



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

September 21, 2016

CERTIFIED MAIL # 7014 2870 0000 8182 3465
RETURN RECEIPT REQUESTED

Mr. Hollis Brower Jr.
Taney Co Water Llc - Venice
786 Croley Blvd
Nixa, MO 65714

RE: Notice of Violation #DW1619 – Operator Certification

Dear Mr. Brower Jr.:

All community and non-transient non-community public water systems are required to employ a certified operator to oversee system operations and maintenance. Taney Co Water Llc - Venice (MO5036180) is required to have an operator certified at the DS-II distribution level, or higher. Department of Natural Resources records indicate that your system does not have an operator certified at this level and is therefore in violation of Missouri Safe Drinking Water Regulation 10 CSR 60-14.010.

This Notice of Violation is being issued following a failure to respond to the August 22, 2016 Letter of Warning issued by the department. **Within 15 days of this notification**, Taney Co Water Llc - Venice must provide proof to the department that they have obtained the services of a properly certified operator or enter into a department approved schedule (corrective action plan) to obtain the services of a certified operator. Failure to comply with these requirements may result in the department taking further enforcement action against your water system.

If you currently have a properly certified operator in charge of your water system, please contact us, at the phone number provided at the end of this letter, to update this information.

If you currently do not have a properly certified operator, your public water system may choose to have an employee obtain operator certification through the department or you may enter into a contractual agreement with a certified operator to maintain your water system.

If you wish to have an employee become certified, you are required to submit a corrective action plan to the department within 15 days of this notification for review and approval. The plan must be on letterhead, signed by a person of authority and dated. The plan must include the name of person to be certified, position/affiliation with the public water system, and a schedule for when the employee will take the certification exam.



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Mr. Hollis Brower Jr.
Page Two

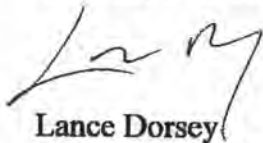
Information on training courses and examination schedules can be found online at <http://dnr.mo.gov/env/wpp/opcert/oprtrain.htm>. You can also contact the Operator Certification Unit by phone at 800-361-4827 for more information on certification requirements.

If you obtain the services of a certified operator through contract, you are required to submit a copy of the agreement with the operator's name, address, telephone number, and certification number in writing to the Water Protection Program's Public Drinking Water Branch within 15 days of this notification. The agreement shall indicate the responsibilities of the operator including, but not limited to, those listed in Missouri Safe Drinking Water Regulation 10 CSR 60-14.010(4)(F)1.

If you have any questions regarding this letter, please contact Mr. Brent Weis by phone at 573-751-7834 or by mail at Missouri Department of Natural Resources, Water Protection Program, Public Drinking Water Branch, P.O. Box 176, Jefferson City, MO 65102-0176.

Sincerely,

WATER PROTECTION PROGRAM



Lance Dorsey
Compliance and Enforcement Section Chief

LD:bwa

c: Ms. Katie Hirtz, Environmental Scientist, Southwest Regional Office
Ms. Darlene Helmig, Section Chief, Public Drinking Water Branch

BEFORE THE MISSOURI DEPARTMENT OF NATURAL RESOURCES

In the Matter of:

**Taney County Water LLC- Venice)
786 Croley Blvd)
Nixa, MO 65714)**

Order No. 2016-PDWB-073

**Proceeding under Sections 640.100)
to 640.140, RSMo)**

**NOTICE AND ORDER TO ABATE VIOLATIONS
AND PAY ADMINISTRATIVE PENALTIES**

SERVE BY CERTIFIED MAIL -7009 3410 0001 9189 0743
RETURN RECEIPT REQUESTED

**TO: Mr. Hollis Brower Jr., Organizer
Taney County Water LLC- Venice
786 Croley Blvd
Nixa, MO 65714**

NOTICE TO RECIPIENTS OF ADMINISTRATIVE ORDERS

The issuance of Administrative Order No. PDWB-2016-073 ("Order") by the Missouri Department of Natural Resources ("Department") is a formal administrative action by the State of Missouri and is being issued because the Department alleges that Taney County Water LLC- Venice and Hollis H. Brower, Jr. ("Respondents"), are in violation of the Missouri Safe Drinking Water Law ("MSDWL&R"), Sections 640.100 to 640.140, Revised Statutes of Missouri ("RSMo"), and its implementing regulations.

This Order is issued pursuant to Chapter 640 RSMo, specifically Sections 640.130 and 640.131 RSMo. Failure to comply with this Order is, by itself, a violation of the MSDWL&R that may trigger penalties and other forms of relief pursuant to Sections 640.130 through 640.131 RSMo.

FINDINGS OF FACT

1. Taney County Water LLC- Venice owns Community Public Water System ("PWS") No. MO5036180, as defined by Section 640.102(6) RSMo and 10 CSR 60-2.015(2)(C)(12). Hollis H. Brower, Jr. is the organizer of Taney County Water LLC- Venice and exercises day to day control over the PWS. Taney County Water LLC- Venice and Hollis H. Brower, Jr. are suppliers of water as defined in 10 CSR 60-2.015(2)(S)(11). Taney County Water LLC- Venice is located in Taney County within Section 18, Township 24N, and Range 20W. This system serves water for human consumption through pipes and or other constructed conveyances to an estimated 380 service connections and 1,100 people. The PWS is comprised of two distinct distribution systems, one serving the Venice on the Lake development and one serving the Valley View Mobile Home Park.
2. The Respondents failed to submit routine samples for bacteriological analysis during June 2012.
3. The Respondents failed to submit all required samples during August 2012. Specifically, the Respondents were to submit three routine samples monthly for bacteriological analysis. Only one sample was received during this monitoring period.

4. Per 10 CSR 60-4.020(7)(A)(2), the Maximum Contaminant Level ("MCL") for total coliforms is exceeded if more than one sample per monitoring period indicates the presence of total coliform bacteria. The Respondents failed to meet the MCL for total coliform during the monitoring periods of February 2012, March 2012, May 2012, and October 2012.
5. To resolve these violations, the Department offered the Respondents a Bilateral Compliance Agreement ("BCA") requiring the system immediately begin emergency chlorination of the wells serving the Venice on the Lake distribution system, including the Red Rock and Honey Lane wells. In addition, the BCA required the Respondents begin performing routine monitoring, recording and submitting monthly chlorine residuals for all treated wells, and certifying that all required public notice is being performed. This agreement was signed and became effective November 16, 2012.
6. The Respondents exceeded the MCL for total coliform bacteria in the distribution system serving the Valley View Mobile Home Park during November 2012 and December 2012. Additionally, the Respondents failed to submit a triggered source water sample following the December 2012 total coliform MCL.
7. In response, the existing BCA was modified on January 28, 2013 to require the Respondents to implement emergency chlorination at Valley View well, the well serving the Valley View Mobile Home Park distribution system, until permanent disinfection facilities were engineered and installed.
8. The Respondents failed to perform routine lead and copper monitoring in 2013.
9. Following a total coliform present routine sample submitted in September 2013, the Respondents failed to submit repeat samples and a triggered source sample as required per 10 CSR 4.020(2)(A) and 10 CSR 60-4.025(3)(A)(1)(B).

10. During October 2013, the month following a total coliform positive routine sample, the Respondents failed to submit five routine samples for bacteriological analysis as required per 10 CSR 60-4.020(2)(E).
11. Following a low pressure event on January 1, 2014, the Department's Southwest Regional Office ("SWRO") staff visited Taney County Water LLC- Venice and found no chlorine residual present in the distribution system. Per 10 CSR 60-4.055, the PWS is to maintain a minimum free chlorine residual of 0.5 milligrams per liter ("mg/L") at the entry points to the distribution system and to maintain a total chlorine residual minimum of 0.2 mg/L throughout the distribution system. SWRO staff also found that no public notification had been performed.
12. On January 3, 2014, the Department issued a mandatory Boil Water Order for the Respondent's PWS.
13. On January 6, 2014, the Respondents sent a letter to customers telling them that the Boil Water Order would be lifted on January 14, 2015, however, the Order was still in effect and the Respondents had no basis to provide this premature lift date to customers.
14. Routine samples collected January 8, 2014 and repeat samples collected January 15, 2014 tested Total Coliform present.
15. On February 5, 2014, the Department lifted the Boil Water Order after water sample analysis showed adequate chlorine levels and water sample results indicated no microbiological contamination.
16. The Respondents failed to meet the MCL for total coliform during January 2014 and failed to submit the required additional routine samples during February 2014.

17. On March 18, 2014, the Respondents were granted an extension until September 30, 2014, to begin monitoring, recording, and submitting daily chlorine residuals as required by the BCA. No residuals records were received and the case was referred to the Water Protection Program's Public Drinking Water Branch for enforcement.
18. Construction of permanent disinfection facilities was completed and final inspection performed by Department staff on April 28, 2014.
19. During a routine inspection performed December 2014, SWRO staff identified several significant deficiencies that required immediate correction by the Respondents. Significant deficiencies are defects in design, operation, or maintenance of the system that the Department determines are causing, or have the potential for causing, the introduction of contamination into the water delivered to customers. The deficiencies observed included inadequately sealed well casings at both the Honey Lane and Valley View wells, specifically the sanitary seal had been cut at the Honey Lane well and a gap exists between the top casing plates at the Valley View well, and an inadequately sealed ground level storage tank serving the Venice on the Lake distribution system, specifically the storage tank was not constructed to prevent the entry of birds and insects. A wasp's nest was found inside the storage overflow screen. This is the second compliance inspection in a row to document a wasp's nest in the overflow. Additionally, the Respondents did not possess a Permit to Dispense water or a cross connection control program.
20. On January 21, 2015 the Department issued Notice of Violation ("NOV") #15980SW outlining continuing violations of the MSDWL&R and terminating the BCA as incomplete.

Specifically, the Respondents failed to submit chlorine residual records and failed to certify to the Department that public notification has been completed for all outstanding violations as required by the BCA.

21. On March 4, 2015, the Department issued the Respondents a letter detailing ongoing violations of the MSDWL&R and informing the Respondents of the need to enter into a negotiated Administrative Order consisting of a schedule of corrective actions to be completed by the Respondents. No response to this letter was received.
22. On September 10, 2015, Department staff conducted an Environmental Concern Investigation in response to customer reports of chronic water outages at the Taney County Water LLC- Venice PWS. Department staff found pressure to be adequate, but no chlorine residual was present in the distribution system in violation of 10 CSR 60-4.055(4). Two samples collected during this investigation were both found to be Total Coliform present.
23. On September 22, 2015, Department staff conducted an Unsafe Sample Investigation in response to the Total Coliform present samples collected during the September 10, 2015 Environmental Concern Investigation. The free chlorine residual was found to be below detectable limits (.13 mg/L) in violation of 10 CSR 60-4.055(3). Five of six bacteriological samples collected during this investigation were found to be Total Coliform present, including the source water sample collected from the Honey Lane Well.
24. The Respondents failed to meet the MCL for Total Coliform Bacteria during the monitoring period of September 2015.
25. On November 12, 2015, Department staff conducted a site visit and found chlorine residuals to be below detectable limits, (.13 mg/L) in violation of 10 CSR 60-4.055(3).

26. On December 14, 2015, in response to reports of persistent low pressure and failure to maintain adequate levels of chlorine for disinfection, the Department issued a Letter of Warning ("LOW") requiring the Respondents develop a public notification plan for boil advisories and begin submitting daily chlorine residuals. The Respondents failed to provide this documentation prior to the December 29, 2015 deadline stated in the LOW.
27. The Respondents failed to certify to the Department that a 2015 Consumer Confidence report was distributed to customers.
28. On February 16, 2016, the Department issued the Respondents NOV#SW1685 for failing to submit a public notification plan for boil advisories and for failing to submit daily chlorine residuals as required by the December 14, 2015 LOW.
29. On February 26, 2016, and May 26, 2016, the Department issued the Respondents NOVs for failing to conduct routine quarterly nitrate sampling for the monitoring periods ending in December 2015 and March 2016.
30. This Order is necessary to compel compliance and/or to prevent or eliminate threats to human health or the environment.

STATEMENT OF VIOLATIONS

The Department finds that the following violations of the MSDWL&R have occurred, thereby subjecting the Respondents to penalties as described in Section 640.130 and/or Section 640.131 RSMo:

31. The Respondents violated 10 CSR 60-4.080(5) by failing to comply with the BCA signed on November 11, 2012 and modified January 28, 2013. Specifically, chlorine residual records have not been submitted as required and the Respondents failed to certify to the Department that public notification has been made.

32. The Respondents violated 10 CSR 60-7.010(10), by failing to certify to the Department that public notification had been made for the July 2015 and September 2015 violations.
33. The Respondents violated 10 CSR 60-4.025(4)(A)4.A., by failing to correct source significant deficiencies identified during the December 2014 routine inspection. The casings at the Honey Lane and Valley View wells were not effectively sealed against the entrance of contaminants under all conditions. Specifically, the sanitary seal had been cut at the Honey Lane well and a gap exists between the top casing plates at the Valley View well.
34. The Respondents violated 10 CSR 60-4.025(4)(A)4.D., by failing to correct storage significant deficiencies identified during the December 2014 routine inspection. Specifically, the ground level storage tank serving the Venice on the Lake distribution system was not constructed to prevent the entry of birds and insects. A wasp's nest was found inside the storage overflow screen. This is the second compliance inspection in a row to document a wasp's nest in the overflow.
35. The Respondents violated 10 CSR 60-3.010(1)(D), by failing to obtain a written Permit to Dispense from the Department prior to dispensing water to the public.
36. The Respondents violated 10 CSR 60-11.010(8)(C), by failing to establish and implement a cross connection control program.
37. The Respondents violated 10 CSR 60-4.055(3) and 10 CSR 60-4.055(4), by failing to maintain chlorine residuals above 0.5 mg/L at the entry points to the distribution system and 0.2 mg/L throughout the distribution system. Specific occurrences were identified during January 15, 2014, January 22, 2014, September 10, 2015, September 22, 2015, and November 12, 2015 site investigations.

38. The Respondents violated 10 CSR 60-4.030(2)(C)(1)(B), by failing to conduct required routine nitrate sampling for the monitoring periods ending in December 2015 and March 2016.

39. The Respondents violated 10 CSR 60-7.010(10), by failing to certify completion of Public Notice for ten violations since 2012. These violations include failure to monitor for nitrates during the monitoring periods ending in March 2016 and June 2015; failure to meet the MCL for total coliforms during the monitoring periods of September 2015, January 2014, December 2012, November 2012, and October 2012, failure to collect all required samples during February 2014 and December 2012, and failure to correct Significant Deficiencies identified during the December 2014 routine inspection.

CORRECTIVE ACTIONS

Pursuant to section 640.130.3 RSMo, the Department hereby orders the Respondents to complete each of the following corrective actions:

40. **Corrective Action 1-** As required by 10 CSR 60-4.022(3), the Respondents shall perform routine microbiological sampling, including requirements to:

- Collect three routine microbiological samples each month.
- Collect three repeat samples for each unsafe routine sample.
- Fill out one Bacteriological Water Analysis Sample Card for each sample.
Record the correct date, 24-hour time (e.g., 2pm is 1400), system name, I.D. number, and sample bottle number on each card.
- Mail, hand carry, or use a courier to deliver the samples to the laboratory so that they arrive on a business day within 30 hours of collection.

41. **Corrective Action 2-** The Respondents shall immediately begin testing and recording the free chlorine residual on a daily basis as required by 10 CSR 60-4.080. A minimum of 0.5 mg/L should be maintained on a daily basis. By the fifteenth day of the following month, the Respondents shall submit a copy of these water operational records for each month to the Department contact listed in Paragraph 52 of this Order.
42. **Corrective Action 3-** The Respondents shall immediately begin performing quarterly routine Nitrate sampling as required by 10 CSR 60-4.030(2)(C)(1).
43. **Corrective Action 4-** Within 60 days of the effective date of this Order, the Respondents shall establish and implement a cross connection control program as required by 10 CSR 60-11.010(8)(C). The Respondents shall provide a copy of the enacted cross connection control ordinance to the Department Contact listed in Paragraph 52 of this Order.
44. **Corrective Action 5-** Within 30 days of the effective date of this Order, the Respondents shall complete the included Permit to Dispense application as required by 10 CSR 60-3.010(1)(D). The completed application shall be submitted with all required documentation to: Missouri Department of Natural Resources, Water Protection Program, Public Drinking Water Branch, Permits and Engineering Section, P. O. Box 176, Jefferson City, MO 65102.
45. **Corrective Action 6-** Within 30 days of the effective date of this Order, the Respondents shall correct significant deficiencies as required by 10 CSR 60-4.025(4)(A)(5). Specifically, the Respondents shall ensure the casings at the Honey Lane and Valley View wells are effectively sealed against the entrance of contaminants under all conditions. All casing openings, with the exception of properly constructed vents, should be sealed with silicone caulk.

Additionally, the sanitary seals should be in good condition, properly installed, and not cut. Photographic proof of repairs shall be submitted to the Department contact listed in Paragraph 52 of this Order.

