



Notification provided via E-mail

5/1/2023

Michael Gonzales; gm@timberonwater.com
Timberon W and SD, NM3546419
PO Box 40
Timberon, NM 88350

RE: Notice of Violation – Disinfection Residual Monitoring and Reporting

Dear Michael Gonzales:

This letter serves as Notice of Violation that the Timberon W and SD water system did not report disinfectant residuals collected from the distribution system during the 4th Quarter of 2022 (October).

Monitoring requirements for disinfectant residuals are defined in the New Mexico Drinking Water Regulation, 20.7.10.100 NMAC [incorporating 40 CFR 141.132 (c)]. Additionally, the Timberon W and SD water system is required to report disinfectant residuals to the New Mexico Environment Department Drinking Water Bureau (NMED DWB) **within 10 days after the end of each quarter in which residuals were collected** as defined in 20.7.10.100 NMAC [incorporating 40 CFR Section 141.134(c)(1)].

The maximum residual disinfection level (MRDL) for chlorine is 4.0 mg/L and is determined by a running annual average (RAA). The MRDL for chlorine is defined in 20.7.10.100 NMAC [incorporating 40 CFR Section 141.65 (a)] and the RAA is defined in 20.7.10.100 NMAC, [incorporating 40 CFR 141.133(c)(1)(i)].

Based on the failure to report the disinfectant residuals, the NMED DWB requires the Timberon W and SD water system to notify customers of this monitoring violation as required in 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204(b)]. The notice must be provided within one (1) year of receipt of this letter to all customers and others who drink the water and must be issued annually as long as the violation persists. In addition, public notice must be provided by one other method reasonably expected to reach consumers of the water system, i.e., publication in a local newspaper or posting in conspicuous locations.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Timberon W and SD water system 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 persons served by the system must be included with the certification form.

Please fill out and return the enclosed Public Notice Certification Form to:

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE
Tim Willy by email at tim.willy@env.nm.gov
2301 Entrada Del Sol, Las Cruces, NM 88001 | 505-690-6657 | www.env.nm.gov

Failure to comply with the public notice requirements will result in additional violations (failure to notify the public and the state) being issued without notice to the Timberon W and SD water system. Continued failure to comply with Public Notification Requirements, as defined in 20.7.10.100 NMAC [incorporating 40 CFR Sections 141.204 (b) and 141.31(d)] will result in escalated enforcement actions including issuance of Administrative Orders with possible penalties assessed against the Timberon W and SD water system.

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.

If you have any questions or need assistance, please contact me at 505-690-6657 or by e-mail at tim.willy@env.nm.gov.

Respectfully,

A handwritten signature in black ink that reads "Tim Willy". The signature is written in a cursive, slightly slanted style.

Tim Willy, Compliance Officer
Drinking Water Bureau
Water Protection Division

Enclosures: Public Notice Template
 Public Notice Certification Form

cc: Brandi Littleton, Area Supervisor (electronic)
 Electronic Central File

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Timberon W & SD Failed to Correct Significant Deficiencies Within Required Time Frame

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 recently violated a drinking water requirement. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

A routine sanitary survey conducted on July 16, 2022 by the New Mexico Environment Department-Drinking Water Bureau (NMED DWB) found:

005P Inadequate treatment plant failure alarm or auto shut down.

Required Corrective Action: Timberon W and SD must provide documentation that the treatment plant can shut down when exceeding acceptable turbidity, chlorine residual, or UV range.

District Response: **I and C Solutions, Inc. has been tasked to provide programming services to install; alarms, permissive and interlocks for Chlorination limits that once exceeded will safely shut down the Ultra Filtration Unit.**

Programming mitigation on Chlorine shutdown/alarms is to be completed by May 31st 2023.

SW26 Significant Deficiency Code: SW26 - Lack of calibration documentation Required

Corrective Action: Timberon W and SD must provide documentation that a handheld or benchtop turbidimeter is used routinely for verifying in-line meters and that all meters are calibrated on a schedule according to regulations. Calibration procedures must be documented in the Operations and Maintenance Plan.

District Response:

District Contract Level 4 Contract water operator will provide the update to the Operations and Maintenance Plant with the Calibration Procedures. The Level 4 Technician will provide training to the Water operator responsible for the Water Treatment plant daily operation.

Training and Calibration procedures will be completed by May 31st 2023.

The back up handheld Turbidity Meter has been purchased which is on site currently.

SW37 Failure to monitor UV lamp Regulatory Citation: 20.7.10.100 incorporating 40 CFR

141.720(d) Significant Deficiency Description: UV lamp calibration equipment was not presented at the time of the sanitary survey, and the UV calibration procedure was not known to the staff. Required Corrective Action Plan: Timberon W and SD must submit a written Corrective Action Plan to DWB within 45 days of the sanitary survey cover letter date. Required Corrective Action: Timberon W and SD must provide documentation that UV disinfection units are calibrated in accordance with the regulations.

District Response:

District level 4 contract operator for the UF unit has provided the calibration sheet verifying that the calibration has been being performed they are on file at the UF unit. Date to be completed is 05/31/23

001B Significant Deficiency Code: 001B-Leaks detected in system Regulatory Citation: 20.7.10.400 B Significant Deficiency Description: a) Transmission line from the Treatment Plant #1 (009) to the Clear Well is leaking b) Transmission line from the Treatment Plant #2 (008) to the Clear Well is leaking c) Bolts on Storage Tank #2 (023) were leaking.

Date to be completed is 05/31/23

1. 004D Significant Deficiency Code: 004D-Inadequate replacement equipment (excessive water loss) Regulatory Citation: 40 CFR 141.403(a)(4) Significant Deficiency Description: Excessive water loss. Timberon W and SD describes water loss in distribution near or exceeding 80%.

District Response:

The timetable for completion will be phased (See ICIP Grant Request System Improvement 2024-2028 which is attached)line replacement by September 13th 2027. Additionally, Excerpt from violation notice from Feb. 27th 2023

The bottom line is unless we are funded via colonias, capital outlay and ICIP processes the district can do very little to correct the deficiency. The daily activities to work toward this goal are; adequate field and SCADA surveillance, prompt isolations when leaks are identified and following the proper line repair regulations are followed.

As required by Environmental Protection Agency's (EPA's) Surface Water Rule, we were required to correct these deficiencies. However, we failed to take this action by the deadline established by the NMED DWB.

What should I do?

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours.

**Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and*

*associated headaches. **

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What is being done?

In the body of this Notice of Violation indicates the nature of specific violations which the district is working to resolve from the June 2022 Sanitary Survey report. Each finding in this report indicates corrective action and also the date that the corrective action is anticipated to be completed.

For more information, please contact: The General Manager at 575-987-2250
Timberon W & SD, NM88350

gm@timberonwater.com
PO Box 40
Timberon, NM 88350

****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. ****