



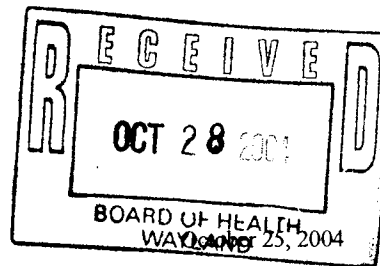
COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

ELLEN ROY HERZFELDER
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner



Wayland Water Department
Town Office Building/41 Cochituate Road
Wayland MA 01778

Attn: Donald W. Hollender, Superintendent

RE: WAYLAND
Wayland Water Department
PWS ID# 3315000
Program: Enforcement
Action: NON
Activity No.: NON-NE-04-5D033

NOTICE OF NONCOMPLIANCE

Dear Mr. Hollender:

The Department of Environmental Protection (the "Department") has determined that you are operating a Public Water Supply System as defined by the Drinking Water Regulations of Massachusetts, 310 CMR 22.00.


Department records indicate that your Public Water Supply System is in noncompliance with one or more laws, regulations, orders, licenses, permits or approvals enforced by the Department, i.e., a Coliform MCL Violation, and, that this is the second non-compliance of this type to occur within a 12-month period. If this type of noncompliance occurs for a third time within a 12-month period, the Wayland Water Department will be considered to be in danger of becoming a significant non-complier, and, at that time will be required to submit a plan detailing what specific actions will be taken to prevent any further non-compliance from occurring. In addition, you may be subjected to federal enforcement action if you become a significant non-complier.

Attached hereto is a written description of (1) each activity referred to above, (2) the requirements violated (3) the action that the Department now wants you to take, and (4) the deadline to take such action. A civil administrative penalty may be assessed for every day that you are in noncompliance with the requirements referred to in this notice as provided in G.L.C. 21A, §16.

Notwithstanding this Notice of Noncompliance, the Department reserves the right to exercise the full extent of its legal authority in order to achieve full compliance with all applicable requirements including, but not limited to, criminal prosecution, court-imposed civil penalties, or civil administrative penalties.

Please note that the Signature on this cover letter indicates formal issuance of the attached document. If you have any questions regarding this letter, please contact Jack Mullins @ 617.654.6529.

Very truly yours,


Madelyn Morris
Deputy Regional Director
Bureau of Resource Protection

MM/cm/jtm
cc DEP/DWP/WQA, 1 Winter St. Boston
Bd. of Health, 41 Cochituate Road, Wayland MA 01778

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**NOTICE OF NONCOMPLIANCE
NONCOMPLIANCE SUMMARY**

NAME OF ENTITY IN NONCOMPLIANCE:

Wayland Water Department

LOCATION WHERE NONCOMPLIANCE OCCURRED OR WAS OBSERVED:

Wayland, MA

DATE WHEN NONCOMPLIANCE OCCURRED OR WAS LAST OBSERVED:

September 2004

DESCRIPTION OF NONCOMPLIANCE:

1. Three (3) routine distribution system samples, collected in September 2004, showed the presence of total coliform bacteria.

DESCRIPTION OF REQUIREMENTS NOT COMPLIED WITH:

1. 310 CMR 22.05(8)(a) 2. —For a system which collects fewer than 40 routine samples per month, if no more than one sample collected during a month is total coliform positive, the system is in compliance with the Maximum Contaminant Level (MCL) for total coliform.

ACTION TO BE TAKEN, AND THE DEADLINE FOR TAKING SUCH ACTION:

1. **By October 30, 2004**, in compliance with 310 CMR 22.16 (3) (c) 1. a. and b., you must notify persons served by your public water system of the violation noted above by:

a. Mail or other direct delivery to each customer receiving a bill, and, to other service connections to which water is delivered by the public water system, and,

b. Any other method reasonably calculated to reach other persons regularly served by the system if they would not normally be reached by the notice required in Paragraph 1.a., above, e.g., publication in a newspaper of general circulation serving the area.

2. **By October 25, 2004** you must submit to the Department at the letterhead address or by fax (617.292.5850, Attn: Jack Mullins) a **draft** public notice. Enclosed is a form notice that contains the required information for the public notice. Adapt this notice to your violation and submit to the Department for review and approval.