- 46. Corrective Action 7-** Within 30 days of the effective date of this Order, the Respondents shall correct significant deficiencies as required by 10 CSR 60-4.025(4)(A)(5). Specifically, the Respondents shall complete system improvements to ensure the ground level storage tank serving the Venice on the Lake distribution system is constructed in such a manner as to prevent the entry of contaminants. With the exception of properly constructed vents the storage tank should be water tight. Vents shall be constructed and screened in accordance with the Department's *Minimum Design Standards for Missouri Community Water Systems- December 2013*. Photographic proof of repairs shall be submitted to the Department contact listed in Paragraph 52 of this Order.
- 47. Corrective Action 8-** Within 30 days of the effective date of this Order, the Respondents shall certify completion of the included combined public notice for the purpose of resolving all outstanding public notification violations as required by 10 CSR 60-8.010. The completed certification and a copy of the notice distributed to customers shall be provided to the Department contact listed in Paragraph 52 of this Order. Additionally, the Respondents shall begin certifying completion of public notification of all future violations when instructed, and contact the Missouri Department of Natural Resources Public Notice Coordinator for direction and assistance in completion of Public Notices. The Public Notice coordinator may be reached by calling the Water Protection Program's Public Drinking Water Branch at (573) 526-6925, or in writing at P.O. Box 176, Jefferson City, MO 65102-0176.

48. **Corrective Action 9-** By October 1, 2016, the Respondents shall provide a copy of the distributed 2015 Consumer Confidence Report in addition to a completed Consumer Confidence Report Distribution Certification as required by 10 CSR 60-8.030(4)(G). Documentation shall be submitted to the Missouri Department of Natural Resources, Public Drinking Water Branch, Attn: CCR Coordinator, P.O. Box 176, Jefferson City, MO 65102-0176.

PENALTY

Pursuant to section 640.131 RSMo and 10 CSR 60-6.070, the Department hereby orders the Respondents to pay administrative penalties for the above-referenced violations as follows:

49. The conduct referenced herein poses a major potential risk to human health, safety, and the environment, and was at least a moderate deviation from the Missouri Safe Drinking Water Law and its implementing regulations. The Respondents failed to take appropriate corrective action after being informed of the requirements by the Department. In light of these factors, an administrative penalty in the amount of \$45,600.00 is justified.
50. Within 60 days from the date of issuance of this Order, the Respondents shall pay to the Department an administrative penalty in the amount of \$45,600.00.
51. Payment shall be made in the form of a certified or cashier's check made payable to: *Taney County Collector as Treasurer of the Taney County School Fund* and must be delivered to the Missouri Department of Natural Resources, Accounting Program, P.O. Box 477, Jefferson City, MO 65102, for forwarding to the Taney County Treasurer.

SUBMISSIONS

52. All other documentation submitted to the Department for compliance with this Order shall be submitted within the timeframes specified to:

Mr. Brent Weis
Missouri Department of Natural Resources
Water Protection Program
P.O. Box 176
Jefferson City, Missouri 65102-0176

OTHER PROVISIONS

53. Any request for an extension of time or to otherwise modify this Order may be considered on a case-by-case basis, if the Respondents make a written request to the Department within ten business days of this Order, and otherwise provide appropriate justification and/or documentation to the Department in a timely manner. Any modification of this Order shall be in writing.

54. Compliance with this Order resolves only the specific violations described herein, and this Order shall not be construed as a waiver or modification or any other requirements of the Missouri Safe Drinking Water Law and regulations, or any other source of law. Nor does this Order resolve any future violations of this Order or any law or regulation. Consistent with 10 CSR 60-6.070(6), this Order shall not be construed as satisfying any claim by the state or federal government for natural resource damages.

55. This Order shall apply to and be binding upon the Respondents and any of their agents, subsidiaries, successors, assigns, affiliates, or lessees, including the officers, agents, servants, corporations and any persons acting under, through, or for the Respondents.

Any changes in ownership or corporate status, including but not limited to any transfer of assets or real or personal property, shall not relieve the Respondents of their obligation to comply with this Order.

56. For any plan or submittal from the Respondents that is required by this Order and subject to Department approval under this Order, the Department may approve, disapprove, require revisions, or otherwise modify any such plan or submittal. Any such Department decision shall be conveyed in writing to the Respondents. Disapproval may result in further orders or pursuit of other forms of relief by the Department. If the Department requires revisions, the Respondents shall submit a revised version of the plan or submittal within ten business days after receiving notice of the Department's required revisions, or within such other timeframe as the Department may specify. If the Department approves or modifies in writing such plan or submittal, it shall become enforceable under this Order, and the Respondents shall commence work and implement such approved or modified plan in accordance with the schedule and provisions contained therein.

RIGHT OF APPEAL

57. Anyone adversely affected by this decision may be entitled to pursue an appeal before the Administrative Hearing Commission ("AHC") pursuant to 10 CSR 60-6.070(5) and Sections 640.130 and 640.131, RSMo. Appeal may be taken by the filing of a notice of appeal with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

Any appeal should be directed to:

Administrative Hearing Commission
United States Post Office Building, Third Floor
131 West High Street
Jefferson City, Missouri 65102-1557
Phone: 573-751-2442
Fax: 573-751-5018
Website: www.oa.mo.gov/ahc

SIGNATURE AUTHORITY

SO ORDERED this 16th day of ~~August~~^{September}, 2016 by: *JM*

DEPARTMENT OF NATURAL RESOURCES

John Madras

John Madras, Director
Water Protection Program

c: Kristen Pattinson, Unit Chief, Southwest Regional Office
Mr. Timothy Duggan, Missouri Attorney General's Office



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DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

August 22, 2016

Mr. Hollis Brower Jr.
Taney Co Water LLC - Venice
786 Croley Blvd.
Nixa, MO 65714

RE: Letter of Warning – Operator Certification

Dear Mr. Brower Jr.:

All community and non-transient non-community public water systems are required to employ a certified operator to oversee system operations and maintenance. Taney Co Water LLC - Venice (MO5036180) is required to have an operator certified at the DS-II distribution level or higher. Department of Natural Resources records indicate that your system does not have an operator certified at this level and is therefore in violation of Missouri Safe Drinking Water Regulation 10 CSR 60-14.010.

If you currently have a properly certified operator in charge of your water system, please contact us, at the phone number provided at the end of this letter, to update this information.

If you currently do not have a properly certified operator, your public water system may choose to have an employee obtain operator certification through the department or you may enter into a contractual agreement with a certified operator to maintain your water system.

This Letter of Warning has been issued following a failure to respond to the July 6, 2016 notification issued by the department. Within 15 days of this notification, Taney Co Water LLC - Venice must provide proof to the department that they have obtained the services of a properly certified operator or enter into a department approved schedule (corrective action plan) to obtain the services of a certified operator. Failure to comply with these requirements may result in the department taking further enforcement action against your water system.

If you obtain the services of a certified operator through contract, you are required to submit a copy of the agreement with the operator's name, address, telephone number, and certification number in writing to the Water Protection Program's Public Drinking Water Branch within 15 days of this notification. The agreement shall indicate the responsibilities of the operator including, but not limited to, those listed in Missouri Safe Drinking Water Regulation 10 CSR 60-14.010(4)(F)1.



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Mr. Hollis Brower Jr.
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If you wish to have an employee become certified, you are required to submit a corrective action plan to the department within 15 days of this notification for review and approval. The plan must be on letterhead, signed by a person of authority and dated.

The plan must include the name of person to be certified, position/affiliation with the public water system, and a schedule for when the employee will take the certification exam. Information on training courses and examination schedules can be found online at <http://dnr.mo.gov/env/wpp/opcert/oprtrain.htm>. You can also contact the Operator Certification Unit by phone at 800-361-4827 for more information on certification requirements.

If you have any questions regarding this letter, please contact Mr. Brent Weis by phone at 573-751-7834 or by mail at Missouri Department of Natural Resources, Water Protection Program, Public Drinking Water Branch, P.O. Box 176, Jefferson City, MO 65102-0176.

Sincerely,

WATER PROTECTION PROGRAM



Lance Dorsey
Compliance and Enforcement Section Chief

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c: Ms. Katie Hirtz, Environmental Scientist, Southwest Regional Office
Ms. Darlene Helmig, Section Chief, Public Drinking Water Branch



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July 6, 2016

Mr. Hollis Brower Jr.
Taney Co Water LLC - Venice
786 Croley Blvd.
Nixa, MO 65714

RE: Operator Certification - PWS MO5036180

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If you currently do not have a properly certified operator, your public water system may choose to have an employee obtain operator certification through the department or you may enter into a contractual agreement with a certified operator to maintain your water system.

Within 30 days of this notification, please contact the department to notify us of how you intend to obtain the services of a properly certified operator.

If you obtain the services of a certified operator through contract, within 30 days, please submit a copy of the agreement with the operator's name, address, telephone number, and certification number in writing to the Water Protection Program's Public Drinking Water Branch. The agreement shall indicate the responsibilities of the operator including, but not limited to, those listed in Missouri Safe Drinking Water Regulation 10 CSR 60-14.010(4)(F)1.

If you wish to have an employee become certified, please submit a corrective action plan to the department within 30 days of this notification for review and approval. The plan must be on letterhead, be signed by a person of authority and dated. The plan must include the name of the person to become certified, position/affiliation with the public water system, and a schedule for when the employee will take the certification exam.



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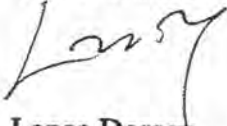
Mr. Hollis Brower Jr.
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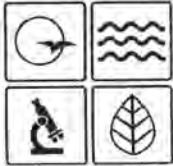
WATER PROTECTION PROGRAM



Lance Dorsey
Compliance and Enforcement Section Chief

LD:bwa

c: Katie Hirtz, Environmental Scientist, Southwest Regional Office
Ms. Darlene Helmig, Section Chief, Public Drinking Water Branch



Missouri Department of Natural Resources
Water Protection Program
Public Drinking Water Branch
P.O. Box 176
Jefferson City, MO 65102-0176

NOTICE OF NONCOMPLIANCE
Public Notice Required

Date of Report: February 26, 2016
PWS Name: Taney CO Water Llc - Venice

PWS ID: MO5036180
County: Taney

Mail to:

Hollis H (Bert) Brower Jr
786 Croley Blvd
PO Box 1080
Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the Nitrates analysis of water samples submitted for the period ending June 30, 2015

Sample Type	Number Required	Number Taken
Routine	1 per QT	Zero

Violation Type:

Monitoring, Routine Major

This is a violation of 10 CSR 60-4.060. No routine drinking water samples were collected for the testing of Nitrates.

Required Actions:

1. The enclosures give instructions on how to perform public notice and a copy of the public notice itself to distribute, post and provide to any media.
2. Fill in the appropriate information requested on the certification page and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at 573-526-6925.

5036180



Jeremiah W. (Jay) Nixon, Governor Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

February 16, 2016

RECEIVED

NOTICE OF VIOLATION #SW1685
CERTIFIED MAIL #7013 1710 0001 3507 2187
RETURN RECEIPT REQUESTED

FEB 17 2016

PUBLIC DRINKING WATER

Mr. Hollis "Bert" Brower, Jr.
Taney County Water LLC- Venice
P.O. Box 1080
Nixa, MO 65714

Dear Mr. Brower:

On December 14, 2015 a Letter of Warning (LOW) was issued to you following a concern investigation conducted at the Taney County Water LLC - Venice public water system (MO 5036180). The investigation found no chlorine at some locations within your system on September 10 and 22, 2015. Samples were collected on these days and were found to have total coliform bacteria present which resulted in a microbiological maximum contaminant level violation for September 2015. Additional was your demonstrated failure to provide adequate public notification during low pressure events.

The LOW required you to submit your revised public notification plan for boil advisories and for submittal of daily chlorine records for the preceding three months by December 29, 2015. To date, the Missouri Department of Natural Resources (department) has not received your response. Additionally, you have also failed to complete the 2014 Consumer Confidence Report (CCR). Notice of Violation (SW1685) is being issued to document your continued failure to respond to the department's information request.

The Taney County Water LLC - Venice public water system was referred to the Public Drinking Water Branch for elevated enforcement action on January 21, 2015. Due to your failure to respond to the December 14, 2015 LOW, you may be contacted by the Public Drinking Water Branch in the near future to pursue resolution of documented violations. If you have any questions, please contact Mr. Lance Dorsey, Public Drinking Water Branch, P.O. Box 176, Jefferson City, MO, 65102, or by calling 573-751-5331.

Sincerely,

SOUTHWEST REGIONAL OFFICE

Cynthia S. Davies

Cynthia S. Davies
Regional Director

CSD/kpl

- c: Mr. Lance Dorsey, Public Drinking Water Branch
Ms. Darlene Helmig, Public Drinking Water Branch

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FEB 1 1996
FBI - MEMPHIS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

RECEIVED

MAR 25 2016

Water Protection Program

5036180

23 MAR 2016

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7014 1200 0000 6125 2636

Mr. Hollis Brower, Jr.
Administrative Contact
Taney County Water LLC – Venice Public Water
System – MO5036180
P.O. Box 1080
786 Croley Blvd
Nixa, Missouri 65714-0000

Re: Letter of Warning
Safe Drinking Water Act Violations
Taney County Water LLC – Venice Public Water System – MO5036180

Dear Mr. Brower:

This letter is to inform you that the Taney County Water LLC – Venice Public Water System is out of compliance with important provisions of the Safe Drinking Water Act. The provision of clean, safe drinking water to your community is important. As a result of the noncompliance, the PWS has been placed on the U.S. Environmental Protection Agency's list of "enforcement priorities."

The purpose of the EPA's enforcement priority list is to highlight systems where violations have occurred to ensure that the violations are addressed in a timely manner to protect public health. We encourage you to work closely with the Missouri Department of Natural Resources to resolve these violations. Where long-term corrective actions are necessary to resolve violations, the EPA recommends that the PWS develop formal plans and agreements with the MDNR to reflect commitments to complete corrective actions in a timely manner.

The EPA will continue monitoring the compliance status of the Taney County Water LLC – Venice PWS on a quarterly basis. If the PWS addresses outstanding violations, or timely enters into a formal agreement with the MDNR that includes a defined, enforceable compliance schedule for addressing violations, the PWS will be removed from the EPA's list of enforcement priorities. If outstanding violations are not addressed, or a compliance agreement is not signed with the MDNR, the EPA will evaluate enforcement options.

Please contact Scott Marquess, of my staff, at (913) 551-7131 if you have any questions or would like to discuss this matter. Alternatively, you may wish to contact Lance Dorsey, Chief of the Compliance and



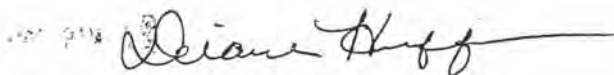
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OPC BW DIR "8"

27/96

Enforcement Section of the Public Drinking Water Branch at MDNR, at (573) 751-6982 to discuss this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane Huffman", with a long horizontal flourish extending to the right.

Diane Huffman
Chief
Water Enforcement Branch .

cc: Lance Dorsey, MDNR



Missouri Department of Natural Resources
Division of Environmental Quality
Public Drinking Water Branch

Investigation of Unsafe Samples

Southwest Regional Office

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PWS: Taney Co Venice ID# MO5036180 County: Taney

Sample Results via: E-mail Date Received 9/14/2015 SEP 25 2015

Use one form for each unsafe sample

PUBLIC DRINKING WATER

Sample Type	Date Collected	Lab #	Site /Location Address	Coliform A/P		Chlorine	
				TC	E Coli	Free	Total
Routine	9/10/2015	43024	198 Deer Run Dr. - kitchen & 306 3rd St, os spigot	P	A	0.00	0.00
Repeat - Org	9/22/2015	45102	306 3rd Street	P	A	0.00	0.03
Repeat - up	9/22/2015	45101	351 Honey Ln	P	A	0.08	0.00
Repeat - Dn	9/22/2015	45110	124 Sandy Lane	P	A	0.00	0.08
SOURCE	9/22/2015	45122	Honey Lane Well	P	A	0.07	0.02
Other	9/22/2015	45103	198 Deer Run Dr.	P	A	0.05	0.01

Ground Water Triggered Source Water Samples on page 2

System repairs made?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	<u>9/4/2015</u>	Filter / Softener?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Well Pump Pulled?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	____ (date)	System Disinfects?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Pressure Loss?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	<u>9/4/2015</u>	4-Log Disinfection?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
New Construction?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	____ (date)	Problem w/chlorinator?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Operator checked tower?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	____ (date)	Has Cl Test Kit?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Seasonal Startup?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	____ (date)	Sampling Technique:	<input type="checkbox"/> OK <input type="checkbox"/> Improper
Previous Sample Problems	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	____ (dates/comments)		

Person Called: Emily

Phone # (417) 891-4300

Date:

ACTIONS and or COMMENTS

9/18/2015 - I met w/ Mr. Burt Brower of Water Technologies, owner of the system, at the Red Rock Well (#6) to gain repeat samples after two samples (one from each side of the system) from a concern investigation had come back TC+. Burt stated that there had been no chlorine in either system at the time of my 9/9/15 sampling because they had a pump short on 9/4/15, which drained the chlorine tank. Despite having fixed the problem at 2:00 pm the day of 9/4, he claimed the chlorine had not had time to make it into the system by 9/9. He also stated that he had removed the required daily monitoring equipment a few months previous, but Mr. Kenny Thurman was checking the chlorine levels every 2-3 days.

Burt accompanied me while I took source water samples from the Red Rock and Honey Lane Wells. As I noticed no chlorine monitoring equipment on the Honey Lane Well either, he stated that he checked the chlorine readings once per week. When I requested that he submit the required monitoring records for the system, he agreed that he would do so and departed. I then took four repeats from distribution, two from each side of the system. There was chlorine in the system at this time, between 0.06-1.08 free and 0.00-1.08 total; this includes chlorine readings found at each well.

