



Notification Sent Via Email

February 2, 2024

Shilo Sealy, SSEALY@LCECNET.COM
Lea County Electric Cooperative Inc, NM3594713
PO Box 1447
Lovington, NM 88260

RE: Revised Total Coliform Rule Maximum Contaminant Level Violation (MCL)

Attn Shilo Sealy:

On January 29, 2024 the Lea County Electric Cooperative Inc water system collected one microbiological sample, which was found to contain Total Coliform/*E. Coli*. Pursuant to Section 20.7.10.100 New Mexico Administrative Code (NMAC) [incorporating 40 Code of Federal Regulations (CFR) Section 141.853(a)(5)] you were required to collect and submit for analysis, three repeat samples within 24 hours of notification. Repeat samples were collected by Lea County Electric Cooperative Inc on January 31, 2024.

Pursuant to Section 20.7.10.100 NMAC [incorporation 40 CFR Section 141.63(c)(1) – (c)(4)], the Lea County Electric Cooperative Inc had an *E. Coli*. positive repeat sample following a total coliform positive routine sample, the Lea County Electric Cooperative Inc water system is in violation for exceedance of the Maximum Contaminant Level (MCL) for *E. Coli*.

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.202(b)], the Lea County Electric Cooperative Inc is required to give notice to consumers within 24 hours of triggering the MCL violation by one or more the following methods, necessary to reach all persons served by the water system:

1. Appropriate broadcast media (such as radio and television).
2. Posting of the notice in conspicuous locations throughout the area served by the water system.
3. Hand delivery of the notice to persons served by the water system, and any other method as necessary to inform the public.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Lea County Electric Cooperative Inc must certify that the notice was published and the method of publication, by submitting a completed copy of the enclosed Public Notification Certification Form to the DWB within 10 days of completing the public notification requirements. A representative copy of each type of notice distributed, published, posted or made available to the people served by the system must be included with the certification form.

Failure to comply with the public notice requirements will result in an additional violation(s) (failure to notify the public and the state) being issued without notice to the Lea County Electric Cooperative Inc. Continued failure to comply with Public Notification Requirements, as defined in 20.7.10.100 NMAC [incorporating 40 CFR Sections 141.203 and 141.31(d)] will result in escalated enforcement actions including issuance of Administrative Orders with possible penalties assessed against the Lea County Electric Cooperative Inc.

Additionally, pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.859(a)(2)(i)] the Lea County Electric Cooperative Inc is required to conduct a Revised Total Coliform Rule Level 2 Assessment. A Level 2 assessment is an evaluation to identify the possible presence of sanitary defects, defects in distribution system, coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. The Level 2 Assessment is required to be conducted by a certified Level 3 or Level 4 Water Operator, or any Level of operator that has attended an approved NMED 8 Hour RTCR Training Session.

The Level 2 Assessment must be completed within 30 days of triggering the assessment. Please see Level 2 Assessment guidance for further instructions on the requirements of Level 2 Assessments. Further information can be obtained at the following website: https://www.env.nm.gov/drinking_water/rtcr/.

Please fill out and return the public notice, public notice certification Form and Level 2 Assessment Checklist to: Brandi Littleton by email to brandi.littleton@env.nm.gov

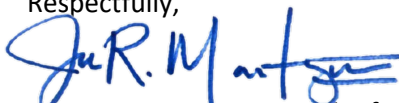
NMED-DWB reserves the right to take additional enforcement action regarding the violations identified in this NOV, to include the issuance of an Administrative Compliance Order compelling compliance and issuing civil penalties.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Bureau Chief Joe R. Martinez.

Please note that your facility will appear on the Department's Enforcement Watch as a result of this NOV (see: <https://www.env.nm.gov/enforcement-watch/>). Further, the Department will issue a press release to local media highlighting your public water system as appearing on this webpage. Your public water system will remain on the Enforcement Watch website as an active matter until this matter is fully resolved.

If you have any questions or need assistance, please contact Brandi Littleton at 575-323-4298 or by e-mail at brandi.littleton@env.nm.gov

Respectfully,



Joe R. Martinez, Bureau Chief
Drinking Water Bureau
Water Protection Division

Enclosures: Public Notice Template
Public Notice Certification Form

xc: Brandi Littleton, Southern Area Compliance Supervisor (electronic)
Deborah Jones, Compliance Officer (electronic)
Electronic Central File

Public Notice Instructions for Water Systems

Template on Following Page

Since exceeding the fecal coliform or *E. Coli*. maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but no more than 24 hours from learning of the violation [40 CFR 141.202(b)]. During this time, you must also contact NMED-DWB. You should also coordinate with your local health department. You may also have to modify the template if you also have high nitrate levels or other coliform MCL violations. You must use one or more of the following methods to deliver the notice to consumers [40 CFR 141.202(c)]:

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand deliver, print your notice on your system's letterhead, if you have it.

