSR), Chapter 21, Subchapter 21-6 requires that all Public Water Systems comply with the provisions of Title 40 Code of Federal Regulations (CFR), Part 141, Subpart C, Monitoring and Analytical Requirements. Jericho Underhill Water Water System has not submitted results for the August of 2014 monitoring period.

In response to the alleged violation(s) described above and pursuant to 10 V.S.A. Section 8008, the Agency may issue an Administrative Enforcement Order which, among other things, would assess penalties, require correction and/or remediation of the alleged violation(s) and require other measures as deemed appropriate. Pursuant to 10.V.S.A Section 8019, Environmental ticketing, the Agency also has the authority to issue a citation containing civil penalties for any noncompliance with statute, rule, or permit. Your prompt response to this NOAV through the actions requested below or by other acceptable measures may lessen the possibility or severity of any enforcement action which the Agency may take.

**Compliance Directives:**

Within one year of the date of receipt of this letter, issue the required public notice, informing users of the system of your failure to monitor for chemical contaminants at the required frequency. Within 10 days of the date you issue the public notice, send a copy of the notice and a completed public notice certification form to the Division. Failure to issue timely public notice is an additional violation of the law which could subject you to additional penalties and sanctions. You may include additional information in your notice, provided you do not compromise the public health information contained in the required language.

Please direct questions regarding this violation to Billy Kahn at 802-585-4898.

Sincerely,



Ben Montross  
Compliance and Support Services Section Chief  
Drinking Water and Groundwater Protection Division

Enclosures

Public Notice Template  
Public Notice Certification Form

cc: Julie Hackbarth, Compliance Manager  
Marc Maheux  
WSID File VT0005096

## Instructions for Monitoring Violations - Annual Notice

Most monitoring violations are Tier 3 violations. You must provide public notice to persons served within one year after you learn of about a Tier 3 violation. The public notice must be reissued annually for as long as the situation exists. Use one or more of the following methods to deliver the notice to consumers:

- Radio
- Hand or direct delivery
- Television
- Consumer Confidence Report (applicable only to Community Water Systems), as long as it is issued within 1 year of the violation
- Mail
- Posting in conspicuous locations (Community Water Systems may use posting only as a secondary method, but must also use radio, television, mail, hand or direct delivery, or a Consumer Confidence Report)

In addition, you must use *another* method reasonably calculated to reach others if all users would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the next page is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR), as long as public notification timing and delivery requirements are met. Note that only Community Water Systems are required to distribute a CCR. You may need to modify the template for multiple monitoring violations. This example presents the violation in a table; however, you may write out an explanation for the violation if you wish.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Include in your notice the standard language for monitoring and testing procedure violations in *italics*. If you modify the notice, you may not alter this mandatory language.

### Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

### After Issuing the Notice

Send a copy of each type of notice and the Public Notice Certification to the Division within ten days from the time you issue the notice. The certification states that you have met all the public notice requirements.

The Division suggests you inform your customers when the violation is resolved.

**PUBLIC NOTICE**  
**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**  
**Monitoring Requirements Not Met for Jericho Underhill Water**

Our water system recently violated a drinking water standard. Even though this was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During **August of 2014** we **did not monitor or test** for **Stage 2 Disinfection Byproducts** and therefore cannot be sure of the quality of our drinking water during that time.*

**What should I do?**

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the August of 2014, how often we are supposed to sample for **Stage 2 Disinfection Byproducts** and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<b>Contaminant</b>	<b>Required sampling frequency</b>	<b>Number of samples taken</b>	<b>When all samples should have been taken</b>	<b>When samples were or will be taken</b>
Stage 2 Disinfection Byproducts	1 sample per year	0	August of 2014	

**What happened? What is being done?**

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For more information, please contact Jane Maheux at 802-899-3810 or  
PO Box 174  
Underhill VT 05489

*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 Jericho Underhill Water

Water System ID# VT0005096

Date distributed: