The State of New Hampshire
*Department of Environmental Services*

**Michael P. Nolin**
Commissioner

August 5, 2005

**LETTER OF DEFICIENCY #WSEB 05-092**
Certified Mail #7099 3400 0003 6156 2230

Robert Duquette
Old Lake Shore Coop
PO Box 7703
Gilford, NH 03247

Subject: Gilford - Public Water System: Old Lake Shore Coop (EPA #0883010)

Dear Mr. Duquette:

The records of the Department of Environmental Services (DES) show that the subject water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections, or 25 or more people, for 60 or more days per year. As such, the owner of the water system is required to comply with NH Administrative Rule Env-Ws 300, *New Hampshire Drinking Water Rules*.

## PERMIT TO OPERATE

Pursuant to Env-Ws 303.03, the water system owner is required to obtain a "permit to operate" from DES. This permit must be renewed by July 1st of each year.

According to Env-Ws 303.03(e) the permit to operate for community water systems is calculated at $10 per service connection or household equivalent, to a maximum of $300.00. DES records show that the PWS has failed to pay for and obtain a permit to operate for state fiscal year 2006, which began July 1, 2005, and is, therefore, in violation of Env-Ws 303.03.

DES believes the permit to operate violation can be corrected by taking the following action:

1. **By August 19, 2005, complete the permit application, make any necessary corrections to the "Contact Information Report," and pay the outstanding permit to operate fee of $300.00 for state fiscal year 2006.**

For your convenience, a new permit application and Contact Information Report are enclosed. **Please review both documents, make any necessary corrections, and sign the application.** Checks should be made payable to "Treasurer, State of New Hampshire." Please include your system's EPA number on the check. Please contact Linda Thompson at (603) 271-3544 or by email at *lthompson@des.state.nh.us*, if you have any questions regarding the permit to operate renewal process.

## CONSUMER CONFIDENCE REPORT

Pursuant to Env-Ws 352, the water system owner is required to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st of each year. Env-Ws 352 also requires the system owner to forward a copy of the CCR to DES by July 1st of each year and to submit certification of the CCR to DES by October 1st of each year.

DES records show that the subject water system failed to prepare and deliver the 2005 CCR to customers and DES by July 1, 2005. The failure to prepare and deliver the 2005 CCR places the water system in violation of Env-Ws 352.

DES believes the CCR violation can be corrected and future violations prevented by taking the following actions:

2. **By August 19, 2005, prepare and deliver to the water system's customers and DES the 2005 Consumer Confidence Report containing calendar year 2004 drinking water information; and**

3. **By October 1, 2005, submit to DES the 2005 CCR certification.**

A CCR template with instructions is available for downloading free of charge at *www.des.state.nh.us/wseb/ccr.htm.* If your system uses the state laboratory, laboratory results are available from this website also. Please contact Richard Thayer at (603) 271-2950 or by email at *rthayer@des.state.nh.us*, if you have any questions regarding the preparation and certification of the 2005 CCR.

In the event compliance is not achieved within the above listed period(s), DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All the above requested information should be addressed as follows:

Department of Environmental Services
Attn: Anne Bailey
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions concerning this letter, please contact Anne Bailey at (603) 271-0672 or by email at *abailey@des.state.nh.us*.

Sincerely,

COPY

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

Enclosure: Permit to Operate Application and Contact Information Report

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cc: Gretchen R. Hamel, DES Legal Unit Administrator
Health Officer Town of Gilford
David Candeias, Primary Contact/Operator
EPA, Region 1
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