The notice on the reverse is appropriate for hand delivery or for publication in a newspaper. However, you may wish to modify it before using it for a radio or TV broadcast. If you do modify the 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.

Alternative Sources of Water

If you are selling or providing bottled water, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets US Food and Drug Administration (FDA) and/or state bottled water safety standards.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with fecal coliform or *E. Coli*. 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:

- We are chlorinating and flushing the water system.
- We are switching to an alternate drinking water source.
- We are increasing sampling for coliform bacteria to determine the source of the contamination.
- We are repairing the wellhead seal.
- We are repairing the storage tank.

We are restricting water intake from the river/lake/reservoir to prevent additional bacteria from entering the water system and restricting water use to emergencies.

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to NMED-DWB within ten days after you issue the notice [40 CFR 141.31(d)].

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of potential microbial contamination so they can use bottled water.

****PUBLIC WATER SYSTEM MUST APPROPRIATELY MODIFY THIS PUBLIC NOTICE TO INCLUDE UP-TO-DATE INFORMATION REGARDING THE VIOLATION AS WELL AS INFORMATION ABOUT THE CURRENT STATUS OF THE VIOLATION'S AFFECT ON THE WATER SYSTEM. PUBLIC WATER SYSTEM OFFICIAL MUST DELETE THIS PARAGRAPH ONCE PUBLIC NOTICE HAS BEEN APPROPRIATELY UPDATED, PRIOR TO SENDING OUT TO THE PUBLIC****

PUBLIC NOTICE

DRINKING WATER WARNING

E. Coli. is present in the Lea County Electric Cooperative Inc Drinking Water

BOIL YOUR WATER BEFORE USING

Fecal coliform [or *E. Coli.*] bacteria were found in the water supply on January 29, 2024 and January 31, 2024. These bacteria can make you sick and are a particular concern for people with weakened immune systems.

Bacterial contamination can occur when increased run-off enters the drinking water source (for example, following heavy rains). It can also happen due to a break in the distribution system (pipes) or a failure in the water treatment process.

What should I do? What does this mean?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for three minutes, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice. Boiling kills bacteria and other organisms in the water.
- **Fecal coliforms and E. Coli. are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.**
- The symptoms above 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. People at increased risk should seek advice from their health care providers about drinking this water.

What is being done?

[Describe corrective action.] We will inform you when tests show no bacteria and you no longer need to boil your water. We anticipate resolving the problem within **[estimated time frame]**.

For more information, please contact Shilo Sealy at 575-390-2249 or PO Box 1447, LOVINGTON, NM 88260. General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1-800-426-4791.

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 **Lea County Electric Cooperative Inc.** State Water System ID#: NM3594713.

Date distributed: _____.



New Mexico Environment Department - Drinking Water Bureau

Public Notification Certification Form – All Tiers

Requirements Pursuant to 40 CFR 141 (Subpart Q)

****This form and a copy of your Notice to the Public must be submitted to the State within 10 days of notifying your customers. ****

PWSID#: NM3594713 **Water System Name:** Lea County Electric Cooperative Inc

Violation or Situation Date: 2/2/2024

Individual Contaminant or Contaminant Group: 1A- E. Coli.

Violation or Situation Type: RTCR Maximum Contaminant Level

Violation or Situation Public Notification Tier: Tier 1

Distributed the notice by the following method(s), and on the following date(s) in accordance with 40 CFR 141.201:

- | | |
|---|-------------|
| <input type="checkbox"/> Continuously Post | Date: _____ |
| <input type="checkbox"/> Separate Mailing to Customers | Date: _____ |
| <input type="checkbox"/> Hand Deliver Notice to Customers | Date: _____ |
| <input type="checkbox"/> Publish Notice in Newspaper | Date: _____ |
| <input type="checkbox"/> Release Notice to and Announced by Broadcast Media | Date: _____ |
| <input type="checkbox"/> Post Notice on System Website | Date: _____ |
| <input type="checkbox"/> Billing | Date: _____ |
| <input type="checkbox"/> Annual Report (Consumer Confidence Report) | Date: _____ |
| <input type="checkbox"/> Other: _____ | Date: _____ |

Attach a copy of the posted Public Notice(s) to this certification form.

The public water system named above hereby certifies that public notification has been provided to its consumers in accordance with all delivery, content, and format requirements specified in 40 CFR Part 141:

Signature of Responsible Official

Date

Printed Name

Title of Responsible Official