



Massachusetts Department of Environmental Protection
Bureau of Water Resources – Drinking Water Program

**REVISED TOTAL COLIFORM RULE (RTCR) VIOLATION
NOTICE OF NONCOMPLIANCE (NON)**

With Violation Response/Compliance Schedule Approval (CSA) Form
M.G.L. c. 21A, § 16, 310 CMR 5.00

Attention: Public Water Supplier

A General Information:

Mr. Rudy Alterio
Bluedrop Water at Stanney's Vending
300 Union Street
Holbrook, MA 02343

CITY/TOWN: Holbrook
PWS ID #: 4133002
PWS CLASS: NC
ENF DOC #: 00012441

B Location Where Noncompliance Occurred:

300 Union Street, Holbrook

C Description of Violations under M.G.L. c. III, §§159-160 and 310 CMR 22.00

Monitoring and Reporting

The Department of Environmental Protection (MassDEP) Drinking Water Program (DWP) has determined that you are in violation of the Revised Total Coliform Rule (RTCR) Monitoring and Reporting Requirements for the monitoring periods listed below.

Identified violation	Monitoring and Reporting Violations	Monitoring Period	Regulatory Citation
<input checked="" type="checkbox"/>	Collect each routine total coliform sample	May 2021 (1/Month)	See below
<input checked="" type="checkbox"/>	Report to MassDEP PWS failure to perform required total coliform sampling.	May 2021 (1/Month)	See below

Below is a description of the monitoring and reporting regulations you have violated.

<input checked="" type="checkbox"/>	Failure of your public water system to collect each routine total coliform sample for the monitoring periods listed above as required by 310 CMR 22.05(1)(a), 310 CMR 22.05(1)(a)3., 310 CMR 22.05(1)(d)2., and 310 CMR 22.05(1)(d)6.b.
<input checked="" type="checkbox"/>	Failure of your public water system to report to MassDEP its failure to perform required total coliform sampling; for the monitoring period(s) listed above, as required by 310 CMR 22.05(12)(a)4. and/or 310 CMR 22.15(1)(a).

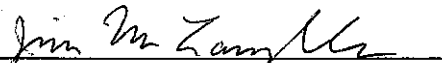
D Action to Be Taken, and the Deadline for Taking Such Action

By **January 10, 2022** submit to MassDEP for its review and approval a written proposal setting forth how and when you propose to come into compliance with the requirements cited in Section C of this NON, by **completing and submitting the attached Revised Total Coliform Rule Violation Response/Compliance Schedule Approval Form (“compliance plan”) and conducting all required public notices**. To return to compliance, **you must implement the compliance plan**, including the schedule for completing the activities proposed, as approved by MassDEP. If you are a repeat violator, the compliance plan must include a plan to prevent future noncompliance. If you determine that you need additional time to complete and submit the compliance plan, you may request an extension **before** the submission deadline by contacting Isabel Collins 508-946-2726 or by email at Isabel.Collins@mass.gov

E Important Information

If you, the Supplier of Water, fail to take any action MassDEP now wants you to take by the prescribed deadline, or if you otherwise fail to remain in compliance in the future with the applicable requirements, you could be subject to legal action, including, but not limited to, criminal prosecution, court-imposed civil penalties, or civil administrative penalties assessed by MassDEP. A civil administrative penalty may be assessed for every day from now on that you are in noncompliance with the requirements specified above. MassDEP reserves its right to exercise the full extent of its legal authority to obtain compliance with all applicable requirements. Additionally, to avoid being placed on EPA’s list of public water systems with unaddressed violations, and not on a path to compliance, it is essential to promptly and completely respond to all MassDEP enforcement actions, including Notices of Noncompliance.

Date: December 1, 2021


Jim McLaughlin – Section Chief
MassDEP Bureau of Water Resources
Southeast Regional Office

Enclosures: CSA

- Boston OE**, Boston DWP
- Lara Goodine, DEP SERO Enforcement
- Holbrook BOH: Abbey Myers Health_board@holbrookmassachusetts.us
- Certified Operator: randall clarkson rclarkson4855@gmail.com

Y/DWPArchive/Holbrook- 4133002 RTCR-ENF-NONCSA-2021-12-01
Rev. 2-13-17

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**REVISED TOTAL COLIFORM RULE (RTCR) MONITORING VIOLATION
RESPONSE AND COMPLIANCE SCHEDULE APPROVAL (CSA) FORM**

M.G.L. c. 21A, §16, 310 CMR 5.00

Failure to complete and return this form with applicable attachments, and failure to take the actions required to return to compliance, could result in serious legal consequences.