Note: the Red Rock Well does not have a check valve between the sample tap and the chlorine injection point but both sample taps are plumbed in before their chlorine injection sites. Unfortunately, all of the samples were invalidated as I was unable to meet the courier. I then planned to go out to the system again on the following Tuesday. ECL

9/22/2015 - Again, I met Burt Bower at the Red Rock Well where I gathered a source water sample and he

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29/96

ACTIONS and or COMMENTS

discovered he had left the chlorinator unplugged since our last visit. He then accompanied me to the Honey Lane well, where I gathered another source sample and it appeared that the chlorine pump may have been leaking. After which he departed and re-traced my steps and repeated my sampling; with 2 samples from each side of the system. There was little to no chlorine in either side of the system. ECL

9/24/2015 - Sample results were received with five of the six samples being TC+. I attempted to reach Burt to inform him but had to leave a voicemail. ECL

5 Routines required next month? No/NA Yes → Month: October. System reminded on: 9/24/2015.

MCL Violation? No Yes---(attach Investigation) PDWB notified/copied on: _____ (date)

Completed by: Emily Lawson

Date: 9/24/2015

Form# 2.42s Unsafe Sample Investigation, short form



Missouri Department of Natural Resources
 Division of Environmental Quality
 Public Drinking Water Branch

Investigation of Unsafe Samples

Southwest Regional Office

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1) Is this system Ground Water (Go to #3) Secondary system: go to #2. SW (If SW ONLY, no GW: STOP)

2) If Secondary System: is Primary system GW (go to #3) or SW (if SW ONLY, no GW: Stop)

3) Does (Primary) GW System provide 4-Log treatment? Yes: Stop, no triggered source water sampling required.

NO: Primary must do triggered source water sampling. Continue Below

PUBLIC DRINKING WATER

GW systems not doing 4-Log treatment requires source water sample from EACH well active the day of unsafe sample.

If unsafe sample was from a secondary system, list the Primary Groundwater System(s) and ID#'s here(if applicable):

Date Primary GW system(s) were notified to collect Triggered Source Water Samples:

Triggered Source Water Samples and Results

A triggered source water sample is required from EACH well used (normally the day of unsafe sample), unless the RO determines the unsafe sample was due to distribution problems or sampling problems. Also a source water sample is required for EACH unsafe sample. Two wells & one unsafe sample = one triggered source water sample from both wells. Two unsafe routine samples require two triggered source water samples from each well. List System name & ID# on top row for a primary or wholesale system selling to the consecutive system.

Source Samples				
Lab #	Date	Well	Coliform A/P	
			TC	E.C

Source Samples				
Lab #	Date	Well	Coliform A/P	
			TC	E.C

Was any source water sample E. Coli positive? N Y (If yes, 5 additional well samples required)
 Well# / Name / Location:

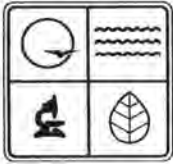
Additional Source Water Monitoring (if required)

Well:				
	Lab	Date	Coliform A/P	
			TC	E.C
1				
2				
3				
4				
5				
6				

Well:				
	Lab #	Date	Coliform A/P	
			TC	E.C
1				
2				
3				
4				
5				
6				

Was any of the additional source water sample E. Coli positive? N Y
 Corrective Action required? No Yes.....(attached documentation as necessary)
 If Yes, date system notified to take Corrective Action:

(Attach additional copies of this page if necessary)



Missouri Department of Natural Resources
 Water Protection Program
 Public Drinking Water Branch
 P.O. Box 176
 Jefferson City, MO 65102-0176



**Notice of Noncompliance
 Public Notice Required**

Date of Report: September 18, 2015
PWS Name: Taney CO Water LLC - Venice
Mail to:

PWS ID: MO5036180
County: Taney

Hollis H (Bert) Brower Jr
 786 Croley Blvd
 PO Box 1080
 Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the bacteriological analysis of water samples submitted for the period ending September 30, 2015.

Sample Type	Total Coliform Positive	E coli Positive
RT	2	0

Violation Type:

MCL (TCR), Monthly

This is a violation of 10 CSR 60-4.020(7)(A). Two or more samples tested positive for total coliform bacteria exceeding the Maximum Contaminant Level (MCL) for total coliforms.

Required Actions:

1. The enclosures give instructions on how to perform public notice and a copy of the public notice itself to distribute, post and provide to any media.
2. Fill in the appropriate information requested on the certification page and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at (573) 751-5331.

5036180



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

LETTER OF WARNING

December 14, 2015

Mr. Hollis "Bert" Brower, Jr.
Taney County Water LLC – Venice
P.O. Box 1080
Nixa, MO 65714

RECEIVED

DEC 16 2015

PUBLIC DRINKING WATER

Mr. Brower:

This letter is in regard to Environmental Concern (6249) filed with Missouri Department of Natural Resources (department) regarding Taney County Water, LLC. Venice; Missouri Public Water System Identification Number MO5036180. Staff investigated this concern on September 10, 2015.

The concerned party reported a water outage at their home and you asserted you were unaware of any system issues when contacted on September 4, 2015. You stated that you would contact us once you gathered information but failed to do so by the investigation date.

Upon arrival at Taney County Water, LLC. Venice system pressure was found to be adequate at 42-57 pounds per square inch but no chlorine residual was detected which is a violation of the Safe Drinking Water Regulation 10 CSR 60-4.055(4). All of the residents contacted complained of chronic water outages with no prior notice and few to no public notice advisories being posted afterward. They also unanimously stated that direct contact from the public water system has never occurred.

Two microbiological samples were taken, both tested total coliform positive. Per a phone conversation with you and Ms. Emily Lawson on September 17, 2015 you stated the roof on the well house collapsed, blowing the fuse on the pump and draining the storage tank; however, this had been fixed by 2:00 pm on September 4, 2015. You claimed that this resulted in the absence of chlorine in the system during Ms. Lawson's visit on September 10.

Investigation of additional Environmental Concerns (6754 and 6791) regarding Taney County Water, LLC. Venice in November 2015 revealed the persistent absence of chlorine as well as pressures in excess of 100 pounds per square inch in the distribution system. Residents reported the boil advisory/low pressure signs had been posted for anywhere from 10 to 30 days, sporadic water outages continue as well as a sustained lack of direct public notice.

It should also be noted that regular system pressures over 100 psi can cause damage to distribution systems and may result in line breaks. Since you have previously stated the persistent leaks and loss of pressure in this system are related to the age and poor condition of water lines, you are advised to install pressure reducing valves or otherwise increase your operational control of the system in order to limit additional damage and leaks within the system.



Per Missouri State Drinking Water Regulations 10 CSR 60-4.055 (3) the public water system is to maintain a minimum free chlorine residual of 0.5 mg/L at the entry points to the distribution system (i.e. at the wells) and to maintain 0.2 mg/L in all parts of the distribution system. The chlorine residual was less than the detectable limit (0.13 mg/L) at all points tested in the distribution system during Ms. Lawson's field visits on September 10, September 22 and November 12, 2015.

Additionally; per 10 CSR 60-4.055 (3) the public water system shall notify the department (Southwest Regional Office) by the end of the next business day of any free chlorine reading at the entry point to the distribution system that is below 0.5 mg/L and shall also advise the Southwest Regional Office if the time in which the free chlorine level was below 0.5 mg/L exceeded four hours. No contact was made by your office when such an incident occurred on September 4, by your own admission to Ms. Lawson during the September 17 phone conversation.

As an owner/operator of a public water system you are expected to adhere to the public notice requirements outlined in the department's publication *Drinking Water: Boil-Water Orders Manual* dated December 11, 2008, PUB002300. This guidance manual describes the department's authority to issue Boil Water Orders any time pressure within a water distribution system falls below 20 psi. The guidance also states a public water system may issue a Boil Water Notice voluntarily to provide proper and adequate notice to its customers. You continue to fail to provide direct notice to the customers of your water system. You are required to provide direct public notice, for example: door hangers or reverse 911, in the event that a boil advisory or order is issued. The yard signs are one method, however it is not assured everyone sees these signs. Another method must also be implemented.

The two total coliform positive samples from September 10 triggered an unsafe investigation on September 18, during which you said the daily chlorine monitoring equipment had been removed from the system for months. You stated the Honey Lane Well (WL15517) and the Redrock Well (WL10738) were being monitored manually, once a week and every 2-3 days respectively. At that time, chlorine readings in the system were found to be between 0.29-1.08 mg/L free chlorine and 0.77-1.08 mg/L total chlorine.

A second unsafe investigation was necessary on September 22 due to a failure to meet the courier in time to ship the samples on September 18. During this investigation chlorine was again absent from the system and you informed Ms. Lawson that the chlorinator for the Redrock Well (WL10738) had been unplugged since September 18. A closer look at the Honey Lane Well (WL15517) revealed a pump that appeared to have been leaking considerably for some time. Five of the six microbiological samples taken that day tested total coliform positive, including the source water sample from the Honey Lane well. This resulted in a Bacteriological Maximum Contaminant Level violation for September 2015. Public notice is required to be completed for this type of violation and you should have received the paperwork to do so. Please ensure you have completed public notice and submit the certification back to the department to avoid obtaining a violation.

Taney County Water LLC – Venice
December 14, 2015
Page 3

Per Missouri State Drinking Water Regulations 10 CSR 60-4.070 (3), the public water system shall test daily the free chlorine residual at the entrance to the distribution system and record these results in the water system's operational records. Records must be kept in your files and available for review upon request by the department. These records have been requested of you by my staff on multiple occasions and you have yet to submit them.

As a reminder, you are required to perform direct notification of residents in addition to signage when public notice is required. This may be accomplished by methods such as reverse 911 or door hangers.

You must maintain and submit required daily chlorine monitoring records, work to maintain a free chlorine residual of 0.2 mg/L throughout the distribution system and notify the department as required if free chlorine levels at the entry point to the distribution drop below 0.5 mg/L.

Finally, it has been brought to our attention the department has not received notification that the 2014 Consumer Confidence Report (CCR) had been distributed to your customers as per 10 CSR 60-8.030. You must provide all customers a copy of the CCR and submit the certification to the department by **December 29, 2015**. For more information or guidance on the CCR please contact Ms. Sharon Wilber at 573-526-3832.

This system was referred to the Public Drinking Water Branch for enforcement on January 21, 2015. Please submit a revised public notice plan to notify the customers of boil advisories and all chlorine records for this system for the past three months by **December 29, 2015** to Mr. Lance Dorsey with the Public Drinking Water Branch at P.O. Box 176, Jefferson City, MO, 65102; telephone 573-751-5331. Please copy Southwest Regional Office on your response. If you have further questions regarding these issues please feel free to contact me at 417-891-4300 or via mail at the Southwest Regional Office, 2040 W. Woodland, Springfield, MO 65807-5912.

Sincerely,

SOUTHWEST REGIONAL OFFICE



Mark Rader, Chief
Drinking Water Section

MDR/ell

c: Ms. Darlene Helmig, Public Drinking Water Branch
Mr. James Merciel, Public Service Commission
Mr. Brent Weis, Public Drinking Water Branch
Ms. Sharon Wilber, Public Drinking Water Branch

213.pdwp.TaneyCoWaterLLCVenice.mo5036180.x.2015.12.14.fy16.ltr.x.ecl.docx

Mr. James Merciel
Public Service Commission
P.O. Box 360
Jefferson City, MO 65102



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

December 29, 2015

Hollis H (Bert) Brower Jr
786 Croley Blvd
PO Box 1080
Nixa, MO 65714

RE: PUBLIC NOTIFICATION VIOLATION
Taney CO Water LLC - Venice
MO5036180
Taney County

Dear Owner or Operator:

You are receiving this violation, in accordance with Missouri Safe Drinking Water Law and Regulations 10 CSR 60-8.010, because we have not received your public notification to your customers concerning the MCL (TCR), MONTHLY violation as listed in the details below. You were required to issue the proper public notification by October 28, 2015. Your system will remain out of compliance until you provide to your customers the public notification and provide this office with a copy of the public notification and certification form.

The following details describe the violation and can be used in future reference to this matter:

Public Notification Violation

Violation Type Code	75 - Public Notice Rule Linked To Violation
Violation Number	2016 1009169
Violation Date	12/29/2015
Due Date	10/28/2015

Original Violation Requiring PN

Analyte Group Name	COLIFORM (TCR)
Violation Type Code	22 - MCL (TCR), MONTHLY
Violation Number	2015 1009166
Violation Date	9/18/2015
Monitoring Period Name	SEP2015
Begin and End Date	9/1/2015 to 9/30/2015



Mr. Hollis H (Bert) Brower Jr
Page Two

If your records indicate compliance with our regulations, please do the following:

1. Make a copy of the public notice and the completed certification page with signature.

2. Mail the pages to: Missouri Department of Natural Resources
Water Protection Program
Public Drinking Water Branch
Attn: Public Notice Coordinator
PO Box 176
Jefferson City, MO 65102-0176

Or Fax the pages to: (573) 751-3110

When we have evaluated the forms, the violation will be returned to compliance. If the department requires additional information we will contact you. If you have questions about this letter or would like to request additional copies of the public notice please contact me at (573) 751-4422.

Sincerely,

WATER PROTECTION PROGRAM

Shelby D. Miller

Shelby D. Miller
Compliance and Enforcement Environmental Specialist

SM:ag

c: Ms. Kristen Pattinson, Southwest Regional Office



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

October 20, 2015

Hollis H (Bert) Brower Jr
786 Croley Blvd
PO Box 1080
Nixa, MO 65714

RE: PUBLIC NOTIFICATION VIOLATION
Taney CO Water LLC - Venice
MO5036180
Taney County

Dear Owner or Operator:

You are receiving this violation, in accordance with Missouri Safe Drinking Water Law and Regulations 10 CSR 60-8.010, because we have not received your public notification to your customers concerning the FAILURE ADDRESS DEFICIENCY (GWR) violation as listed in the details below. You were required to issue the proper public notification by August 19, 2015. Your system will remain out of compliance until you provide to your customers the public notification and provide this office with a copy of the public notification and certification form.

The following details describe the violation and can be used in future reference to this matter:

Public Notification Violation

Violation Type Code	75 - Public Notice Rule Linked To Violation
Violation Number	2016 1009167
Violation Date	10/20/2015
Due Date	8/19/2015

Original Violation Requiring PN

Analyte Group Name	GROUNDWATER RULE
Violation Type Code	45 - FAILURE ADDRESS DEFICIENCY (GWR)
Violation Number	2015 1009165
Violation Date	7/10/2015
Monitoring Period Name	N/A
Begin and End Date	5/22/2015 to N/A



OPC BW DIR "8"
41/96

Mr. Hollis H (Bert) Brower Jr
Page Two

If your records indicate compliance with our regulations, please do the following:

1. Make a copy of the public notice and the completed certification page with signature.
2. Mail the pages to: Missouri Department of Natural Resources
Water Protection Program
Public Drinking Water Branch
Attn: Public Notice Coordinator
PO Box 176
Jefferson City, MO 65102-0176

Or Fax the pages to: (573) 751-3110

When we have evaluated the forms, the violation will be returned to compliance. If the department requires additional information we will contact you. If you have questions about this letter or would like to request additional copies of the public notice please contact me at (573) 751-4422.

Sincerely,


WATER PROTECTION PROGRAM

Shelby D. Miller

Shelby D. Miller
Compliance and Enforcement Environmental Specialist

SM:ag

c: Ms. Kristen Pattinson, Southwest Regional Office



STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

July 13, 2015

Mr. Hollis Brower Jr.
Taney County Water LLC- Venice
787 Croley Blvd.
Nixa, MO 65714

RE: Notice of Non-Compliance – Significant Deficiencies

Dear Mr. Brower Jr.:

This letter is a follow-up to the December 10, 2014 inspection of the public water system (PWS) serving Taney County Water LLC- Venice (MO5036180) in Taney County, in which the Missouri Department of Natural Resources staff identified significant deficiencies within the PWS. Significant Deficiencies are defined as defects in design, operation, or maintenance of the PWS that can cause public health concerns, or have the potential to introduce contamination to the water system. Staff identified the following significant deficiencies:

The casings at the Honey Lane and Valley View wells were not effectively sealed against the entrance of water under all conditions which is a Significant Deficiency per 10 CSR 60-4.025(4)(A)4.A. Specifically, the sanitary seal has been cut at the Honey Lane well and a gap exists between the top casing plates at the Valley View well.

According to 10 CSR 60-4.025(4), within 120 days of being notified of a significant deficiency you are required to have either demonstrated to the department that the deficiencies have been corrected or to have entered into a department approved corrective action plan to resolve the deficiencies.

Our records indicate that your water system was scheduled to have corrected the significant deficiencies or entered into a corrective action plan to return to compliance by May 21 2015. As of the date of this letter, our records do not show your water system met the requirement to correct the identified deficiencies and is in violation of regulation 10 CSR 60-4.025(4).

In accordance with 10 CSR 60-8 your PWS is responsible for notifying customers of this violation. Enclosed you will find a copy of the required public notice and certification forms. Please fill in the certification form with the appropriate dates of delivery/posting. Return a copy of the distributed notification and the signed certification sheet to the Missouri Department of Natural Resources, Water Protection Program, Public Drinking Water Branch, attn: Shelby Miller, P.O. Box 176 Jefferson City, Missouri, 65102.

