



**NEW MEXICO  
ENVIRONMENT DEPARTMENT**



SUSANA MARTINEZ  
Governor

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Lt. Governor

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BUTCH TONGATE  
Cabinet Secretary  
J. C. BORREGO  
Acting Deputy Secretary

October 7, 2016

Fred Whistle  
Harvest Gold Subdivision, NM3511524  
PO Box 5520  
Farmington, NM 87499

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

Attn: Fred Whistle:

**This letter serves as Notice of Violation that the Harvest Gold Subdivision 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 Period(s)
Total Trihalomethanes	TTHM-IND 78A RD 4903	Quarterly	4 <sup>th</sup> Quarter 2013 3 <sup>rd</sup> and 4 <sup>th</sup> Quarters 2014 1 <sup>st</sup> Quarter 2015 2nd and 3rd Quarters 2016
Haloacetic Acids	HAA5-IND 43 RD 4909	Quarterly	4 <sup>th</sup> Quarter 2013, 1 <sup>st</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> Quarters 2014 1 <sup>st</sup> Quarter 2015 2nd and 3rd Quarters 2016

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 **mail or other direct delivery to each customer** 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 **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. The Harvest Gold Subdivision 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 Harvest Gold Subdivision 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:

**Jan Dye**  
**1277-A S. Second Street**  
**Raton, NM 87740**

**Or by email to [jan.dye@state.nm.us](mailto:jan.dye@state.nm.us)**

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 Harvest Gold Subdivision. 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 Harvest Gold Subdivision.

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 call 575-445-3621 or e-mail [jan.dye@state.nm.us](mailto:jan.dye@state.nm.us).

Respectfully,



Janice L. Dye, Compliance Officer/Stage 2 DBP Rule Administrator  
Drinking Water Bureau  
Water Protection Division

Enclosures: Public Notice Template  
Public Notice Certification Form

cc: Area Supervisor (electronic)  
Harvest Gold Subdivision water system Area Office file  
Electronic Central File

# IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

## Monitoring Requirements Not Met for Harvest Gold Subdivision

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

On 10/7/2016, we became aware that our system recently failed to collect monitoring samples required by the Stage 2 Disinfectants/Disinfection Byproducts Rule. Although this incident was not an emergency, as our customers, you have a right to know what happened, and what we are doing to correct the situation.

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. Table 1 list the contaminants and the compliance periods for which we did not monitor correctly. Because these samples were not collected, we cannot be sure of the quality of our drinking water during the compliance periods listed below.

Table 1

Contaminants	Sample Name (Address)	Sampling Frequency	Compliance Period(s)
Total Trihalomethanes	TTHM-IND 78A RD 4903	Quarterly	4 <sup>th</sup> Quarter 2013 3 <sup>rd</sup> and 4 <sup>th</sup> Quarters 2014 1 <sup>st</sup> Quarter 2015 2nd and 3rd Quarters 2016
Haloacetic Acids	HAA5-IND 43 RD 4909	Quarterly	4 <sup>th</sup> Quarter 2013, 1 <sup>st</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> Quarters 2014 1 <sup>st</sup> Quarter 2015 2nd and 3rd Quarters 2016

### 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.] We anticipate resolving the problem within [estimated time frame].

### For more information, please contact:

Fred Whistle at 505-325-2435 or at:

Harvest Gold Subdivision, NM3511524  
PO Box 5520  
Farmington, NM 87499

*\*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#:** NM3511524    **Water System Name:** Harvest Gold Subdivision water system

**Violation or Situation Date:** October 7, 2016

**Individual Contaminant or Contaminant Group:** DBP2

**Violation or Situation Type:** Monitoring and Reporting at Dist

**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:

- |                                                                             |             |
|-----------------------------------------------------------------------------|-------------|
| <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:

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

**Date of Certification:** \_\_\_\_\_



## New Mexico Environment Department - Drinking Water Bureau Violation Inventory Action Form

<b>General Information</b>		M&R – DBP2			
System Name:	<u>Harvest Gold Subdivision</u>	Staff:	Janice Dye	Manager:	Chris Cudia
WSS#	<u>NM3511524</u>	Data Steward:	Daniel Ramirez	Date:	<u>10/7/2016</u>
Violation Type:	<u>27</u>	Enforcement Type	<input type="checkbox"/> SIA <input type="checkbox"/> SIE	Determination Date:	<u>10/7/2016</u>
Water System Facility #:	<u>000</u>	Violation Period(s):	<u>2013, 2014, 2015 and 2016</u>		

<b>Comments:</b>	TTHM-IND NOV – 4Q 2013, 3Q & 4Q 2014, 1Q 2015, 2Q & 3Q2016 HAA5-IND NOV– 4Q 2013, 1Q, 3Q & 4Q 2014, 1Q 2015, 2Q & 3Q2016
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<b>Violation Action</b>
<input checked="" type="checkbox"/> Validate <input type="checkbox"/> Reject (Needs Area Supervisor Approval Below) <input type="checkbox"/> Delete (Needs Area Supervisor and PWSS Manager Approval Below)

<b>Approval Required for Deleted or Rejected Violations</b>
<b>AREA SUPERVISOR</b>
<input type="checkbox"/> Approved <span style="float: right;"><input type="checkbox"/> Denied</span>
Area Supervisor Comments:
Area Supervisor Name: _____ Date: _____ Area Supervisor Signature: _____
<b>PWSS GROUP MANAGER</b>
<input type="checkbox"/> Approved <span style="float: right;"><input type="checkbox"/> Denied</span>
PWSS Group Manager Comments:
PWSS Group Manager Name: _____ Date: _____ PWSS Group Manager Signature: _____