INSTRUCTIONS: By January 10, 2022, please complete and submit this form and supporting documentation to MassDEP at the address specified at the bottom of this form to obtain MassDEP approval of your system's proposed plan for returning to compliance with the requirements cited in your NON.

A General Information

Mr. Rudy Alterio
Bluedrop Water at Stanney's Vending
300 Union Street
Holbrook, MA 02343

CITY/TOWN: Holbrook
PWS ID #: 4133002
PWS CLASS: NC
ENF DOC #: 00012441

B Corrective Actions required under M.G.L. c. 111, §§ 159-160 and 310 CMR 22.00

PWS: Please check *all* boxes below that apply.

My public water system either has taken or will take the following actions to correct the violations listed in the above-referenced Monitoring and Reporting Notice of Noncompliance (NON):

ROUTINE, REPEAT, ADDITIONAL ROUTINE, AND RAW WATER SOURCE MONITORING AND REPORTING:

- My system **did collect and analyze for total coliform all the samples** for the monitoring periods cited in the NON and reported the results to MassDEP by the applicable deadline.
 - I have attached two (2) copies of the monitoring results for the monitoring period(s) cited in the NON and/or documentation to demonstrate that the results were timely reported to MassDEP.
 - I reported the monitoring results for the monitoring periods cited in the NON via eDEP on the following dates: _____, and the transaction number(s) is/are: _____. No paper copies of my results are attached.
- My system **has collected and analyzed for total coliform some but not all of the samples** for the monitoring periods cited in the NON and reported the results for to MassDEP by the applicable deadline. My system committed a monitoring violation requiring public notice. I have completed Section C to address this monitoring violation.
 - I have attached two (2) copies of the monitoring results for the samples collected and the analyses performed during the applicable monitoring periods and documentation to demonstrate that the results were timely reported to MassDEP.
 - I reported the monitoring results for the samples collected and the analyses performed during the monitoring periods cited in the NON to MassDEP via eDEP on the following dates: _____, and the transaction number(s) is/are: _____. No paper copies of my results are attached.

- My system **has collected and analyzed for total coliform all of the samples** for the monitoring periods cited in the NON, but did not report any of the results to MassDEP by the applicable deadline. My system has committed a reporting violation requiring public notice. I have completed Section C to come into compliance with these requirements.
- For the monitoring periods cited in the NON, my system **did *not* collect and analyze for total coliform any of the required samples**. My system committed a monitoring violation requiring public notice. I have completed Section C to address this monitoring violation.

C *Request for Compliance Plan Approval*

PWS: For each violation cited in the NON, please select **Option 1** or **Option 2** below by checking the appropriate box.

OPTION 1: DEP Approval of Pre-determined Compliance Plan

I understand that, by selecting Option 1, my system's Compliance Plan for that violation will be deemed approved upon DEP's receipt of this completed form.

ROUTINE, REPEAT, ADDITIONAL ROUTINE AND RAW WATER SOURCE MONITORING AND REPORTING:

- My system has attached two copies of monitoring reports that were not submitted to MassDEP within the applicable deadline.
- My system will collect and analyze the requisite samples to return to compliance with the requirements cited in the NON and submit two (2) copies of the monitoring results by January 10, 2022.

PUBLIC NOTICE:

- My system has provided or will provide **public notice within 30 days of the NON** of each violation cited in Section B that requires **public notice** in accordance with 310 CMR 22.16(4) and (5). My system has submitted or will submit certification to DEP and the local Board of Health that it has fully complied with the **public notice** regulations immediately upon completing the public notification and has included or will include a copy of the **public notice** with the certification.

OPTION 2: PWS's Proposed Compliance Plan for Approval

I understand that, by selecting Option 2 the following is applicable:

- My Proposed Compliance Plan **must** be submitted with this Response Compliance Schedule Form by the date specified in Section D of the NON.
- My Proposed Compliance Plan **must** include a schedule for coming into compliance with each violation cited in the NON for which the system is required to complete Section C and did not select an Option 1 pre-determined compliance plan.
- At a minimum, my Proposed Compliance Plan **must** address all applicable elements listed in Option 1.
- If my system is a repeat violator, my Proposed Compliance Plan **must** also include the actions that the system intends to take to prevent future noncompliance.
- MassDEP will notify me by e-mail whether my system's proposed Compliance Plan is approved or whether it must be revised and resubmitted to MassDEP.
- My Proposed Compliance Plan **must** be implemented as approved.
- My system **has attached a Proposed Compliance Plan** detailing the actions my system proposes to take to return to compliance and, as appropriate to prevent future noncompliance with the violation(s) cited in the NON for which the system is required to complete Section C, including public notice if applicable, and did not select a pre-determined compliance plan.