Mr. Hollis Brower Jr.
Page Two

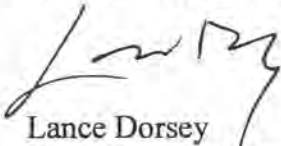
Immediately upon receipt of this letter, please contact the Southwest Regional Office, by calling 417-891-4301, to discuss this issue. This violation will be returned to compliance after you have demonstrated to the department that the significant deficiencies have been corrected or the PWS has entered into a department approved corrective action plan.

Failure to comply with these requirements may cause the department to initiate further enforcement action, which may include referral to the Water Protection Program, Public Drinking Water Branch, Compliance and Enforcement Unit for appropriate injunctive relief and collection of monetary penalties.

If you have questions concerning this letter please feel free to contact the Southwest Regional Office by calling 417-891-4301, or via mail at the Southwest Regional Office, 2041 W. Woodland, Springfield, Missouri 65807-5912.

Sincerely,

WATER PROTECTION PROGRAM



Lance Dorsey
Compliance and Enforcement Section Chief

LD:bwa

c: Ms. Katie Hirtz, Southwest Regional Office



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

April 28, 2015

Hollis H (Bert) Brower Jr
786 Croley Blvd
PO Box 1080
Nixa, MO 65714

RE: PUBLIC NOTIFICATION VIOLATION
Taney CO Water Llc - Venice
MO5036180
Taney County

Dear Owner or Operator:

You are receiving this violation, in accordance with Missouri Safe Drinking Water Law and Regulations 10 CSR 60-8.010, because we have not received your public notification to your customers concerning the MONITORING (TCR), ROUTINE MINOR violation as listed in the details below. You were required to issue the proper public notification by March 21, 2015. Your system will remain out of compliance until you provide to your customers the public notification and provide this office with a copy of the public notification and certification form.

The following details describe the violation and can be used in future reference to this matter:

Public Notification Violation

Violation Type Code	75 - Public Notice Rule Linked To Violation
Violation Number	2015 1009164
Violation Date	4/16/2015
Due Date	3/21/2015

Original Violation Requiring PN

Analyte Group Name	COLIFORM (TCR)
Violation Type Code	24 - MONITORING (TCR), ROUTINE MINOR
Violation Number	2014 1009158
Violation Date	3/21/2014
Monitoring Period Name	FEB2014
Begin and End Date	2/1/2014 to 2/28/2014



Mr. Hollis H (Bert) Brower Jr
Page Two

If your records indicate compliance with our regulations, please do the following:

1. Make a copy of the public notice and the completed certification page with signature
2. Mail the pages to: Missouri Department of Natural Resources
Water Protection Program
Public Drinking Water Branch
Attn: Public Notice Coordinator
PO Box 176
Jefferson City, MO 65102-0176

Or Fax the pages to: (573) 751-3110

When we have evaluated the forms, the violation will be returned to compliance. If the department requires additional information we will contact you. If you have questions about this letter or would like to request additional copies of the public notice please contact me at (573) 751-4422.

Sincerely,

WATER PROTECTION PROGRAM

Shelby D. Miller

Shelby D. Miller
Compliance and Enforcement Environmental Specialist

SM:ag

c: Ms. Kristen Pattinson, Southwest Regional Office

✓

4959
Confirmed

5036180
read 1.22.15
2.18.15



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

January 21, 2015

NOTICE OF VIOLATION #15980SW
CERTIFIED MAIL #7013 1710 0001 4146 9629
RETURN RECEIPT REQUESTED

Mr. Hollis Brower
Taney County Water LLC – Venice
P.O. Box 1080
Nixa, MO 65714

Dear Mr. Brower:

Enclosed is the Report of Inspection for the community water system serving Taney County Water LLC – Venice in Taney County. Included in this report is a listing of Significant Deficiencies noted during the inspection that require corrective action by the public water system. This report is believed to be self-explanatory. I trust you will direct your attention to the following deficiencies which are more thoroughly discussed within the Report of Inspection:

- The casings at the Honey Lane and Valley View wells were not effectively sealed against the entrance of water. **(Significant Deficiency)**
- The ground level storage tank at Red Rock was not constructed to prevent entry of birds or insects. **(Significant Deficiency)**
- The public water system does not have a permit to dispense water.
- The public water system has not established a cross-connection control program.
- The public water system failed to monitor for free chlorine residual at the entrance to the distribution system daily.
- The public water system failed to monitor for distribution total chlorine residual at the time of microbiological sampling.
- The public water system failed to comply with all requirements of the Bilateral Compliance Agreement (BCA) signed on November 16, 2012 and modified on January 28, 2013.

Additional recommendations for the water system are outlined within the report.

The Taney County Water LLC-Venice public water system entered into a *Bilateral Compliance Agreement* (BCA) on November 16, 2012 and a revised *Bilateral Compliance Agreement* was signed on January 18, 2013 to address microbiological monitoring violations, public notice, and taking daily free chlorine readings at the entrance of distribution. The purpose of the agreement was to address the original violations and prevent their recurrence.

Item 3 under the Monitoring section of the agreement stated that in the next month following an unsafe sample, the public water system shall submit five routine samples. Only three samples



Taney County Water LLC – Venice
January 21, 2015
Page 2

were submitted during February 2014. In item 4 under Emergency Treatment you were required to test daily the free chlorine residual at the entrance to the distribution system and record these results in your operational records and submit them to the Missouri Department of Natural Resources (department) by the fifteenth day of the following month. The department has not received any records to date. Item 1 under Public Notice required you to certify public notice to the department. The department has not received certification of public notice for October, November, and December 2012 and January 2014. The enclosed Notice of Violation #15980SW outlines the continuing violations of Missouri Safe Drinking Water Regulations and National Primary Drinking Water Regulations. The *Bilateral Compliance Agreement* is terminated as incomplete.

This department has made repeated contacts with Taney County Water LLC-Venice in an effort to resolve these issues. These efforts include a BCA, extending the BCA, a meeting at Southwest Region Office, a number of site visits based on concerns, phone calls, one Boil Order, and several letters requesting certification of public notices. All of these documents and visits explained the regulations, the violations, and the actions necessary to bring the facility back into compliance, and always invited the system to contact the department for assistance.

In light of your continuing violation of law and regulation, this office is requesting that the department's Public Drinking Water Branch review the compliance history for Taney County Water LLC-Venice and take appropriate enforcement action. The formal enforcement action may include asking the Missouri Attorney General's Office to file a lawsuit seeking monetary penalties against your facility commensurate with the history of noncompliance that has been established.

In the near future you will be contacted by the enforcement section of the Public Drinking Water Branch. If you have any questions, please contact Mr. Lance Dorsey, Public Drinking Water Branch, P.O. Box 176, Jefferson City, Missouri, 65102, or by calling 573-751-5331.

Sincerely,

SOUTHWEST REGIONAL OFFICE



Cynthia S. Davies
Regional Director

CSD/kpl

Enclosure

c: Mr. Lance Dorsey, Public Drinking Water Branch
Ms. Darlene Helmig, Public Drinking Water Branch
Ms. Misty Lange, Public Drinking Water Branch
Mr. James Merciel, P.E., Public Service Commission



MISSOURI DEPARTMENT OF NATURAL RESOURCES
NOTICE OF VIOLATION

VIOLATION NUMBER
15980SW Page 1 of 2

DATE AND TIME ISSUED January 21, 2015			
SOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION) Taney County Water LLC Venice			
Rockaway Beach, Missouri			
Missouri Public Water System MO5036180			
Section 18, Township 24 North, Range 20 West, Taney County			
MAILING ADDRESS P. O. Box 1080	CITY Nixa	STATE MO	ZIP CODE 65714
NAME OF OWNER OR MANAGER Hollis Brower, Jr.		TITLE OF OWNER OR MANAGER Organizer	
LAW, REGULATION OR PERMIT VIOLATED			
National Primary Drinking Water Regulations		Missouri Safe Drinking Water Regulations	
1) 40 CFR 142.10(b)(5)		10 CSR 60-4.080 (5)	
2) 40 CFR 141.21(b)(5)		10 CSR 60-4.020(2)(E)	
3) 40 CFR 141.63		10 CSR 60-4.020(7)(B)	
4) 40 CFR 141.402(a)(2)		10 CSR 60-4.025(3)(A)	
5) 40 CFR 141.21(b)		10 CSR 60-4.020(2)	
6) 40 CFR 141.74(b)		10 CSR 60-4.080(1) and (3)	
7) 40 CFR 141.31(d)		10 CSR 60-7.010(10)	
NATURE OF VIOLATION			
<ol style="list-style-type: none"> The public water failed to implement changes required by the department in the Bilateral Compliance Agreement signed on November 16, 2012 or the revised Bilateral Compliance Agreement signed on January 18, 2013. The public water system failed to collect five routine microbiological samples for microbiological analysis during October 2013 and February 2014 (a month following total coliform positive samples). The public water system failed to meet the maximum contaminant level for total coliform bacteria during December 2012 and January 2014. The public water system failed to submit a triggered source water sample for bacterial analysis following a total coliform positive during December 2012 and September 2013. The public water system failed to collect repeat samples following a total coliform positive during September 2013. The public water system failed to certify to the department that public notification has been made for the October, November, and December 2012 and January 2014 violations. The public water system failed to report the monitoring of free chlorine residual daily at the distribution entrance from January 2014 through December 2014. 			
SIGNATURE (PERSON RECEIVING NOTICE) Sent Via US Mail		SIGNATURE (PERSON ISSUING NOTICE) Kristen Pattinson <i>Kristen Pattinson</i>	
TITLE OR POSITION		TITLE OR POSITION Drinking Water Compliance Unit Chief	



MISSOURI DEPARTMENT OF NATURAL RESOURCES
NOTICE OF VIOLATION

VIOLATION NUMBER
15980SW Page 2 of 2

DATE AND TIME ISSUED
January 21, 2015

SOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION)
Taney County Water LLC Venice
Rockaway Beach, Missouri
Missouri Public Water System MO5036180
Section 18, Township 24 North, Range 20 West, Taney County

MAILING ADDRESS P. O. Box 1080	CITY Nixa	STATE MO	ZIP CODE 65714
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NAME OF OWNER OR MANAGER Hollis Brower, Jr.	TITLE OF OWNER OR MANAGER Organizer
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LAW, REGULATION OR PERMIT VIOLATED	
National Primary Drinking Water Regulations	Missouri Safe Drinking Water Regulations
8) 40 CFR 141.403(a)(4)	10 CSR 60-4.025(4)(A)4.A
9) 40 CFR 141.403(a)(4)	10 CSR 60-4.025(4)(A)D
10) 40 CFR 142.10(b)(5)	10 CSR 60-3.010(1)(D)
11) 40 CFR 142.10	10 CSR 60-11.010
12) 40 CFR 141.74(b)	10 CSR 60-4.080(3)
13) 40 CFR 141.74(b)(6)	10 CSR 60-4.055(E)
14) 40 CFR 142.10(b)(5)	10 CSR 60-4.080(5)

NATURE OF VIOLATION	DATE(S):	TIME(S):
<p>8) The casings at the Honey Lane and Valley View wells are not effectively sealed against the entrance of water under all conditions which is a Significant Deficiency. Specifically, the sanitary seal has been cut at the Honey Lane well and a gap exists between the top casing plates at the Valley View well.</p> <p>9) The ground level storage tank at Red Rock was not constructed to prevent entry of birds or insects which is a Significant Deficiency. Specifically, a wasp nest was found inside the overflow screen. It should be noted that this is the second compliance inspection in a row to locate a wasp nest in the overflow</p> <p>10) The public water system dispensed water to the public without first obtaining from the department a written permit to dispense.</p> <p>11) The public water system has not established a cross-connection control program.</p> <p>12) The public water system failed to perform daily chlorine residual monitoring.</p> <p>13) The public water system failed to consistently monitor for distribution total chlorine residual at the time of microbiological sampling.</p> <p>14) The public water system failed to provide proper public notice during a low pressure event in December 2013 which led to the department to issue a Boil Water Order on January 3, 2014.</p>		

SIGNATURE (PERSON RECEIVING NOTICE) Sent Via US Mail	SIGNATURE (PERSON ISSUING NOTICE) Kristen Pattinson <i>Kristen Pattinson</i>
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TITLE OR POSITION	TITLE OR POSITION Drinking Water Compliance Unit Chief
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MISSOURI DEPARTMENT OF NATURAL RESOURCES
REPORT OF INSPECTION
COMMUNITY PUBLIC WATER SYSTEM
TANEY COUNTY WATER LLC - VENICE
TANEY COUNTY, MISSOURI
PUBLIC WATER SYSTEM ID NUMBER MO5036180

January 21, 2015

INTRODUCTION

A routine inspection was made of the community public water system serving Taney County Water LLC – Venice by Ms. Katie Hirtz of the Missouri Department of Natural Resources (department) Southwest Regional Office on December 10, 2014. Mr. John Witherspoon, Operator, was present representing the facility during the inspection. The purpose of the inspection was to determine compliance with Missouri Safe Drinking Water Law and Regulations prior to referral of this system for enforcement action.

DISCUSSION

Taney County Water, LLC – Venice is a private water company serving an estimated population of 1,100 people through 380 connections. Water is provided year-round. The water system is split into two distribution systems: Venice on the Lake and Valley View Mobile Home Park. Venice on the Lake is served by two wells, and Valley View has one well. These two systems are not interconnected.

The primary well serving Venice on the Lake is known as the Red Rock well and is located off of South Thurman Road. This state-approved well was drilled in 1979 to a total depth of 720 feet with six-inch casing to a depth of 500 feet. The submersible well pump is rated at 90 gallons per minute. Liquid chlorination is provided. At the time of inspection, there was a leaking valve located just downstream of the chlorine injector. According to the operator this valve has been leaking since last winter; significant corrosion has occurred on the surrounding components due to the spray of highly chlorinated water. No floor drain is provided within this enclosure causing water to escape wherever possible; significant damage has occurred to the lower portion of the walls. Storage and chlorine detention are provided by a 27,000-gallon ground level storage tank. A second leak was noted on an exposed portion of the discharge line to this tank; the operator indicated this leak has existed for some time. The system is primarily pressurized by gravity; several uphill connections are pressurized by a single booster pump and bladder tank.

The secondary well serving Venice on the Lake is known as the Honey Lane well. The Honey Lane well [grandfathered] was drilled prior to 1975 to a depth of 465 feet with six-inch casing to an unknown depth. A five-horsepower submersible pump is set at 400 feet and rated at 25 gallons per minute. Pressure is balanced by an 86-gallon bladder tank. Liquid chlorination is provided. Two 120-gallon unpressurized tanks provide chlorine detention. Previous reports

noted high usage from this well; repairs made earlier this year located a very large leak near the well house.

The Valley View well [grandfathered] was drilled prior to 1975; no well construction information is available. A three-horsepower submersible pump is set at an unknown depth. Pressure is balanced by two 85-gallon bladder tanks. Liquid chlorination is provided. Two 120-gallon unpressurized tanks provide chlorine detention. Free chlorine residuals must be maintained at or above 0.95 mg/L to adequately disinfect the water at this well. The water system is currently conducting quarterly nitrate monitoring at this well due to sample results exceeding 50% of the maximum contaminant level.

The Honey Lane and Valley View wells are not state-approved but were drilled before October 1, 1979, and are therefore considered grandfathered. Before making improvements to the current wells or drilling a new well, you must obtain a construction permit from the Missouri Department of Natural Resources Public Drinking Water Branch and design per the December 2013 Minimum Design Standards for Missouri Community Water Systems.

Venice on the Lake is served by a six-inch main trunk line; all feeder mains are two inches in diameter. The Valley View distribution system consists of two-inch mains. All water lines are believed to be polyvinyl chloride (PVC). Neither system is equipped with flush valves or hydrants. Valves are installed at various locations; however, due to their condition existing valves are not normally touched due to fear of breakage. Valves are replaced as lines are repaired. The establishment of a central water system serving Venice on the Lake in 1975 brought together nine existing developments resulting in water lines of various ages and construction. Many lines were installed without proper bedding and at shallow depths subjecting them to freezing and breakage. Historically, leak rates have been very high.

Since the last inspection, permanent chlorination has been installed at all three wells as required in the Bilateral Compliance Agreement. Final inspections were completed in April 2014 for the Red Rock and Honey Lane wells. A final inspection has just been completed on the Valley View well and will be mailed under a separate cover letter. The water system plans to install continuous chlorine monitors at all three locations; as a reminder, the water system is required to calibrate the equipment in accordance with Federal Regulation 40 CFR 141.74(a)(2) or EPA Method 334.0, whichever is most appropriate, prior to use of the equipment.

Also since the last inspection, two unpermitted modifications have been made to the system. At the Honey Lane well, a 350-gallon air over water hydropneumatic tank was replaced with an 86-gallon bladder tank. At the Valley View well, two 119-gallon bladder tanks were removed to make room for the unpressurized chlorine detention tanks. As a reminder, any modification to a public water system requires engineering and construction permits.

The system requires an operator properly certified at the DS-II level. Messrs. Bert Brower and John Witherspoon are properly certified for this system.

Two drinking water samples were collected from 1058 Sundown and were submitted for microbiological analysis. The samples tested total coliform absent or “safe”. The total residual chlorine level in the system was 0.51 mg/L at the time of the inspection. Free chlorine residuals were also collected at the Red Rock and Valley View wells and found to be 0.7 mg/L and 1.2 mg/L, respectively.

MONITORING AND SAMPLING HISTORY

The following is a list of monitoring violations the system has accrued during the last 24 months.