3. **By November 12, 2004** you must submit to the Department and to the Wayland Board of Health a signed copy of the enclosed Certification Form, filled out in its entirety, accompanied by a copy of the public notice as published/ delivered.

Date:

Oct 25, 2004

Massachusetts Department of Environmental Protection
Drinking Water Program
Public Notification

CERTIFICATION

Make sure to send your regional office of the DEP Drinking Water Program and local Board of Health 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 (310 CMR 22.15(3)(b)). **When you certify, you are also stating that you will meet future requirements for notifying new units of the violation.** The following statement could be copied onto the bottom or reverse of the copy of the notice you sent to your DEP regional office. Refer to pages 13-14 of the EPA and the Association of State Drinking Water Administrators (ASDWA) *Public Notification Handbook*. The EPA/ASDWA *Handbook* provides additional aids to help water systems develop notices for violation situations. An electronic copy of the Public Notification Handbook is available at EPA's web site (www.epa.gov/safewater/pn.html). **Please note that the EPA/ASDWA Handbook templates are non-state specific so Massachusetts's water suppliers are required to use the Massachusetts' version of the templates for compliance purposes.** Electronic copies of the Massachusetts' public notification templates are available on the DEP website <http://www.state.ma.us/dep/brp/dws/publnot.htm>.

RECEIVED
NOV - 8 2004
BOARD OF HEALTH
WAYLAND

PWS ID#: 3315000
PWS Name: Wayland Water Dept.
City/Town: Wayland, MA
 Community Non-community
For Violation: Coliform MCL Violation
Occurring on: Sept. 22, 24, 27 - 2004
(Date(s) of violation)
The Public Water system indicated above hereby affirms that public notice has been provided to consumers in accordance with 310 CMR 22.16 including: delivery, content, format requirements, notification deadlines and that the Public Water system will meet future requirements for notifying new billing units and new customers of the violation.
 Consultation with DEP on 10.22.04
[Date]
 Notice distributed by 1st class mail on 11.1.04
[Method] [Date]
 Notice Distributed by Newspaper on 11.4.04
[Method] [Date]
I certify under penalty of law that I am the person authorized to fill out this form and the information contained herein is true, accurate and complete to the best of my knowledge and belief.
Don Hollender Don Hollender 11.3.04
[Name] [Signature of owner or operator] [Date]

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Tests Showed Coliform Bacteria in Wayland Water

Our water system recently violated a drinking water standard. **Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.**

We routinely monitor for drinking water contaminants. We took 23 samples to test for the presence of Coliform bacteria during September. One of our samples on each of the following days - September 22, 24 and 27, 2004 showed the presence of total Coliform bacteria which makes a total of three positive samples. **The standard is that no more than 1 sample per month may do so.**

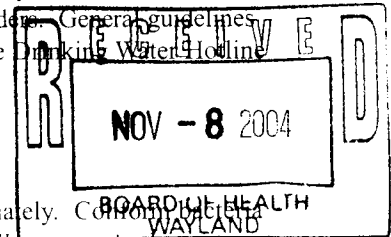
What should I do?

You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. 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 immediately. Coliform bacteria are generally not harmful themselves. *Coliforms are bacteria, which are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.* Usually, Coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect Coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal Coliform or *E coli*, are present. **We did not find any of these bacteria in any water sample. Further testing shows that, at this time, Coliform bacteria are no longer present in our system.**



What happened?

As detailed above, routine bacteria sampling indicated a total coliform presence in three samples taken in late September, 2004. This required the water department to conduct additional water sampling to test for the presence of possibly harmful bacteria and to check the free chlorine residual at all sample locations. **Fortunately, no harmful bacteria have been found in our treated water at the wells or in the distribution system.**

What was done?

Additional water samples were taken on September 29, 2004 that indicated the **absence** of Coliform bacteria in the system. Chlorine residuals were checked at the affected sites on September 22, 24, 27, 29 and found to be at optimum level for proper disinfection. Subsequent testing during the month of October has indicated that the system is free of bacteria. The Wayland Water Department will continue testing at DEP approved sites in the distribution system to monitor the situation.

For detailed information on bacteria and bacteria sampling in public water supplies please visit our web site at www.waylandwater.com.

For more information, please contact Don Hollender at 508.358.3699 or 41 Cochituate Road Wayland, MA 01778.

This notice is being sent to you by the WAYLAND WATER DEPARTMENT