D Water Commissioner, Owner, and Owner Representative or Other Responsible Party

I certify that I am duly authorized to complete and submit this form on behalf of the public water system identified above and that the information contained herein is true, accurate and complete to the best of my knowledge and belief. I understand that MassDEP may assess civil administrative penalties in accordance with M.G.L. c. 21A, §16, and 310 CMR 5.00 on any Supplier of Water that fails to comply with the provisions and schedule set forth in a MassDEP-approved Compliance Plan.

Signature: _____

Date: _____

Print Name: _____

Title: _____

Phone #: _____

Email Address: _____

**Please return this form and all attachments to: Isabel Collins
MassDEP Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347**

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Instructions for Public Notice

You must provide public notice to persons served according to the timeframe listed in your enforcement document. Multiple monitoring violations can be serious, and DEP may have more stringent/additional requirements. Check with your regional office of the DEP Drinking Water program to make sure you meet all requirements.

Community systems must use one of the following (310 CMR 22.16 (4)(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following (310 CMR 22.16 (4)(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 (310 CMR 22.16 (4)(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 been resolved, you must post the notice for at least one week (310CMR 22.16 (4)(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

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.

Include in your notice the standard language for monitoring and testing procedure violations in *italics* (310 CMR 22.16 (5)(d)). If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice, describe corrective actions you took or are 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 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 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)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

DRINKING WATER NOTICE

Total Coliform Bacteria/ Revised Total Coliform Rule (RTCR)
Monitoring/Reporting/Notification Requirements
Not Met for:

PWS ID#: 4133002 PWS Name: Bludrop Water at Stanney's Vending Enforcement #: 00012441

We violated monitoring and/or reporting requirements of the drinking water regulations. Even though this was not an emergency, as our customers, you have a right to know what happened and what we are doing/did to correct this situation.

We are required to monitor your drinking water for specific man-made and naturally occurring contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the monitoring period(s) listed below we did not monitor and/or did not complete all monitoring for the contaminant(s) listed below and therefore cannot be sure of the quality of our drinking water during that time. OR our PWS did not Report the results to MassDEP within the required time frame.

In addition, we Failed to Notify the Department of Environmental Protection (MassDEP) of this/these monitoring and/or reporting violation/s.

Please share this information with all 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.

WHAT THIS MEANS:

There is nothing you need to do at this time. You do not need to boil your water or take other actions.

The table below lists the Monitoring period(s) we did not properly test for, and/or report, and/or Notify MassDEP of the failure/s to conduct Total Coliform Bacteriological monitoring for the Revised Total Coliform Rule (RTCR). PWS CHECK THE APPROPRIATE BOXES depending on the situation & your NONCSA Response.

Monitoring Period & Frequency/# Samples	Failed to Monitor or Complete Monitoring	Failed to Report Results	Failed to Notify MassDEP of these violations
May 2021 1 per quarter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

STEPS WE ARE TAKING:

Our system is taking the following corrective actions:

1. We are notifying our customers of the violation(s) by providing this public notice to you as well as submitting a copy of this public notice to the DEP and the local board of health.
2. Sample Collection (check appropriate boxes):
 - We have scheduled to **IMMEDIATELY** collect and analyze sample(s) for the contaminants listed above and will submit copies of the sampling results to the MassDEP upon completion. Sampling has been scheduled for: _____.
 - We have already collected and analyzed sample(s) for the contaminants listed above and have submitted the sampling results to the MassDEP. These contaminant(s) were COLLECTED AFTER the required monitoring period(s). Sample/s were collected on: _____ [date].
 - We collected samples within the required monitoring period, but the results were REPORTED AFTER the required time frame; results have been be/are being reported to MassDEP on: _____ [date].
3. If our system has two or more monitoring and reporting violations within the last 12 months, we are required to submit a plan to the DEP detailing the specific actions that we will take to prevent further noncompliance.
4. We will continue to collect samples for all contaminants according to our most recent sampling schedule.
5. Other Corrective Actions Taken: _____

CONTACT INFORMATION:

For more information or questions regarding this notice, please contact:

Responsible Party Name: _____ at Phone #: _____

Date Public Notice Distributed: _____

If POSTED, must remain posted for a minimum of 7 days, provide START and END dates: _____