The system failed to meet microbiological maximum contaminant levels during January 2014 by having two or more total coliform positive water samples.

The system failed to collect five microbiological routine samples in October 2013 and February 2014 which were months following total coliform positive samples.

The system failed to collect any microbiological repeat samples or a triggered source water samples following an unsafe routine sample collected during September 2013.

We recommend the rate charged for water be evaluated to determine if it meets the minimum necessary to recover the full costs associated with production, treatment, storage and distribution of water. Sale of water should be metered to encourage water conservation. Establishing regular cost of living adjustments can help eliminate large fee increases that occur when rate increases are delayed until large item expenses occur.

In view of recent natural catastrophes at other communities in the area, it is strongly recommended that your emergency operation plan and procedures be evaluated and updated to determine if they are adequate for any emergency that may arise. For more information please see the Model Emergency Operating Plan for Public Water Supplies located on the Department website at <http://www.dnr.mo.gov/env/wpp/eop/index.html>.

UNSATISFACTORY FEATURES

The Ground Water Rule specifies eight elements integral to an effective inspection of a public water system. The eight elements are: Source (protection, physical components, and condition); Treatment; Distribution System; Finished Water Storage; Pumps, Pump Facilities, and Control; Monitoring, Reporting, and Data Verification; Water System Management and Operations; and Operator Compliance with State Requirements. Your public water system was evaluated for compliance with these eight elements.

The following unsatisfactory features were noted with comments and recommendations for correction, and are organized into categories as noted below. Pay particular attention to those unsatisfactory features cited under the Significant Deficiency heading because they require corrective action.

Significant Deficiencies

Significant Deficiencies cause, or have the potential to cause, the introduction of contaminants into water delivered to customers. The Ground Water Rule (GWR) requires the public water system to consult with the department within 30 days of receiving this report to determine what actions will be taken to correct the Significant Deficiency. Please inform the department on your course of action by phone or mail no later than **February 20, 2015, otherwise a violation will be issued**. The system must also contact the department within 30 days of correcting a Significant Deficiency. In total, the system has 120 days from the date of this letter to either complete the required corrective actions, or enter into an approved corrective action plan, which provides a schedule for completion of the remaining Significant Deficiencies. If the Significant Deficiency is not resolved within 120 days or another department-approved date, **then a violation will be issued**.

1. The casings at the Honey Lane and Valley View wells were not effectively sealed against the entrance of water under all conditions which is a Significant Deficiency per 10 CSR 60-4.025(4)(A)4.A. Specifically, the sanitary seal has been cut at the Honey Lane well and a gap exists between the top casing plates at the Valley View well.

Condensate water entering unsealed openings in the well is a significant source of questionable and unsafe bacteriological samples. The openings for electrical wires and the drawdown tube should be sealed with silicone caulk. The sanitary seal on submersible pumps should be in good condition and properly installed and should not be cut. All imperfections around the base of a vertical turbine pump should be sealed with silicone caulk.

Seal all casing openings with silicone caulk except for the properly constructed vents. Replace the cut sanitary seal with a new uncut one. Please provide photographs demonstrating all openings in the casing have been sealed to document compliance.

2. The ground level storage tank at Red Rock was not constructed to prevent entry of birds or insects which is a Significant Deficiency per 10 CSR 60-4.025(4)(A)D. Specifically, a wasp nest was found inside the overflow screen. It should be noted that this is the second compliance inspection in a row to locate a wasp nest in the overflow.

The storage tank must be watertight and constructed to prevent entry of birds, insects, and excessive dust. Storage tanks are very attractive to birds and insects because they are warm in the winter and cool in the summer. The presence of birds, insects, or excessive dust in the tank may result in unsafe bacteriological samples.

Inspect and/or modify the storage tank so that it is watertight and constructed to prevent entry of birds, insects, and excessive dust. Submit photographic evidence of any inspection or repairs made to the Southwest Regional Office to demonstrate compliance.

Violations of Missouri Safe Drinking Water Regulations

These violations can result in enforcement action if repeated or not corrected. Some violations are more serious than others, and this is explained in the comments.

3. The public water system does not have a permit to dispense water as required by Safe Drinking Water Regulation 10 CSR 60-3.010(2)(A).

All public water systems must obtain a permit to dispense water to the public. There is no permit fee. A public water system must submit a permit to dispense application and must meet bacterial and chemical monitoring and maximum contaminant level requirements.

Complete the enclosed transfer application for a permit to dispense and submit it with all required documentation, including a deed to the well properties, to: Missouri Department of Natural Resources, Public Drinking Water Branch, Infrastructure, Permits and Engineering Section, P.O. Box 176, Jefferson City, MO 65102, Phone 573-751-5331, Fax: 573-751-3110.

4. The public water system has not established a cross-connection control program.

Safe Drinking Water Regulation 10 CSR 60-11.010 require that a public water system be designed and maintained to prevent contamination from being introduced into the system from back-pressure or back-siphonage. This cross-connection control program should include a cross-connection ordinance for cities and towns, a cross-connection clause in the user agreement for private utilities, and an inspection of all potential cross-connection sources such as car washes, school laboratories, beverage bottling plants, sewage treatment plants, facilities with boilers or fire sprinkler systems, mortuaries, irrigation systems, hospitals, and industrial manufacturing plants.

Whenever an unprotected cross-connection is discovered, it must be corrected by the customer installing a department-approved air gap or backflow prevention device. Air gaps and backflow prevention devices must be tested annually by a certified tester, and results of these tests must be kept in the public water system records for a period of five years and made available to the department inspector during inspections.

Establish a cross-connection control program. Enclosed for your use is a model user agreement.

5. The public water system failed to monitor for free chlorine residual at the entrance to the distribution system (i.e., at the wells after detention) daily and record results on a log sheet as required by Safe Drinking Water Regulation 10 CSR 60-4.055(3)(F) and 10 CSR 60-4.080(3).

The free chlorine residual must be tested daily at each chlorinated well and recorded in the public water system records. These records must be kept for five years and made available to the department inspector upon request.

6. The public water system failed to monitor for distribution total chlorine residual at the time of microbiological sampling during December 2012, May, July, August, and September 2013, and January 2014 as required by Safe Drinking Water Regulation 10 CSR 60-4.055(4)(E). In addition, the system only monitored for free chlorine during microbiological sampling in January, February, March, June, October, November and December 2013 and during all of 2014.

The total chlorine residual must be tested each time a routine microbiological sample is collected and recorded on the sample card and kept in the public water system records. These records must be kept for five years and made available to the department inspector upon request.

7. The public water system failed to comply with all requirements of the Bilateral Compliance Agreement (BCA) signed on November 16, 2012 and modified on January 28, 2013, as required by Safe Drinking Water Regulation 10 CSR 60-4.080(5). Specifically, the public water system failed to monitor free chlorine residuals daily at all three wells and submit copies of records for four calendar months.

Missouri Safe Drinking Water Regulation requires that a public water system must implement changes required by the department if, after investigation, it is found that any public water system is incompetently supervised, improperly operated, inadequate, of defective design, or if the water fails to meet standards established in regulation.

While awaiting contact by the enforcement section of the Public Drinking Water Branch, it is recommended the public water system review the withdrawn BCA and take whatever actions are necessary to comply with the outstanding requirements.

Department Recommendations

These deficiencies are important and the public water system should give serious consideration to correction. However, these deficiencies are not normally subject to enforcement action unless the department determines that these are contributing to the failure of the public water system to provide an adequate volume of safe water to customers at sufficient pressure.

8. The well casings at Honey Lane and Valley View were not protected against physical damage.

The well casing and all exposed piping should be protected against deterioration, physical damage, and freezing. Paint the exterior of the well casings to protect them from corrosion.

9. All three well houses are inadequate.

Each well house should be weather proof, have a locked door/chain link fence, have adequate space for operation/maintenance, have a floor drain, have a heater for winter, and not be used to store chemicals. The well discharge piping (ductile iron) should be kept painted.

Improve the well houses by installing locks on “dog-house” hatches and by installing floor drains in all enclosures. Repair leaking valves.

10. The ground level storage tank piping at Red Rock and the bladder tank piping at Red Rock and Honey Lane are not sufficiently piped or valved to permit bypassing.

A storage tank should be designed and constructed to allow tanks and reservoirs to be taken offline, drained, cleaned, repaired, and painted without causing a loss of pressure in the distribution system. This should include bypass piping and sufficient valves to a storage tank to permit continuous operation of the system even with the tank offline.

11. Storage capacity is insufficient.

The minimum storage capacity (or equivalent storage capacity) for systems not providing fire protection shall be equal to the average daily consumption or, since usage data was not provided, domestic water usage shall be an average of 80 gallons per person per day. Since the system supplies an estimated 1,100 people, the minimum storage capacity is 88,000 gallons (as compared to the current storage capacity of 28,000 gallons). Given the expected leak rate for the system, it is anticipated that this suggested storage capacity is low; expansions in storage should be based on actual water usage. For other options please refer to the 2013 Design Standards for Community Water Systems.

The department recommends evaluating your storage capacity and to obtain a construction permit from the Missouri Department of Natural Resources Public Drinking Water Branch to construct additional storage. To obtain this construction permit, submit two copies of an engineering report, plans, and specifications each bearing the seal of a professional engineer registered in Missouri along with an application for a construction permit to Missouri Department of Natural Resources, Public Drinking Water Branch, P.O Box 176, Jefferson City, Missouri 65102, 573-751-5331.

12. The ground level storage tank and bladder tank at Red Rock need exterior painting.

Steel tanks without adequate paint coating will quickly deteriorate from corrosion. The tanks must have the exteriors cleaned and painted. If the tank interiors have not been inspected in the past three years, the interiors should be inspected, cleaned, and repainted as necessary. Note that interior paint must be approved by Missouri Department of Natural Resources Public Drinking Water Branch.

The department recommends cleaning and painting the exterior of the Red Rock ground level storage tank and bladder tank. If the interior of the ground level storage tank has not been inspected in the past three years, the interior should be inspected, cleaned, and repainted with Missouri Department of Natural Resources Public Drinking Water Branch approved paint as necessary.

13. Dead end mains are not equipped with flush hydrants.

All dead end mains should be eliminated by looping where practical. If these cannot be eliminated, each dead end main must be equipped with a flush hydrant to allow stale or contaminated water to be eliminated.

The department recommends installing flush hydrants at each dead end main.

14. The facility does not maintain individual records water valves. Specifically, the facility does not have updated written procedures for valve exercising.

Routine procedures for water line flushing and maintenance can extend the life of distribution system components and better assure good quality water throughout the system. Good and meaningful plans for system operation such as hydrant flushing and valve maintenance programs can be a critical part of a water system's emergency operations plan.

It is recommended that the system develop written procedures for valve maintenance. Enclosed for your use is a blank valve exercising and flushing record form and basic water system flushing guidance. If needed, please contact our water specialist at 417-891-4300 for assistance in establishing these programs.

15. The public water system does not have adequate emergency electrical power.

When power failure would result in cessation of minimum essential service, an alternate power supply should be provided to meet average day demand. Each public water system should have an emergency electrical power source which may include a permanent or portable generator at

each well and pump station, a tractor connection at each well or pump station, or service from two power companies.

The department recommends providing sufficient emergency electrical power to operate all pumps that are essential to maintaining water supply and pressure.

16. The public water system does not have an adequate well water level monitoring program for the Red Rock well and no means of measuring water levels at the Honey Lane and Valley View wells.

A well should be equipped with a means of measuring the water level, which is normally a draw down tube and gauge. The tube is blown free of water with an air tank or hand pump. The gauge will read the feet of water standing over the pump. When the pump is started, the gauge reading will decline as the well water level falls and the feet of water over the pump decreases. When the gauge stabilizes, this will represent the feet of water over the pump at pumping condition. If the depth of the pump setting is known, these readings can be converted to static water level and pumping water level. These water levels tend to decline during prolonged droughts and during periods of heavy pumping by all wells in the vicinity. Decline of an adequate water level over the pump may result in pumping of accumulated oil from oil lubricated vertical turbine pump and may result in pumping of air and ultimate pump failure. It is important to have wells equipped with draw-down tubes and gauges and to periodically measure and record the static and pumping water levels. Draw-down tubes can only be installed when the pump is pulled.

The public water system should measure the static water level and operating water level each quarter, keep records of these readings, look for long term trends (particularly water table decline), and use this information to plan for the future which can include lowering well pumps (which may require higher horsepower pumps), drilling existing wells deeper, drilling new wells further apart, or switching to surface water sources with appropriate treatment.

Install drawdown tubes and gauges next time the pumps are pumped at Honey Lane and Valley View. Maintain an adequate well water level monitoring program of all three wells.

17. Duplicate high service pumps are not provided at the Red Rock well.

Each booster pumping station shall contain not less than two pumps with capacities such that peak demand can be satisfied with the largest pump out of service.

The department recommends installing duplicate high service pumps at the Red Rock well.

18. The public water system does not have an adequate tank interior inspection and cleaning program.

The public water system should have a tank interior inspection and cleaning program with the following elements: a) Each tank interior should be inspected and cleaned every two to five years depending on silt build up; b) the type and general condition of the interior paint should be determined, especially on any paint that appears to be high in lead or chromium; c) glass-coated interiors should be inspected for cracking, corrosion and other signs of coating deterioration (spalling, cracking, leaking, etc.); d) if rusting is present, determine the approximate percent of rusted area, the extent, nature and depth of pitting, and the condition of the remaining coating (chalking, blistering, loose, blotchy, etc.); and, e) concrete structures should be inspected for signs of deterioration (spalling, cracking, leaking, etc.). All work shall be conducted in a clean and sanitary manner, and all surfaces shall be thoroughly cleaned and disinfected before a storage facility is returned to service. It is the responsibility of the public water system to either conduct or require water quality tests to demonstrate the good sanitary condition of the tank interior before it is returned to service. Follow all environmental laws and rules to dispose of chlorinated water, sludge debris and other wastes.

Develop and institute an adequate tank interior inspection and cleaning program.

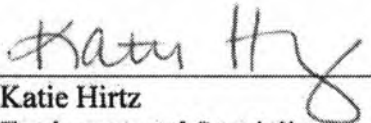
19. The public water system is not calculating monthly water loss for the purpose of identifying leaks in the distribution system. Specifically, the water system was unable to easily provide this figure.

The department recommends that public water systems calculate monthly water loss for the purpose of identifying leaks in the distribution system. This may be accomplished by comparing the gallons of water pumped through the master meter to the total gallons of water used through every individual service connection meter; the difference being the water lost because of leaks in the distribution system piping. Other factors that may contribute to this difference between pumpage and usage is an unaccounted use of water such as water main flushing or fire hydrant testing, water given or sold to non-customers such as a local fire department or water salesman (e.g., lawn service company), or water meter wear resulting in inaccuracies that would distort the water loss calculation. These other factors aside, the department recommends that average water loss not equal or exceed 10%. At a 10% loss rate, it may be cost effective for the system to implement a leak location/repair program as opposed to the cost every month to pump the additional water being lost to leaks and the cost of the additional wear and tear on the pump and controls.

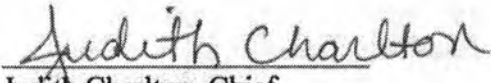
Install individual customer meters at locations not already metered, and begin calculating monthly water loss for the purpose of identifying leaks in the distribution system. Use every method available to determine cause of excessive water loss and make the needed repairs. The Missouri Rural Water Association (MRWA) has leak detection equipment available. They can be contacted at 901 Richardson Drive, Ashland, Missouri 65010, or by phone at 573-657-5533.

Report of Inspection
Taney Co. Water LLC – Venice
January 21, 2015
Page 11

SUBMITTED BY:


Katie Hirtz
Environmental Specialist

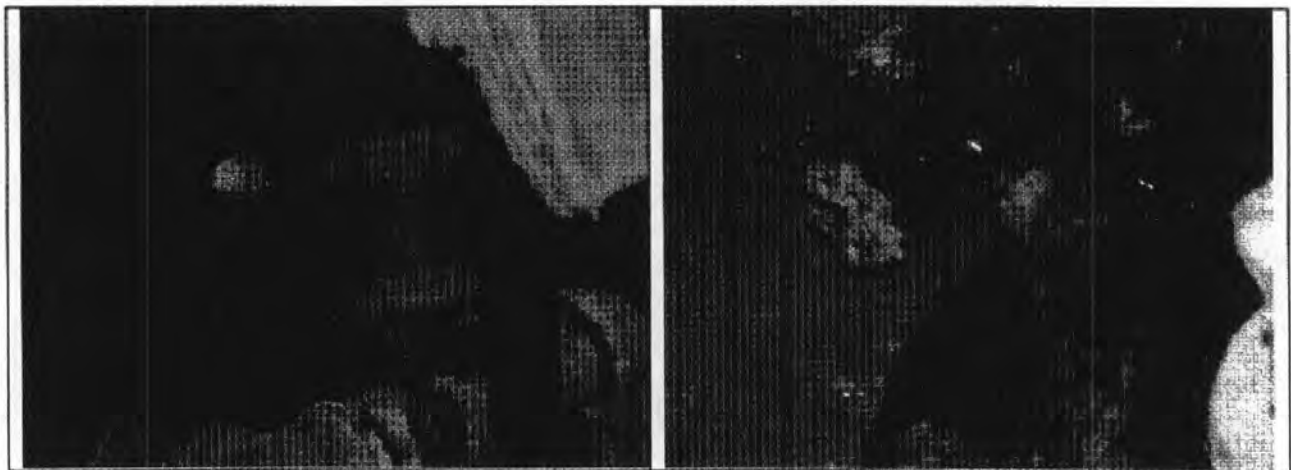
APPROVED BY:


Judith Charlton, Chief
Drinking Water Inspection Unit

Report of Inspection
Taney Co. Water LLC – Venice
January 21, 2015
Page 12



Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: Red Rock well. The department recommends securing the access hatch.



Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: Leaking valve, corroded components, and water logged pressure gauge at Red Rock well. The department recommends replacing the valve.

Report of Inspection
Taney Co. Water LLC – Venice
January 21, 2015
Page 13



Location: Taney Co Water LLC – Venice

Photographer: Katie Hirtz

Photograph Date: December 10, 2014

Comments: Ground level storage tank at Red Rock well. The water system must inspect the exterior (and possibly interior) of the tank to determine how wasps are entering the tank.



Location: Taney Co Water LLC – Venice

Photographer: Katie Hirtz

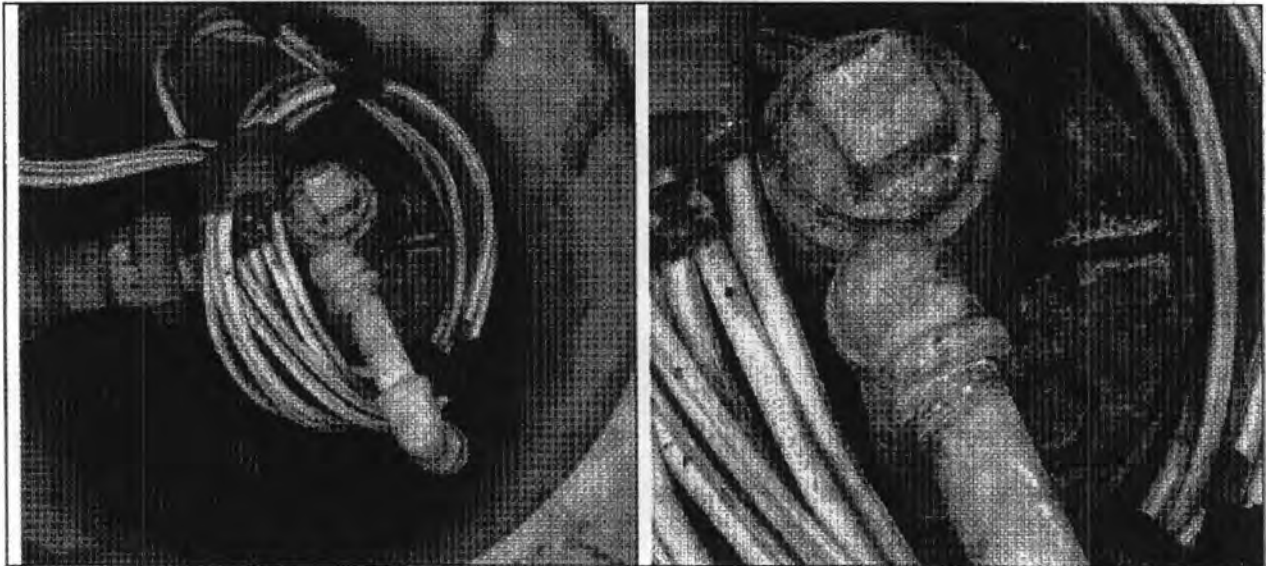
Photograph Date: December 10, 2014

Comments: The photo on the left demonstrates a persistent leak on the exiting water line to the Red Rock storage tank. The photo on the right shows a wasp nest in the overflow at Red Rock.

Report of Inspection
Taney Co. Water LLC – Venice
January 21, 2015
Page 14



Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: Bladder tank and booster pump serving uphill connections at Red Rock.



Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: Honey Lane Well. The sanitary seal has been cut.

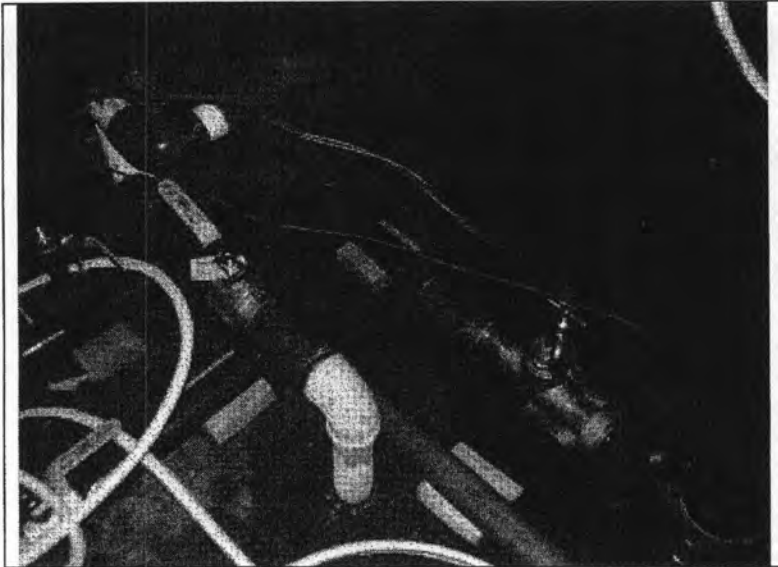


Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: Bladder tank and chlorine detention tanks at Honey Lane.

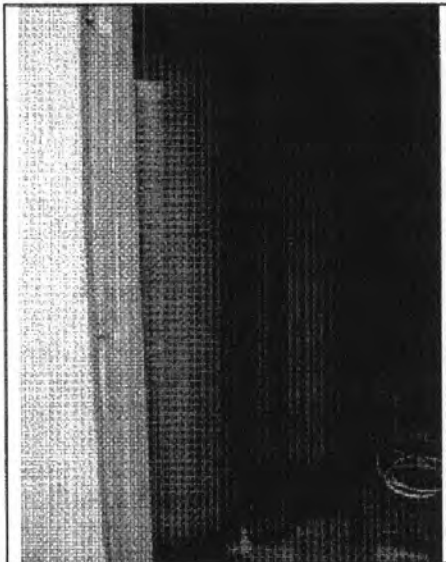


Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: Valley View well. Caulk needs to be applied between the top casing plates.

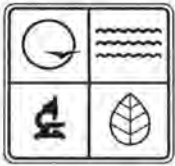
Report of Inspection
Taney Co. Water LLC – Venice
January 21, 2015
Page 16



Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: New piping and components at the Valley View well.



Location: Taney Co Water LLC – Venice
Photographer: Katie Hirtz
Photograph Date: December 10, 2014
Comments: New chlorine detention tanks at Valley View.



Missouri Department of Natural Resources
 Water Protection Program
 Public Drinking Water Branch
 P.O. Box 176
 Jefferson City, MO 65102-0176



**Notice of Noncompliance
 Public Notice Required**

Date of Report: March 31, 2014
PWS Name: Taney Co Water LLC - Venice
Mail to:

PWS ID: MO5036180
County: Taney

Hollis H (Bert) Brower Jr
 786 Croley Blvd
 PO Box 1080
 Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the bacteriological analysis of water samples submitted for the period ending February 28, 2014.

Sample Type	Number Required	Number Taken
Routine	5 per MN	Two

Violation Type:

Monitoring (TCR), Routine Minor

This is a violation of 10 CSR 60-4.020(1), failure to collect enough valid routine samples for the month.

Required Actions:

1. Notify your water system customers in accordance with 10 CSR 60-8.010. The enclosures give instructions on how to perform public notice and a copy of the public notice itself to post, publish and/or distribute.
2. Fill in the information on the certification portion of the instruction sheet and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at (573) 751-5331.

5036180



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

April 28, 2014

Mr. Hollis H. Brower, Jr.
Taney County Water LLC Venice
P.O. Box 1080
Nixa, MO 65714

RECEIVED

APR 30 2014

PUBLIC DRINKING WATER

Dear Mr. Brower:

The Taney County Water LLC Venice public water system signed a *Bilateral Compliance Agreement* (BCA) on November 16, 2012, and a Bilateral Compliance Agreement Modification on January 28, 2013, to address microbiological maximum contaminant level and monitoring violations. Many items in the BCA have been completed. Chlorination was installed on all three wells as required by the BCA. The water system has met the increased monitoring requirements of three routine samples each month (two from Redrock/Honey Lane and one from Valley View). Construction permits were issued for the chlorination systems on the Redrock and Honey Lane wells. Final Construction Inspections have been performed and the reports are complete.

Thank you for attending a meeting in our office on March 18, 2014, to discuss the status of Taney County Water LLC Venice. Kristen Pattinson, Judy Charlton, and Wally Miller from this office were present. The Department agreed to extend the BCA Modification for six months to allow for the items below to be completed. The new compliance date is September 30, 2014.

A construction permit must be obtained for a permanent chlorination system with adequate detention time on the Valley View well. The BCA required chlorination on all three wells. Under Provision 4 of the Emergency Treatment Section, chlorine residual levels must be tested and recorded **daily**, and the operational records must be submitted to this office each month. During the meeting, you stated you could get the continuous chlorine monitoring systems installed within the next couple of weeks. **Four months of daily chlorine records from each well is required to complete the BCA.** Department staff will conduct spot checks to ensure your continuous monitors are reading properly.

Taney County Water LLC Venice must submit a Low Pressure - Boil Advisory Procedure outlining how boil advisories will be addressed. At a minimum, the procedure should include the methods that will be used to notify customers of the low pressure/water outages, how the boil advisory will be lifted, and methods for providing water during prolonged outages. During the March 18 meeting we discussed using signs at the subdivision entrances as an inexpensive and effective way to reach customers. Please include how and when the signs will be used. Please also refer to the e-mail Ms. Pattinson sent to you on April 8, 2014 for more guidance.



Taney County Water LLC Venice
April 28, 2014
Page 2

If the conditions of the BCA are not met by the September 30, 2014 compliance date, Taney County Water LLC Venice will be referred to Public Drinking Water Branch for further enforcement action which could include imposition of monetary penalties. If you have questions, please contact Ms. Judith Charlton of this office at 417-891-4300 or via mail at Southwest Regional Office, 2040 W. Woodland, Springfield, Missouri 65807-5912.

Sincerely,

SOUTHWEST REGIONAL OFFICE



Mark Rader, Chief
Drinking Water Section

MDR/jcl

c: Mr. Lance Dorsey, Public Drinking Water Branch
Ms. Darlene Helmig, Water Protection Program

213.pdwp.TaneyCountyWaterVenice.mo5036180.x.2014.04.28.fy14.bcaext.x.jgc.doc

*Celebrating 40 years of taking care of Missouri's natural resources.
To learn more about the Missouri Department of Natural Resources visit dnr.mo.gov.*



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

May 1, 2014

Hollis H. (Bert) Brower Jr.
786 Croley Blvd.
P.O. Box 1080
Nixa, MO 65714

RE: PUBLIC NOTIFICATION VIOLATION
Taney Co. Water LLC - Venice
MO5036180
Taney County

Dear Owner or Operator:

You are receiving this violation, in accordance with Missouri Safe Drinking Water Law and Regulations 10 CSR 60-8.010, because we have not received your public notification to your customers concerning the MCL (TCR), MONTHLY violation as listed in the details below. You were required to issue the proper public notification by 2/24/2014. Your system will remain out of compliance until you provide to your customers the public notification and provide this office with a copy of the public notification and certification form.

The following details describe the violation and can be used in future reference to this matter:

Public Notification Violation

Violation Type Code	75 - Public Notice Rule Linked To Violation
Violation Number	2014 1009162
Violation Date	4/24/2014
Due Date	2/24/2014

Original Violation Requiring PN

Analyte Group Name	COLIFORM (TCR)
Violation Type Code	22 - MCL (TCR), MONTHLY
Violation Number	2014 1009156
Violation Date	1/15/2014
Monitoring Period Name	JAN2014
Begin and End Date	1/1/2014 to 1/31/2014



If your records indicate compliance with our regulations, please do the following:

1. Make a copy of the public notice and the completed certification page with signature
2. Mail the pages to: Missouri Department of Natural Resources
Public Drinking Water Branch
Attn: Public Notice Coordinator
P.O. Box 176
Jefferson City, MO 65102-0176

Or Fax the pages to: (573) 751-3110

When we have evaluated the forms, the violation will be returned to compliance. If the Department requires additional information we will contact you. If you have questions about this letter or would like to request additional copies of the public notice please contact me at (573) 751-4422.

Sincerely,

WATER PROTECTION PROGRAM

Shelby D. Miller

Shelby D. Miller
Environmental Specialist
Public Drinking Water Compliance & Enforcement Section

SM:ag

c: Kristen Pattinson, Southwest Regional Office



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

March 27, 2014

Hollis H. (Bert) Brower Jr.
 786 Croley Blvd.
 P.O. Box 1080
 Nixa, MO 65714

RE: PUBLIC NOTIFICATION VIOLATION
 Taney CO Water LLC - Venice
 MO5036180
 Taney County

Dear Owner or Operator:

You are receiving this violation, in accordance with Missouri Safe Drinking Water Law and Regulations 10 CSR 60-8.010, because we have not received your public notification to your customers concerning the MONITOR GWR TRIGGERED/ADDITONAL, MAJOR violation as listed in the details below. You were required to issue the proper public notification by 2/1/2014. Your system will remain out of compliance until you provide to your customers the public notification and provide this office with a copy of the public notification and certification form.

The following details describe the violation and can be used in future reference to this matter:

Public Notification Violation

Violation Type Code	75 - Public Notice Rule Linked To Violation
Violation Number	2014 1009159
Violation Date	3/21/2014
Due Date	2/1/2014

Original Violation Requiring PN

Analyte Group Name	E. COLI
Violation Type Code	34 - MONITOR GWR TRIGGERED/ADDITONAL, MAJOR
Violation Number	2013 1009149
Violation Date	2/1/2013
Monitoring Period Name	DEC2012
Begin and End Date	12/1/2012 to 12/31/2012

Taney CO Water LLC - Venice
Hollis H. (Bert) Brower Jr.
March 27, 2014
Page 2

If your records indicate compliance with our regulations, please do the following:

1. Make a copy of the public notice and the completed certification page with signature
2. Mail the pages to: Missouri Department of Natural Resources
Public Drinking Water Branch
Attn: Public Notice Coordinator
P.O. Box 176
Jefferson City, MO 65102-0176

Or Fax the pages to: (573) 751-3110

When we have evaluated the forms, the violation will be returned to compliance. If the Department requires additional information we will contact you. If you have questions about this letter or would like to request additional copies of the public notice please contact me at (573) 751-4422.

Sincerely,

WATER PROTECTION PROGRAM

Shelby D. Miller

Shelby D. Miller
Environmental Specialist
Public Drinking Water Compliance & Enforcement Section

SM:ag

c: Kristen Pattinson, Southwest Regional Office



Missouri Department of Natural Resources
 Division of Environmental Quality
 Public Drinking Water Branch

Investigation of Unsafe Samples

Southwest Regional Office

Taney Co. Water Co. -

PWS: Venice **ID#** MO5036180 **County:** Taney

Sample Results via: E-mail Date Received 1/10/2014

Use one form for each unsafe sample

Sample Type	Date Collected	Lab #	Site /Location Address	Coliform A/P		Chlorine	
				TC	E Coli	Free	Total
Routine	1/8/2014	00602, 00603	351 Honey Ln Kitchen	P	A		
Repeat - Org	1/15/2014	2036	351 Honey Ln	A	A		
Repeat - up	1/15/2014	2037	247 Honey Lane	A	A		
Repeat - Dn	1/15/2014	2038	437 Honey Lane	A	A		
SOURCE	1/15/2014	1953	HoneyLane Well	P	A		
Other	1/15/2014	1951, 1952, 1954	Red Rock WL, Red Rock WL, Honey Ln WL	A	A		

Ground Water Triggered Source Water Samples on page 2

System repairs made?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	_____ (date)	Filter / Softener?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Well Pump Pulled?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	_____ (date)	System Disinfects?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Pressure Loss?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	_____ (date)	4-Log Disinfection?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
New Construction?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	_____ (date)	Problem w/chlorinator?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Operator checked tower?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	_____ (date)	Has Cl Test Kit?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Seasonal Startup?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	_____ (date)	Sampling Technique:	<input checked="" type="checkbox"/> OK <input type="checkbox"/> Improper
Previous Sample Problems	<input type="checkbox"/> yes <input type="checkbox"/> no	_____ (dates/comments)		

Person Called: Bert Brower Phone # (417) 891-4300 Date: January 15, 2014

ACTIONS and or COMMENTS

1/15/2014 Honey Lane Well (2) pump was replaced on January 11, 2014 and chlorine injection was re-started prior to "Repeat" samples being collected. For more information see Memo to File documenting field data collected on this date at various locations in the distribution system. System owner was present when "Source Water" samples were collected at each well.

5 Routines required next month? No/NA Yes → Month: February 2014. System reminded on: 1/22/2014.

MCL Violation? No Yes---(attach Investigation) PDWB notified/copied on: _____ (date)

Completed by: Wally Miller Date: 1/21/2014



1) Is this system Ground Water **X** (Go to #3) Secondary system: go to #2. SW (If SW ONLY, no GW: STOP)

2) If Secondary System: is Primary system GW (go to #3) or SW (if SW ONLY, no GW: Stop)

3) Does (Primary) GW System provide 4-Log treatment? Yes: Stop, no triggered source water sampling required.

X NO: Primary must do triggered source water sampling. Continue Below

GW systems not doing 4-Log treatment requires source water sample from EACH well active the day of unsafe sample.

