



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

June 7, 2022

Bridget J. Willhite, ESQ., Administrator
NEWPORT RESORT WATER SYSTEM
1 E MADISON AVE, P.O. BOX 885
ATHENS, TN 37371

bridget@wmlawfirm.net

Re: Compliance Status Notification - 4/1/2022 through 4/30/2022
PWSID: TN0000657

Ms. Willhite, ESQ.:

The Division of Water Resources appreciates the dedicated efforts of the NEWPORT RESORT WATER SYSTEM to meet the requirements of the Tennessee Safe Drinking Water Act (SDWA). During a recent compliance status review conducted by staff in the Central Office and confirmed by staff in your Regional Field Office, this system has been identified with a possible violation of the Ground Water Rule (GWR). The portion of this rule which is in question requires public water systems utilizing ground water sources and providing disinfection treatment to monitor and report the residual concentration leaving the treatment facility.

This water system is required to monitor the residual leaving the treatment facility each day while in operation, and submit monitoring results to the Division within 10 days of the compliance period end date. According to the information we have available, the required monitoring did not occur, or the results have not been received.

If you believe the violation listed above has been identified incorrectly, please provide documentation to our office within fifteen (15) days of receiving this correspondence. Failure to do so will cause the violation(s) listed above to become valid and reported to the United States Environmental Protection Agency.

If you agree the violation listed above has occurred and is valid, the Tennessee SDWA requires the persons served by this system be informed through a public notice as outlined in the attached information. A copy of the Public Notice and Certification Statement attesting to when and how the Notice was provided are to be submitted to our office within ten (10) days of providing it to the public. Failure to provide the Public Notice and Certification Statement as required will result in an additional Public Notice violation.

Again, the Division would like to extend our appreciation for your efforts to maintain compliance with the Safe Drinking Water Act. As always, our staff is available to assist you with any questions you may have. Specific concerns regarding this letter should be directed to the CHATTANOOGA Field Office at (888) 891-8332, or you may contact me via email at: jeff.bagwell@tn.gov or (615) 532-0183.

Sincerely,

Jeff Bagwell
TN Division of Water Resources

cc: CHATTANOOGA Field Office
DAVID LEWIS, WTP LEAD OPERATOR davidelewis@comcast.net
Jennifer Innes Jennifer.Innes@tn.gov
Amy Francis Amy.Francis@tn.gov

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirement Not Met for (Name of Water System)

(Name of water system) violated a drinking water standard. Even though this was not an emergency, you as a customer have a right to know what happened and what we are doing to correct this 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. During [compliance period], we did not monitor for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time.

What should you do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for, how often we are supposed to sample, how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required Sampling Frequency	Number of valid samples taken	When all samples should have been taken	When samples were or will be taken

What happened? What is being done?

[Describe corrective action.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with everyone who may drink this water, including 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.

This notice is being sent to you by [system]. State Water System ID# [pwsid]. Date distributed: _____.

Tier 3 - Monitoring Violations

Since most monitoring violations are considered Tier 3 violations, you must provide public notice to persons served within one year after you learn of the violation. Multiple monitoring violations can be serious, and you may have additional requirements to meet. Please contact your local Environmental Assistance Center for more information.

Community systems must use one of the following methods to deliver the notice to consumers.

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

Non-community systems must use one of the following methods to deliver the notice to consumers.

- 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. 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 you mail, post, or hand deliver, print your notice on letterhead, if available. If you modify the notice, you must leave the mandatory health effects language in Italics unchanged.

Corrective Action

In your notice, describe corrective actions you are taking. If you know what is causing the coliform problem, explain this in the notice. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are chlorinating and flushing the water system.
- We are increasing sampling for coliform bacteria.
- We are investigating the source of contamination.
- We are repairing the wellhead seal.
- We are repairing the storage tank.
- We will inform you when additional samples show no coliform bacteria.

After Issuing the Notice

Within ten days from the time you issue the notice, send a copy and a certification that you have met all the public notice requirements to your Environmental Assistance Center, and the:

**State of Tennessee
Department of Environment and Conservation
Division of Water Resources
Compliance and Enforcement Unit
312 Rosa L. Parks Ave, WMS TN Tower 11th Floor
Nashville, Tennessee 37243**

Formatting Requirements for Public Notices

All public notices must meet certain formatting standards. These requirements help prevent the notice from being buried in a newspaper and help ensure that consumers can easily understand the notice. Notices must:

- ✓ Be displayed in a conspicuous way (where printed or posted);
- ✓ Not contain overly technical language or very small print;
- ✓ Not be formatted in a way that defeats the purpose of the notice; and
- ✓ Not contain language which nullifies the purpose of the notice.

Certification

The PN Rule requires a PWS, within 10 days of completing the public notification requirements for the initial public notice and any repeat notices, to submit to the State a certification that it has fully complied with the public notification regulations. A PWS must include with the certification a representative copy of each type of notice distributed, published, posted, or made available to the persons served by the system and to the media (e.g., press release to TV/radio, mail notices). A sample certification “box” with appropriate language, suitable for checking off required activities as a PWS completes them is provided on the next page. The box is not mandatory (only a statement is); however, it is a useful tool for tracking and noting required activities.

PWS Name: _____ <i>[system name]</i> _____	
PWS-ID #: _____ <i>[PWS number]</i> _____	
For Violation: _____ <i>[describe violation or situation]</i> _____	
occurring on _____ <i>[insert date]</i> _____.	
The public water system indicated above hereby affirms that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in [regulatory citation].	
<input type="checkbox"/>	Consultation with primacy agency (if required) on _____ <i>[insert date]</i> _____
<input type="checkbox"/>	Notice distributed by _____ <i>[insert method]</i> _____ on _____ <i>[date]</i> _____.
<input type="checkbox"/>	Notice distributed by _____ <i>[insert method]</i> _____ on _____ <i>[date]</i> _____.
<input type="checkbox"/>	Content - 10 elements
Signature of owner or operator _____	
Date _____	