



John Elias Baldacci
Governor

Maine Department of Health and Human Services

Maine Center for Disease Control and Prevention
(Formerly Bureau of Health)
286 Water Street
11 State House Station
Augusta, ME 04333-0011

John R. Nicholas
Commissioner

Dora Anne Mills, MD, MPH
Public Health Director
Maine CDC Director

CERTIFIED MAIL
Return Receipt Requested

March 6, 2006

Tim Gooch
P.O. Box 79
Cumberland, Maine 04021

Subject: NOTICE OF NON-COMPLIANCE
Range Pond Apartments PWSID# ME0091365

Dear Mr. Gooch:

The State of Maine Drinking Water Program (DWP) is issuing this Notice of Non-Compliance ("Notice") for violations of state and federal public drinking water regulations. Range Pond Apartments has been identified as a public water system as defined by Maine statute and is, therefore, subject to safe drinking water regulations administered and enforced by the DWP.

This Notice serves as formal notification that the following violations are unresolved and warrant your immediate attention:

- 1) Inorganic Chemical Monitoring Violation(s) of Maine's "Rule Relating to Drinking Water" at 10-144 CMR 231 (7)(C)(3) and federal regulations at 40 CFR 141.23 et. seq. for the following types of contaminants and compliance period(s):
 - a) Nitrate/Nitrite: January 1 – December 31, 2004.
- 2) Lead and Copper Monitoring Violation(s) of Maine's "Rule Relating to Drinking Water" at 10-144 CMR (7)(I)(7) and federal regulations at 40 CFR 141.80 et. seq. for the following compliance period(s):
 - a) January 1, 2005 – June 30, 2005.
- 3) Radionuclide Maximum Contaminant Level (MCL) Violation(s) of Maine's "Rule Relating to Drinking Water" at 10-144 CMR (7)(G)(8) and federal regulations at 40 CFR 141.26 et. seq. for the following types of contaminants and compliance period(s):
 - a) Uranium: January 1, 2004 – December 31, 2004; and
 - b) Uranium: January 1, 2005 – December 31, 2005.
- 4) Public Notification Violation(s) at 10-144 CMR 231 (7)(O), and 40 CFR 141.201 et. seq. by failing to complete public notification for violations (1) and (2) referenced above.
- 5) On August 12, 2005, DWP notified your water system that follow-up Arsenic and Uranium samples collected by DWP field staff exceeded their respective MCL's. This notice required a

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water treatment design to remove Arsenic as well as Uranium, be submitted to the DWP no later than September 30, 2005. This notice also required water treatment installation to be completed no later than December 31, 2005. Both of these requirements have not been met within their prescribed deadlines.

- 6) To resolve the violations specified above, Range Pond Apartments must complete the following actions of this Notice:
- a) **Provide Public Notice to customers served within 30 days of receipt of this Notice;**
 - b) **Submit a copy of the Public Notice to the DWP within 30 days of receipt of this Notice;**
 - c) **Submit the Public Notice Certification Form to the DWP within 30 days of receipt of this Notice;**
 - d) **Collect necessary samples and submit copies of all water quality analytical results to the DWP in accordance with Federal and State laws;**
 - e) **Submit a schematic design for the Arsenic and Uranium treatment system to the DWP no later than April 14, 2006; and**
 - f) **The water treatment system must be installed no later than May 31, 2006.**
- 7) If you fail to comply with the requirements of paragraph (6) above, the DWP will issue a formal administrative enforcement action against Range Pond Apartments. Continued violation of the rules above, or any additional rules, may result in the assessment of administrative fines for as much as \$750.00 per violation per day, and/or civil penalties of up to \$5,000.00 per violation per day. (See 10-144 CMR 231 Section 1-C (D) – (H))

All written correspondences and submittals must be addressed to:

**Carlton Gardner, Compliance Manager
Drinking Water Program
Maine Dept. of Health and Human Services
11 State House Station
Augusta, Maine 04333-0011**

We are prepared to assist you in reaching compliance with the above violation(s) and protecting public health. Should you have any questions regarding the terms of this Notice, please call me at (207) 287-8403.

Sincerely,



Carlton Gardner
Compliance Section Manager
Drinking Water Program
E-mail: carlton.gardner@Maine.gov

Enclosures: Public Notice Instructions, Public Notice Form, Certification Form

Cc: Tera Pare, Scott Whitney, Lindy Moceus, Amilyn Stillings, Eben Joslyn – DWP
Mary K. Tufts, Designated Operator