If unsafe sample was from a secondary system, list the Primary Groundwater System(s) and ID#'s here(if applicable):

Date Primary GW system(s) were notified to collect Triggered Source Water Samples: N/A samples collected by SWRO Staff.

Triggered Source Water Samples and Results

A triggered source water sample is required from EACH well used (normally the day of unsafe sample), unless the RO determines the unsafe sample was due to distribution problems or sampling problems. Also a source water sample is required for EACH unsafe sample. Two wells & one unsafe sample = one triggered source water sample from both wells. Two unsafe routine samples require two triggered source water samples from each well. List System name & ID# on top row for a primary or wholesale system selling to the consecutive system.

Source Samples					Source Samples				
Lab #	Date	Well	Coliform A/P TC E.C		Lab #	Date	Well	Coliform A/P TC E.C	
1953	1/15/2014	Honey Lane (Well 2)	P	A					
1951	1/15/2014	Red Rock Well #6	A	A					

Was any source water sample E. Coli positive ? **NO** (If yes, 5 additional well samples required)
 Well# / Name / Location:

Additional Source Water Monitoring (if required)

Well:					Well:				
	Lab	Date	Coliform A/P TC E.C			Lab #	Date	Coliform A/P TC E.C	
1					1				
2					2				
3					3				
4					4				
5					5				
6					6				

Was any of the additional source water sample E. Coli positive ? N Y
 Corrective Action required? No Yes..... (attached documentation as necessary)
 If Yes, date system notified to take Corrective Action:

(Attach additional copies of this page if necessary)



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

February 14, 2014

Mr. Hollis H. Brower, Jr.
 Taney County Water LLC Venice
 P.O. Box 1080
 Nixa, MO 65714

RECEIVED

FEB 18 2014

PUBLIC DRINKING WATER

Dear Mr. Brower:

The Missouri Department of Natural Resources has lifted a Boil Water Order for Taney County Water LLC Venice public water system (ID# MO5036180). The system is located at 111 S. Thurman in Taney County. Department officials lifted the order on February 5, 2014 after test results from water samples taken January 25 and 29, 2014 showed the water is again safe to drink. Adequate pressure and disinfection have been restored to the system.

The order was issued on January 3, 2014, due to multiple pressure loss events related to utility work in the area beginning around December 31, 2013. In response to these events you have repaired line breaks and disinfected the system. Enclosed is the form for you to post at your public water system to provide the required notice to the customers.

Within the January 3, 2014 Boil Water Order you were informed this Department had concerns regarding your past efforts at providing proper public notice of low pressure events at your water system. The Department's Boil Water Order Manual states it is a water system's responsibility to make a good faith effort to provide proper and adequate notice to its consumers in event of a threat within the water system. In light of those concerns you were informed we were invoking our authority to issue Boil Water Orders to your public water systems until such time as you provide assurance of your ability and intent to provide good faith efforts towards public notice.

Within this Order you were requested to submit a copy of your Boil Water Advisory Procedures to assure of your intent to provide adequate public notice to your water system customers. The policy was to include as a minimum your methods for notifying customers of the issues, steps you intend to take to lift advisories and how you intend to provide water to customers in event of long term outages. In your letter dated January 23, 2014, you state the following:

- You intend to continue providing public notice by mail as you find it is doubtful that many people in this water system listen to the radio or read a newspaper.
- You are unaware of any radio stations or newspapers serving the area so you post messages on your answering machine for people to call and check to see if there is a particular alert (you do not indicate how they would know when to call to check).
- You find the residents in this water system do not understand what a boil order is and therefore providing notice results in your phone being tied up to explain it to them.
- Use of door hangers is too slow and expensive.

Your submittal does not comply with regulatory notification requirements, does not contain the minimum information requested and therefore we find it to be inadequate.



Recycled Paper

OPC BW DIR "8"

77/96

Mr. Hollis Brower
February 14, 2014
Page 2

The inadequacy of your boil water notification plan is evident as shown in your recent actions. For Boil Water Orders and Advisories you must notify the customers within 24 hours. The Department issued the Boil Water Order on January 3, 2014 and directed you to conduct public notice within 24 hours. On January 6, 2014 the Department learned you had chosen not to provide notice and therefore the Department issued a media release. The notification you mailed was not received by the customers until January 8, 2014; which is in violation of Tier I public notice as per 10 CSR 60-8.010 (C). All Tier I public notice must be done by one or more of the following: by media, posting notice in a conspicuous location throughout the area, hand delivery, or another method approved by the Department **within 24 hours**. Mailing residences the letter and door hanger and leaving a message on an answering machine is not adequate.

We have received a number of inquiries asking if the Boil Water Order had been lifted. In your January 6, 2014 letter to your customers you erroneously stated it would be lifted on January 14, 2014. We also received phone calls from residents stating they were told again by your company that you had lifted the Boil Water Order on January 31, 2014. You need to understand you **do not** have authority to lift a Boil Water Order issued by the Department.

Within your January 23, 2014 letter you indicate a concerning lack of knowledge regarding the requirements for operation of this system. Taney County Water LLC Venice was required to chlorinate in the Bilateral Compliance Agreement (BCA) you signed on January 28, 2013. This BCA stipulates chlorination and detention shall be added to the Red Rock well, Honey Lane, and Valley View wells. Emergency chlorination should already be occurring and **daily** chlorine readings must be conducted at all three wells.

On January 28, 2014 the BCA was extended until March 31, 2014. If you do not adhere to all conditions of the BCA, we will refer you to the Public Drinking Water Branch for enforcement consideration to include referral to the Attorney General's Office for imposition of penalties. We have not yet received the Construction Application, engineering, plans and specifications for the Valley View Well as required by the BCA. Please submit this within **15 days**.

We are requesting a meeting with you on **February 28, 2014, 10:00 AM** at the Southwest Regional Office, 2040 W. Woodland in Springfield to discuss all of the issues identified above. If you have questions, please feel free to contact me at this office by calling 417-891-4300.

Sincerely,

SOUTHWEST REGIONAL OFFICE



Mark Rader, Chief
Drinking Water Section

MDR/kpl

c: Ms. Darlene Helmig, Public Drinking Water Branch
Mr. Jim Merciel, P.E., Public Service Commission
Mr. Josh Willison, Public Drinking Water Branch

Enclosure



**Missouri
Department of
Natural Resources**

**Southwest Regional Office
2040 W. Woodland
Springfield, MO 65807-5912
(417) 891-4300**

NOTICE OF BOIL ORDER LIFT

The Missouri Department of Natural Resources has lifted a boil water order for Taney County Water LLC Venice public water system (ID# MO5036180). The system is located at 111 S. Thurman in Taney County. Department officials lifted the order on February 5, 2014, after test results from water samples taken January 25 and 29, showed that the water is again safe to drink. The pressure was restored and residual chlorine was present in the system.

Department officials issued the order on January 3, 2014, because the system experienced system wide loss of pressures that occurred on December 31, 2013. The operator disinfected the system.

For more information, call Mr. Hollis Brower by calling 417-725-4141 or the Missouri Department of Natural Resources at 417-891-4300.



**Missouri
Department of
Natural Resources**

**Southwest Regional Office
2040 W. Woodland
Springfield, MO 65807-5912
(417) 891-4300**

Mr. Jim Merciel, P.E.
Public Service Commission
P.O. Box 360
Jefferson City, MO 65102



NOTICE OF VIOLATION

VIOLATION NUMBER

15163SW

RECEIVED

JAN 29 2014

PUBLIC DRINKING WATER

DATE AND TIME ISSUED January 28, 2014			
SOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION) Taney County Water LLC Venice Rockaway Beach, Missouri Missouri Public Water System MO5036180 Section 18, Township 24 North, Range 20 West, Taney County			
MAILING ADDRESS P. O. Box 1080	CITY Nixa	STATE MO	ZIP CODE 65714
NAME OF OWNER OR MANAGER Mr. Hollis H. Brower, Jr.		TITLE OF OWNER OR MANAGER Organizer	
LAW, REGULATION OR PERMIT VIOLATED			
National Primary Drinking Water Regulations		Missouri Safe Drinking Water Regulations	
1) 40 CFR 142.10(b)(5)		10 CSR 60-4.080(5)	
2) 40 CFR 141.63		10 CSR 60-4.020(7)(A)	
3) 40 CFR 141.21(b)		10 CSR 60-4.020(2)	
4) 40 CFR 141.402(a)(2)		10 CSR 60-4.025(3)(A)	
5) 40 CFR 141.21(b)(5)		10 CSR 60-4.020(2)(E)	
6) 40 CFR 141.74(b)		10 CSR 60-4.055(4)	
7) 40 CFR 141.74(b)		10 CSR 60-4.080(1) and (3)	
NATURE OF VIOLATION			
<p>1) The public water system failed to implement changes required by the Department in the Bilateral Compliance Agreement signed on November 16, 2012 and in the Bilateral Compliance Agreement signed on January 28, 2013.</p> <p>2) The public water system failed to meet maximum contaminant level for total coliform during January 2014.</p> <p>3) The public water system failed to submit any repeat water samples following an unsafe routine sample collected during September 2013.</p> <p>4) The public water system failed to submit triggered source water samples following a total coliform positive routine sample collected during September 2013.</p> <p>5) The public water system failed to collect five routine water samples during October 2013 which is the month following a total coliform positive sample.</p> <p>6) The public water system failed to maintain a minimum of 0.2 milligrams per liter (mg/l) total chlorine residual in the distribution system on January 3, 8, 17, and 22, 2014.</p> <p>7) The public water system failed to report the monitoring of free chlorine residual daily at the distribution entrance during January through December 2013.</p>			
SIGNATURE (PERSON RECEIVING NOTICE) Sent Via US Mail		SIGNATURE (PERSON ISSUING NOTICE) Judith Charlton <i>Judith Charlton</i>	
TITLE OR POSITION		TITLE OR POSITION Environmental Specialist/SWRO	

DISTRIBUTION: SOURCE CENTRAL OFFICE REGIONAL OFFICE

OPC BW DIR "8"

81/96



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

January 28, 2014

NOTICE OF VIOLATION #15163SW
CERTIFIED MAIL #7002 0460 0003 0743 1656
RETURN RECEIPT REQUESTED

Mr. Hollis H. Brower, Jr.
Taney County Water LLC Venice
P.O. Box 1080
Nixa, MO 65714

Dear Mr. Brower:

The Taney County Water LLC Venice public water system signed a *Bilateral Compliance Agreement* (BCA) on November 16, 2012, and a Bilateral Compliance Agreement Modification on January 28, 2013, to address microbiological maximum contaminant level and monitoring violations. Many items in the BCA have been completed. Construction permits have been issued for the chlorination systems that have been installed on the two separate distribution systems, and final inspections should occur in the near future. The water system has met the increased monitoring requirements of three routine samples each month (two from Redrock/Honey Lane and one from Valley View).

Monitoring Provision 3 of the agreement states if any samples are found to be unsafe, then at least four repeat samples including one source water sample shall be submitted and during the following month, the public water system shall submit five routine samples. No repeat samples were submitted after the September 19 unsafe routine sample and less than five samples were submitted the following month.

Provision 2 of the Emergency Treatment Section requires the public water system to maintain a minimum free chlorine residual of 0.5 mg/L at the entry points to the distribution system (i.e. at the wells) and to maintain 0.2 mg/L in all parts of the distribution system. The chlorine residual was less than 0.2 mg/L in the distribution system during field visits by Southwest Regional Office staff on January 3, 8, 17, and 22, 2014.

Also a maximum contaminant level violation occurred during January 2014 which indicates that the chlorination system was not working properly. Chlorine residuals must be tested daily and the operational records submitted to this office each month according to Provision 4 of the Emergency Treatment Section. No chlorine records have been submitted to date. These violations are formally listed in the enclosed Notice of Violation #15163SW.



Mr. Hollis H. Brower, Jr.
Taney County Water LLC Venice
January 28, 2014
Page 2

Under Provision F of the BCA, the compliance period has been extended through March 31, 2014. **Within 15 calendar days, submit the chlorine monitoring records for the three wells to the Southwest Regional Office for the last 6 months.** Testing the chlorine level each day, maintaining the minimum chlorine levels, and submitting chlorine records each month is very important. Any further violations of these requirements, of the monitoring requirements, or of the maximum contaminant level will result in referral of this matter to the Department's Public Drinking Water Branch for formal enforcement action.

It has been brought to our attention the Department has not received notification that the 2012 Consumer Confidence Report (CCR) had been distributed to your customers as per 10 CSR 60-8.030. Please provide all customers a copy of the CCR and submit the certification to the Department within **30 calendar days**. For more information or guidance on the CCR please contact Ms. Kristin Vermillion by calling 573-526-3832.

If you have questions, please contact Ms. Judith Charlton of this office at 417-891-4300 or via mail at Southwest Regional Office, 2040 W. Woodland, Springfield, Missouri 65807-5912.

Sincerely,

SOUTHWEST REGIONAL OFFICE



Cynthia S. Davies
Regional Director

CSD/jcl

Enclosure

c: Mr. John Fraga, Public Drinking Water Branch
Ms. Kristin Vermillion, Public Drinking Water Branch

213.pdwp.TaneyCountyWaterVenice.mo5036180.x.2014.01.28.fy14.bcaext.15163.jgc.doc

MO5036180

DEPARTMENT OF NATURAL RESOURCES
Division of Environmental Quality

RECEIVED

TELEPHONE OR CONFERENCE RECORD

JAN 13 2014

File: Taney Count Water LLC - Venice

Date: 1/3/2014

PUBLIC DRINKING WATER

TELEPHONE

Incoming ()

Outgoing (X)

CONFERENCE

Field ()

Office (X)

SUBJECT: Low pressure at Taney Co Water LLC Venice. Inquiry regarding the status, corrective actions and public notice

PERSONS INVOLVED:

Name

Representing

Bert Bower
Mark Rader

Taney Co. LLC
SWRO/DNR

SUMMARY OF CONVERSATION:

I called Mr. Brower regarding the low pressure event at Taney County Venice and informed him we were enacting our authority to issue a Boil Water Order. We were doing so as we were not convinced he was making a good faith effort to notify the residents within the system of the threat to health due to low pressures and that when regional office staff had visited the system on this date they had found an absence of chlorine in the system. Mr. Brower had informed the regional office on the day prior he was raising chlorine residuals to 3.0 mg/L. Mr. Brower indicated the residents in the area weren't capable of understanding information of that nature anyway, but that he would go to the system the following day (Saturday, January 4th, 2014) to increase chlorine residuals and start the process of notifying residents of the issue.

He said the line leaks in the system must have drained the chlorine tank prematurely.

I let him know we would be following up with him the following week to check on how things had progressed.



Mark Rader
MDNR-SWRO

c: Mr. Josh Willison, Public Drinking Water Branch

213.pdwp.TaneyCoWaterVenice.mo5036180.x.2014.01.03.fy14.phone.x.mdr.doc

182

RECEIVED

APR 18 1968

PUBLIC INFORMATION DIVISION

DEPARTMENT OF NATURAL RESOURCES
Division of Environmental Quality

RECEIVED

TELEPHONE OR CONFERENCE RECORD

JAN 13 2014

File: Taney Count Water LLC - Venice

Date: 1/6/2014

PUBLIC DRINKING WATER

TELEPHONE
Incoming ()
Outgoing (X)

CONFERENCE
Field ()
Office (X)

SUBJECT: Low pressure at Taney Co Water LLC Venice at the Red Rock well. Inquiry regarding the status, corrective actions and public notice

PERSONS INVOLVED:

Name	Representing
Bert Bower	Taney Co. LLC
Denise Morgan	SWRO/DNR

SUMMARY OF CONVERSATION:

I called Mr. Bower regarding a low pressure event that the Department was notified about today. I stated that we believe the low pressure is occurring at the Lakeway system. He said he did not think so. He explained they have received several calls concerning the Red Rock well, which is on the Venice public water system. No one has been called concerning the Lakeway public water system. Explaining they can tell the location by the address given by residents. I asked him which system served Savin Avenue; he stated this was served by the Red Rock Well which is on the Taney County Water LLC Venice system. He has a staff in route to the well to find out the status and hoping the well can just be kicked back on manually to return it to service. He believes the low pressure is due to something at the well not a distribution problem.

I asked how the Boil Order notification was being done for the Venice system and did that include the residents served by Red Rock. He stated the Boil Order Notification for Venice that was received on Friday came in too late to do that day and he is just now working on the notification efforts. He did not understand how the notification can be done due to his limitations. The notice did not include the Red Rock residents. The corrective action is staff will check the injector pump. I got the impression this would be occurring today while staff is on site. The conversation had to be redirected to specific topic(s) many times during the conversation and then comments were evasive in nature.

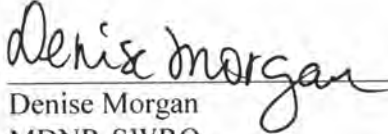
When asked about the public notice efforts he stated he will be notifying them by mail since he has no other means of getting the notice to them. We did discuss the public notice notification options open to him such as media, calling, emailing, door to door, text, etc. but he said those are really not an option due to staffing issues, weather, and no electronic (fax, e-mail, etc.) means available for the residents living there.

I told him to include the Red Rock residents in his public notice efforts today and to explain to the residents the nature of the problems, timeframe of repairs and when to expect notice that the Boil Order will be lifted.

