Notification provided via E-mail

March 20, 2024

Manuel Madrano; mmedrano@jvps.org
Jemez Valley Public Schools, NM3590123
8501 Highway 4
Jemez Pueblo, NM 87024

RE: Notice of Violation – Stage 2 Disinfectants/Disinfection Byproducts Rule Monitoring

Attn: Manuel Madrano:

This letter serves as Notice of Violation that the Jemez Valley Public Schools did not complete all required Stage 2 Disinfectants/Disinfection Byproducts Rule (DBP2) monitoring for the contaminant(s) and compliance periods listed in Table 1 below. The monitoring requirements for DBP2 are defined in Section 20.7.10.100 New Mexico Administrative Code (NMAC) [incorporating 40 Code of Federal Regulations (CFR) Sections 141.621, 141.625, 141.627, and 141.628].

Table 1

Contaminants	Required Sample Point ID & Location	Sampling Frequency	Compliance Periods
Total Trihalomethanes & Haloacetic Acids	DBP-DIST Gym Boys Bathroom	Quarterly (1st month of QTR)	3Q2023
Total Trihalomethanes & Haloacetic Acids	DBP-DIST Gym Boys Bathroom	Quarterly (1st month of QTR)	4Q2023

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204(c)(1)], you are required to notify your customers of this non-sampling violation by <u>mail or other direct delivery to each customer</u> and any other methods (i.e., publication in a local newspaper or posting in conspicuous locations) as necessary to inform the public within one year from the date of this letter. Public notice must remain in place <u>*no less than seven days*</u> or as long as the violation still exists, which will be until the next round of compliance sampling is conducted. The Jemez Valley Public Schools must repeat the notice annually for as long as the violation persists.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)], the Jemez Valley Public Schools 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 <u>within 10 days of completing the public notification requirements.</u> A representative copy of each type of notice distributed, published, posted or made available to the persons served by the system must be included with the certification form.

Please fill out and return the enclosed Public Notice Certification Form to:
Oneva Peña by email to nmenv.dbp@env.nm.gov

Failure to comply with public notice requirements will result in an additional violation (failure to notify the public and the state) being issued without notice to the Jemez Valley Public Schools. Continued failure to comply with public notification requirements, as defined in 20.7.10.100 NMAC [incorporating 40 CFR Sections 141.204(c)(1) and 141.31(d)] will result in escalated enforcement actions including issuance of Administrative Orders with possible penalties assessed against the Jemez Valley Public Schools.

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 February 19, 2024, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Compliance Supervisor Wayne Jeffs.

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 Oneva Peña at 505-490-5363 or by e-mail at nmenv.dbp@env.nm.gov .

Respectfully,

Wayne Jeffs
Digitally signed by Wayne Jeffs
Date: 2024.03.20 16:23:40
-06'00'

Wayne Jeffs, DWB Compliance Supervisor
Drinking Water Bureau
Water Protection Division

Enclosures: Public Notice Template
                  Public Notice Certification Form

xc: Frank Baca, Compliance Officer (electronic)
     Electronic Central File

Template on Following Page

If you are required to provide Tier 3 notification, you must provide public notice to persons served within one year after you learn of the violation 20.7.10.100 NMAC [incorporating 40 CFR 141.204(b)]. Multiple monitoring violations can be serious, and the NMED DWB may have more stringent requirements. Check with the NMED DWB to make sure you meet its requirements.

Community systems must use one of the following 20.7.10.100 NMAC [incorporating 40 CFR 141.204(c)]:
• Hand or direct delivery
• Mail, as a separate notice or included with the bill

Noncommunity systems must use one of the following 20.7.10.100 NMAC [incorporating 40 CFR 141.204(c)]:
• Posting in conspicuous locations
• Hand delivery
• Mail

In addition, both community and noncommunity systems must use another method reasonably calculated to reach others if they would not be reached by the first method 20.7.10.100 NMAC [incorporating 40 CFR 141.204(c)]. 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 already been resolved, you must post the notice for at least seven days 20.7.10.100 NMAC [incorporating 40 CFR 141.204(b)]. If you mail, post, or hand deliver, print your notice on your system's letterhead, if available.

The notice on the following 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 20.7.10.100 NMAC [incorporating 40 CFR 141.204(d)]. You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

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. 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 for monitoring and testing procedure violations 20.7.10.100 NMAC [incorporating 40 CFR 141.205(d)] 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 20.7.10.100 NMAC [incorporating 40 CFR 141.205(d)]. This language is also presented in this notice in italics and with an asterisk on either end.

Corrective Action
In your notice, describe corrective actions you took, or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. You can use the following language, if appropriate, 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
Make sure to send the NMED DWB a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice 20.7.10.100 NMAC [incorporating 40 CFR 141.31(d)].

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for Jemez Valley Public Schools

Este informe contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.

Our water system violated drinking water requirements over the past year. Even though these were not emergencies, as our customers, you have a right to know what happened and what we are doing (did) to correct these situations.

*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 the 3rd and 4th quarters of 2023 we did not monitor or test for disinfection byproducts and therefore cannot be sure of the quality of your drinking water during that time. *

Table 1

Contaminants	Sample Name (Address)	Sampling Frequency	Compliance Periods
Total Trihalomethanes & Haloacetic Acids	DBP-DIST Gym Boys Bathroom	Quarterly (1st month of QTR)	3Q2023
Total Trihalomethanes & Haloacetic Acids	DBP-DIST Gym Boys Bathroom	Quarterly (1st month of QTR)	4Q2023

What should you do?
There is nothing you need to do. You do not need to boil your water or take other corrective actions. You may continue to drink the water. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours.

What happened and what is being done?
[Describe corrective action.] Jemez Valley Public Schools collected a disinfection byproduct compliance sample on 1/24/2024 and the water system is back in compliance with the Disinfection Byproduct Rule.

For more information, please contact:
Manuel Madrano at 903-647-1218
Jemez Valley Public Schools, NM3590123
8501 Highway 4
Jemez Pueblo, NM 87024

> **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.**

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#: NM3590123   **Water System Name:** Jemez Valley Public Schools

Violation or Situation Date: 3Q2023 & 4Q2023

Individual Contaminant or Contaminant Group: 27-DBP2

Violation or Situation Type: Monitoring and Reporting at Distribution

Violation or Situation Public Notification Tier: Tier 3

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

☐ Continuously Post   Date: _____
☐ Separate Mailing to Customers   Date: _____
☐ Hand Deliver Notice to Customers   Date: _____
☐ Publish Notice in Newspaper   Date: _____
☐ Release Notice to and Announced by Broadcast Media   Date: _____
☐ Post Notice on System Website   Date: _____
☐ Billing   Date: _____
☐ Annual Report (Consumer Confidence Report)   Date: _____
☐ 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:

Water System Representative: _____ _____ _____
                                          (Signature)   **(Print Name)**   **(Phone Number)**

                    Date of Certification: _____