Notification Sent Via Email

June 5, 2025

Dan Bowen, dbowen@pvtn.net
Pete Ragan Memorial WUA, NM3510219
PO Box 83
Mayhill, NM 88339

RE: Total Coliform Non-Sampling Violation

Dear Dan Bowen,

Our records indicate that the Pete Ragan Memorial WUA water system did not submit the required number of microbiological samples in accordance with an approved Revised Total Coliform Rule (RTCR) sampling plan for the month of April 2025. Pursuant to Section 20.7.10.100 NMAC [incorporating40 CFR 141.855(b)], you are required to collect one total coliform sample each month. Pete Ragan Memorial WUA water system is in violation of the above referenced section for failure to conduct routine total coliform monitoring. Therefore, the following is applicable.

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204], you are required to notify your customers of this non-sampling violation by mail or other direct delivery to each customer and any other methods as necessary to inform the public, within one year from the date of this letter. Please submit proof of publication within 10 days of completing publication of this notice. Proof of notification shall consist of the attached Certification form, signed and dated, indicating the delivery method(s) and a copy of the distributed Public Notice form. Public notice must remain in place no less than seven days or as long as the violation still exists, which will be until the next round of compliance sampling is conducted.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Pete Ragan Memorial WUA 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.

Please fill out and return the enclosed Public Notice Certification Form by email to Chet Markham at chet.markham2@env.nm.gov

Failure to comply with the public notice requirements will result in an additional violation (failure to notify the public and the state) being issued to the Pete Ragan Memorial WUA. 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 Pete Ragan Memorial WUA.

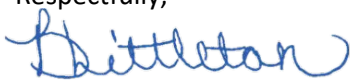
NMED-DWB reserves the right to take additional enforcement action regarding the violations identified in this NOV, to include the issuance of an Administrative Compliance Order compelling compliance and issuing civil penalties.

Pursuant to the NMED Delegation Order dated November 26, 2024, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Compliance Officer Brandi Littleton.

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 Chet Markham at 505-629-3085 or by email at chet.markham2@env.nm.gov

Respectfully,



Brandi Littleton, Compliance Supervisor
Drinking Water Bureau
Water Protection Division

Enclosures: Public Notice Template
Public Notice Certification Form

xc: Martin Torrez, PWSS Manager (electronic)
Chet Markham RTCR Administrator (electronic)
Electronic Central File

Public Notice Instructions for Water System

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

Non-community 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 non-community 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)].

PUBLIC NOTICE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for Pete Ragan Memorial WUA

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing.

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 April 2025, we did not complete all monitoring requirements for Total Coliform and therefore cannot be sure of the quality of our drinking water during that time.

What should you do?

There is nothing you need to do at this time.

What does this mean?

Our water system is required by law to collect a monthly total coliform sample. During this reporting period, we did not collect the required sample.

What happened? What is being done?

We collected the sample in June and have returned to compliance

Date that system collected next valid routine sample: 5/26/2025

For more information, please contact Dan Bowen at 575-687-3559 or PO Box 83, Mayhill, NM 88339.

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#: NM3510219 **Water System Name:** Pete Ragan Memorial WUA

Violation or Situation Date: April 2025

Individual Contaminant or Contaminant Group: 3A RTCR

Violation or Situation Type: Non-Sampling Violation

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:

_____ _____

Signature of Responsible Official Date

_____ _____

Printed Name Title of Responsible Official