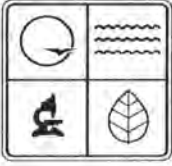
Taney County Water LLC Venice
January 6, 2014
Page 2

ACTION:

Phone log prepared for file


Denise Morgan
MDNR-SWRO

c: Mr. Josh Willison, Public Drinking Water Branch



Missouri Department of Natural Resources
 Water Protection Program
 Public Drinking Water Branch
 P.O. Box 176
 Jefferson City, MO 65102-0176



**Notice of Noncompliance
 Public Notice Required**

Date of Report: January 15, 2014
PWS Name: Taney CO Water LLC - Venice
Mail to:

PWS ID: MO5036180
County: Taney

Hollis H Brower Jr
 786 Croley Blvd
 PO Box 1080
 Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the bacteriological analysis of water samples submitted for the period ending January 31, 2014.

Sample Type	Total Coliform Positive	E coli Positive
RT	2	0

Violation Type:

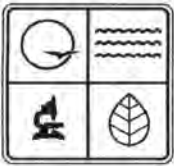
MCL (TCR), Monthly

This is a violation of 10 CSR 60-4.020(7)(A). Two or more samples tested positive for total coliform bacteria.

Required Actions:

1. The enclosures give instructions on how to perform public notice and a copy of the public notice itself to distribute, post and provide to any media.
2. Fill in the appropriate information requested on the certification page and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at (573) 751-5331.



Missouri Department of Natural Resources
 Water Protection Program
 Public Drinking Water Branch
 P.O. Box 176
 Jefferson City, MO 65102-0176



**Notice of Noncompliance
 Public Notice Required**

Date of Report: December 3, 2013
PWS Name: Taney CO Water Llc - Venice
Mail to:

PWS ID: MO5036180
County: Taney

Hollis H Brower Jr
 786 Croley Blvd
 PO Box 1080
 Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the bacteriological analysis of water samples submitted for the period ending October 31, 2013

Sample Type	Number Required	Number Taken
Routine	Five	Three

Violation Type:

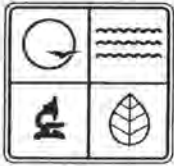
Monitoring (TCR), Routine Minor

This is a violation of 10 CSR 60-4.020(1), failure to collect enough valid routine samples for the month.

Required Actions:

1. Notify your water system customers in accordance with 10 CSR 60-8.010. The enclosures give instructions on how to perform public notice and a copy of the public notice itself to post, publish and/or distribute.
2. Fill in the information on the certification portion of the instruction sheet and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at (573) 751-5331.



Missouri Department of Natural Resources
 Water Protection Program
 Public Drinking Water Branch
 P.O. Box 176
 Jefferson City, MO 65102-0176



**Notice of Noncompliance
 Public Notice Required**

Date of Report: November 4, 2013
PWS Name: Taney CO Water Llc - Venice
Mail to:

PWS ID: MO5036180
County: Taney

Hollis H Brower Jr
 786 Croley Blvd
 PO Box 1080
 Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the triggered source water bacteriological analysis submitted for the period ending September 30, 2013

Source Sampling

Sample Type	Number Taken
Source	Zero

Distribution System Sampling

Sample Type	Total Coliform Positive	E coli Positive
RT	1	0

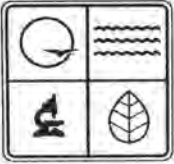
Violation Type: Monitor GWR Triggered/Additonal, Major

This is a violation of 10 CSR 60-4.025. No triggered source water samples were collected or too much time passed before the samples were taken for testing E. coli bacteria.

Required Actions:

1. The following pages give instructions on how to perform public notice and a copy of the public notice itself to distribute, post, and provide to any media.
2. Fill in the appropriate information requested on the certification page and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at (573) 751-5331.



Missouri Department of Natural Resources
 Water Protection Program
 Public Drinking Water Branch
 P.O. Box 176
 Jefferson City, MO 65102-0176



**Notice of Noncompliance
 Public Notice Required**

Date of Report: October 31, 2013
PWS Name: Taney CO Water Llc - Venice
Mail to:

PWS ID: MO5036180
County: Taney

Hollis H Brower Jr
 786 Croley Blvd
 PO Box 1080
 Nixa, MO 65714

Please notify us of any name or address changes

The following is a summary of the bacteriological analysis of water samples submitted for the period beginning September 01, 2013 and ending September 30, 2013.

Sample Type	No. Required	No. Submitted
Repeat	3 Samples	0

Violation Type:

Monitoring (TCR), Repeat Major

This is a violation of 10 CSR 60-4.020(2). An insufficient number of repeat samples were collected following a routine sample that tested positive for total coliform bacteria.

Required Actions:

1. The enclosures give instructions on how to perform public notice and a copy of the public notice itself to distribute, post, and provide to any media.
2. Fill in the appropriate information requested on the certification page and sign where indicated.
3. Make copies of the certification and public notice (as seen by the public) for your files.
4. Send the completed certification and a copy of the public notice (as seen by the public) back to DNR at the address given.

For assistance, contact the Southwest Regional Office at 417-891-4300 or the Public Drinking Water Branch at (573) 751-5331.

Exhibit “A”: Timeline of Events – Moore Bend Subdivision, LLC, Moore Bend Water Utility, LLC, Bert Brower, DNR, and OPC

- 1993: Lead detected in water supply per discussions with DNR. Monitoring every six months begins.
- August 16th, 1999: Lead monitoring reduced to every nine years.
- October 22nd, 2012: Moore’s Bend Subdivision, LLC placed on assessment monitoring of water supply by DNR due to a history of E. Coli samples submitted during February 1999 and March 2002.
- January 30th, 2013: *E-coli* detected in Well #1 of Moore Bend Subdivision.
- February 5th, 2013 – DNR issues Boil Water Order (BWO) for Moore’s Bend Subdivision after detecting *E. coli* in bacteriological samples submitted on 1-30-13.
- Also this same day, Moore Bend Subdivision submitted confirmation samples for bacteriological analysis. Total Coliform Bacteria were identified in 4 of 5 samples collected from Well #1.
- February 22nd, 2013 –DNR sends Moore’s Bend Subdivision a Notice of Non-Compliance (NNC) for failing to submit a routine Nitrate samples during 2012.
- February 25, 2013: Total Coliform Bacteria detected in assessment sample collected from Well #1.
- March 31st, 2013:E. coli detected in assessment sample collected from Well #1.
- April 3rd, 2013: Initial deadline for Moore’s Bend Subdivision to install 4-log disinfection extended to May 3, 2013.
- April 29th, 2013: *E. coli* detected in routine sample collected from the distribution system for bacteriological analysis.

Also, on the same day, Total Coliform bacteria detected in assessment sample collected from Well #1.

- May 30th, 2013 – DNR sends NNC regarding Moore Bend Subdivision’s failure to collect repeat water samples following an E. coli positive sample submitted from the distribution system in April of 2013.
Also, on the same day, DNR sends NNC regarding failure to take a triggered source water sample following an *E. coli* present routine sample submitted from the distribution system in April 2013.
- June 7th, 2013 – DNR sends NNC for failing to complete corrective actions requiring the installation of 4-log disinfection in response to an E. coli positive source water sample.
- June 27, 2013- Total Coliform detected in assessment sample collected from Well #2.
- July 2nd, 2013 – DNR sends NNC to Moore’s Bend regarding failure to submit assessment samples from Well #1 and Well #2 during May2013.
- July 10th, 2013 – DNR sends NNC to Moore’s Bend regarding failure to collect adequate number of routine bacteriological samples during May 2013.

- July 30th, 2013: Total Coliform detected in assessment sample collected from Well #1.
 - October 10th, 2013: Internal email within DNR notifying that system once called Moore's Bend Subdivision will now go by Moore's Bend Water Utility, LLC.
 - October 15th, 2013: DNR performs a routine Sanitary Survey of the Moore Bend Water Utility PWS. Mr. Brower, president of Moore Bend Water Utility LLC, accompanied DNR staff during this inspection. During this inspection staff identified the failure to provide 4-log disinfection as a significant deficiency requiring immediate corrective actions from the PWS.
 - October 23rd, 2013: DNR fills out Inventory for new owner.
 - November 1st, 2013: DNR sends Twila Collins of Moore Bend Water Utility, LLC a letter notifying the Company that they were now the responsible party for the Moore Bend Subdivision Public Water System and detailing routine monitoring and fee's requirements.
 - November 6th, 2013 – DNR sends NNC to Mr. Brower regarding failure to submit assessment samples from Wells #1 and #2 during September of 2013.
 - November 14^h, 2013 – DNR issues Report of Inspection detailing the findings of the 10/15/16 Sanitary Survey. With this report Moore Bend Water Utility was issued an NOV for failing to take corrective actions in response to an E. coli positive source water sample and for failing to notify customers of the ongoing Boil Water Order. The inspection report states Moore Bend Water Utility has violated various regulations involving the presence of *e coli* in the water, construction of proper detention areas, and failure to notify customers of problems. The report notes the system is made up of steel pipes and is grand-fathered in “as long as it provides safe and adequate water supply.” A draft Bilateral Compliance Agreement consisting of a schedule of corrective actions to be completed by the PWS was provided with this report in an effort to correct these violations.
 - November 20th, 2013: Notice of Non-compliance issued to Moore Bend for failure to submit Lead and Copper samples.
 - December 2nd, 2013 – DNR sends NNC to Moore Bend Water Utility regarding failure to submit assessment samples from both Wells #1 and #2 during October of 2013.
- Also on the same day, a Public Notification Violation was issued to Moore Bend Water Utility for failing to notify customers that the utility had not provided water system treatment as required.
- January 27th, 2014: DNR sends Public Notification Violation for failing to certify completion of Public Notice following a failure to sample violation in September 2012.
 - February 7th, 2014 – DNR sends letter to Moore's Bend Water Utility indicating matter is being referred to the Public Drinking Water Branch due to multiple violations.
 - March 12th, 2014: DNR sends NNC to Moore Bend Water Utility for failing to submit a routine nitrate sample during 2013.

- March 24th, 2014: Moore's Bend Water Utility sends communication to DNR indicating he has never received bottles to collect samples for nitrates in the year of 2013.
- March 25th, 2014: DNR sends Moore's Bend Water Utility an Administrative Order of Consent (AOC).
- March 28th, 2014: Moore's Bend Water Utility provides proof of public posting for failing to submit a routine nitrate sample for analysis during 2013.
- April 11th, 2014: DNR sends fully-executed AOC to Moore's Bend Water Utility. AOC appears to have been fully-executed on April 10th of 2014.
- May 30th, 2014: DNR sends NNC to Moore's Bend Water Utilities regarding failure to collect routine water samples to be analyzed for radionuclides during the monitoring period ending December 30th, 2013.
- June 11th, 2014: DNR sends Moore Bend Water Utilities a letter notifying the PWS that they were due to submit routine Lead and Copper Samples by September 30, 2014.
- June 23rd, 2014: DNR sends Moore Bend Water Utility notification they have not received his proof that he notified customers of water issues for the monitoring period of April 2013 regarding matters involving *E.-coli* and coliform. (two separate notices were sent on same day)
- June 27th, 2014: Moore Bend Water Utility submits Plans and Specifications accompanied by a Construction Permit application for chlorine feed systems.
- July 3rd, 2014: DNR sends Moore's Bend Water Utility notice they have violated AOC including failure to monitor, to collect samples, to install equipment, and to develop an emergency plan. Utility is given seven (7) days to comply.
- July 10th, 2014- PSC files formal complaint against Moore Bend Water Utility.
- July 14th, 2014: Brower submits Emergency Operations Plan and Updated Site Sampling Plan as required by the AOC.
Also on same day, Bert Brower sends DNR email indicating the components of his system detailing how the chlorine feeding system will work. He indicates wells are over 50 years old and made of galvanized steel.
- July 16th, 2014: DNR approves of plans to use disinfecting equipment on Moore's Bend Water Utility system.
- September 3rd, 2014: DNR sends Moore Bend Water Utility a Public Notification Violation for failing to certify that the PWS had notified customers of drinking water violations received during May 2013.
- November 24th, 2014: DNR sends Moore's Bend Water Utility Report of Final Inspection for the newly constructed chlorine detention tanks which were installed in accordance with the AOC.
- December 5th, 2014: DNR sends Brower notice that the detention tanks meet chlorine contact time requirements therefore resolving the significant deficiency observed during the 10-15-13 inspection.

- December 17th, 2014: DNR sends Moore's Bend Water Utility notice it is out of compliance with AOC by failing to monitor daily chlorine residuals and that water testing must begin immediately.
- February 4th, 2015: DNR sends Moore's Bend Water Utility notice it is out of compliance with AOC for failing to notify customers of the ongoing Boil Water Order and that the PWS shall immediately begin certifying that this notice is being delivered.
- February 15th, 2015: Moore Bend sends letter stating chlorine detention tanks have been installed and asks if this is sufficient to lift BWO.
- March 27th, 2015: DNR sends NNC to Moore Bend Water Utility regarding failure to perform compliance monitoring on their water plants #1 and #2 for the month of February 2015.
- April 3rd, 2015: DNR sends Moore Bend Water Utility letter indicating he has not provided documentation of water disinfecting process as required by the AOC.
- May 27th, 2015: DNR sends NNC to Moore Bend Water Utility regarding failure to perform compliance monitoring on Well # 1 and # 2 for the month of April 2015. (Two separate letters)
- May 29th, 2015: DNR sends Moore's Bend Water Utility notice that it has failed to comply with 4-15-15 deadline to begin performing compliance monitoring and to provide certification verifying that public notice of the ongoing boil water order has been performed DNR issued a \$5000 fine against Moore's Bend Water Utility. Per DNR counsel, this has yet to be paid.
- June 29, 2015: DNR issues Notice of Non-compliance to Moore Bend Water Utility for failing to perform compliance monitoring at Well #1 and #2 during the monitoring period of May 2015.
- July 28th, 2015: DNR sends Moore Bend Water Utility Notice of Non-compliance for failing to perform compliance monitoring at Well #1 and #2 for the month of June 2015. (two separate notices were sent on same day)
- August 31st, 2015: DNR sends Moore Bend Water Utility Notice of Non-compliance for failing to perform compliance monitoring of Wells #1 and #2 for July 2015. (two separate notices were sent on same day)
- September 25th, 2015: DNR sends NNC to Moore Bend Water Utility regarding failure to perform compliance monitoring at Wells #1 and #2 for August of 2015.
- October 28th, 2015: DNR sends NNC to Moore's Bend Water Utility regarding failure to properly perform compliance monitoring for September of 2015.
- November 30th, 2015 – DNR sends NNC to Moore's Bend Water Utility regarding his failure to send monthly compliance monitoring reports for October of 2015.
- December 29th, 2015: DNR sends NNC to Brower regarding failure to perform compliance monitoring on Well # 1 and # 2 for November of 2015.
- January 5th, 2016: DNR issues Letter of Warning to Moore Bend Water Utility for failure to remit Missouri Drinking Water Primacy Fees.

- January 6th, 2016: DNR issues Notice of Non-Compliance to Moore Bend Water Utility for failing to submit a routine sample for bacteriological analysis during the monitoring period of November 2015.
- January 28, 2016: DNR issues Notice of Non-compliance to Moore Bend Water Utility for failing to perform compliance monitoring at Well #1 and #2 during December 2015.
- February 19, 2016: DNR issues Notice of Non-compliance to Moore Bend Water Utility for failing exceeding the maximum contaminant level for total coliform bacteria during the monitoring period of February 2016.
- February 22, 2016: DNR issues Notice of Violation to Moore Bend Water Utility for failure to remit Missouri Drinking Water Primacy Fees.
- February 26, 2016: DNR issues Notice of Non-compliance to Moore Bend Water Utility for failing to perform compliance monitoring at Well #1 and #2 during January 2016.
- March 7th, 2016: OPC received a phone call from Shelly Kyle who indicated that the water at her residence had a “dis-colorization” that concerned her looked like rust.
- April 14th, 2016: OPC contacts Taney County Health Department to see if there’s any reported issues with Moore’s Bend. Health Department indicates they had been called by the water supplier the previous week about concerns it had about sewage seeping into water supply after they turned off water to one resident. Health Department said they found no issue but were going to check the water for any issues and would have a report in “a few weeks.”
- April 18th, 2016: Follow-up phone call from Shelly Kyle indicating dis-colorization has gone away but water supplier has removed all BWO notices. Asks if BWO has been lifted. Based on conversation OPC had with DNR that morning, OPC informed Shelly Kyle BWO was still in place.
- April 19th, 2016: Order of Revocation of Missouri Certifications for Drinking Water issued and effective.
- June 27th, 2016: DNR issues Notice of Non-compliance to Moore Bend Water Utility for failing to perform compliance monitoring during May 2016.
- July 6th, 2016: DNR issues Notification that the Moore Bend Water Utility Public Water System does not have a properly certified operator overseeing the system in violation of Missouri Safe Drinking Water Regulations.
- July 18th, 2016: DNR issues Public Notification Violation for failing to certify completion of Public Notice for
- August 22nd, 2016: DNR issues Letter of Warning to Moore Bend Water Utility concerning the lack of a properly certified operator to oversee the system. This LOW required the PWS take steps to resolve this deficiency within 15 days of notification.
- September 21st, 2016: DNR issues Notice of Violation to Moore Bend Water Utility concerning the lack of a properly certified operator to oversee the system. This NOV required the PWS take steps to resolve the deficiency within 15 days of notification. The

Moore Bend Water Utility public water system remains without a certified individual to oversee system operations.