

Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division
1 National Life Drive – Davis 4 [phone] 802-828-1535
Montpelier, VT 05620-3521 [fax] 802-828-1541
dec.vermont.gov/water

Agency of Natural Resources

Richmond Town of
PO BOX 285
RICHMOND VT 05477
jarneson@richmondvt.gov

February 22, 2023

NOTICE OF ALLEGED VIOLATION (NOAV)

Dear Richmond Town of,

The Agency of Natural Resources has found that you are in violation of the Vermont Water Supply Rule (Rule). Specifically, our records indicate that you failed to monitor for **Asbestos** as per the table below at Richmond Water Dept, VT0005084, in violation of Section 6.1.1 of the Rule.

Required number of samples	Sampling Location	Monitoring Period when samples were required to be collected	Number of samples collected during Monitoring Period
1	AS001	Fourth Quarter 2022	0

Compliance Directives:

1. **Within 45 days** from the date of this letter, monitor for the contaminants listed above and submit a copy of the test results to the Drinking Water and Groundwater Protection Division (Division);
2. Monitor according to the water system’s established monitoring [schedule](#);
3. **Within 12 months** of the date of this letter follow the instructions to complete and issue the enclosed public notice; and
4. **Within 10 days** of the date you issue the public notice complete the certification section of the public notice document and send a copy of the issued public notice to the Division.

Failure to issue timely public notice is an additional violation of the Rule.


In response to the alleged violation, the Agency may issue a Civil Complaint pursuant to 10 V.S.A § 8019 which would assess a penalty. The Agency may also issue an Administrative Order pursuant to 10 V.S.A. § 8008 which would require full compliance with all applicable statutes, rules, and/or permits; assess penalties; and if necessary, require corrective/restorative action and

any other measures deemed appropriate. Prompt correction of the alleged violation may lessen the possibility or severity of any enforcement action taken by the Agency.

If you have any questions about this alleged violation or need information on how to comply, please contact Marie Sawyer at marie.sawyer@vermont.gov or 802-261-1912.

Sincerely,

Julia S. Moore, Secretary
Vermont Agency of Natural Resources

By:  _____

Janelle S. Wilbur, Compliance Section Supervisor
Department of Environmental Conservation
Drinking Water and Groundwater Protection Division

Encl: Public Notice Instructions
Public Notice Template & Certification Form

cc: Janelle Wilbur, Compliance Section Supervisor, DWGPD
Marie Sawyer, Compliance Analyst, DWGPD
Allen C Carpenter, Designated Operator, acarpenter@richmondvt.gov
Josh Arneson, Administrative Contact, jarneson@richmondvt.gov
WSID File VT0005084

Instructions for Monitoring Violations - Annual Notice

This is a Tier 3 violation. You must provide public notice to persons served within 12 months after you learn of 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:

Community systems must use one of the following:

- Hand or direct delivery
- Mail, as a separate notice, included with a bill, or with the **Consumer Confidence Report** as long as it is issued within 1 year of the being notified of the violation

Non-Community Non-Transient (NTNC) systems must use one of the following:

- Posting in conspicuous locations
- Hand delivery
- Mail

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 email, newspapers, radio, television, 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 seven days. 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, for community systems), as long as public notification timing and delivery requirements are met. You may need to modify the template for multiple monitoring violations. The template 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.

Mandatory language for monitoring violations must be included as written (with blanks filled in) and is indicated with italics in the template. If you modify the notice, you may not alter this mandatory language, but it can be in italics or regular font.

What happened? What is being done?

This section of the public notice **MUST** be completed prior to distributing. Describe why the situation exists and what corrective actions you took or will be 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 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 10 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
Richmond Water Dept, VT0005084

Our water system recently violated a drinking water standard. Even though this was not an emergency, customers have a right to know what happened.

*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 **Fourth Quarter 2022** we **did not monitor or test** for **Asbestos** 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 summarizes our monitoring violation(s):

Contaminant	Required sampling frequency	Number of samples taken during required monitoring period	Monitoring period when samples were required to be collected	When samples were or will be collected
Asbestos	1 per 9 years	0	Fourth Quarter 2022	

What happened? What is being done?

For more information, contact Josh Arneson at 802-434-5170 or PO Box 285, Richmond, VT 05477.

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.

Certification	
Method(s) of Distribution: _____	Date Distributed: _____
(e.g. hand or direct delivery, posting ¹ , television, radio)	
<p>I _____ (print name) Certify, as the Responsible Person (or authorized representative) of the water system indicated above, that the 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).</p>	
Signature: _____	Date: _____
<p><i>Within 10 days of issuance of public notice, send a copy of the notice to:</i> VT-DEC, Drinking Water and Groundwater Protection Division, 1 National Life Drive – Davis 4, Montpelier, VT 05620-3521</p>	
<p><small>1 - Community Water Systems may use posting as a second method, but must also use radio, television, or hand or direct delivery.</small></p>	