The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner

September 19, 2006

LETTER OF DEFICIENCY# WSEB 06-158
Certified Mail# 7005 1160 0004 7468 7754

Richard Korn
143 Main Street
Kingston, NH 03848

Subject: Kingston- Public Water System: Ricks A Café and Grille (EPA#1278090)

Dear Mr. Korn:

The records of the NH Department of Environmental Services (DES) show that the Ricks A Café and Grille 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 serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Administrative Rule Env-Ws 325.

DES records show that Standard Maximum Contaminant Level (MCL) violations for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 313.01, have occurred and that Notices of Violation were issued for the following months:

July 2006 and August 2006

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

1. **By October 2, 2006,** retain the services of a qualified water system consultant to address the system's water quality problems relative to the recent bacteria contamination; and

2. **By October 16, 2006,** submit to DES for review a copy of the consultant's report which shall include recommendations to correct the bacteria contamination; and

3. **By October 30, 2006,** submit to DES for review and approval an implementation schedule which identifies specific dates by which steps to correct the bacteria contamination will be accomplished.

In the event compliance is not achieved within this period, DES may initiate formal action, including 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.

The copy of the **consultant's written report and the implementation schedule** as requested above should be addressed as follows:

Allyson Gourley
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Assistance may be available to you through a variety of sources. Financial, managerial and technical assistance is available through either of two government funded technical assistance providers. These are Granite State Rural Water Association ((603)-753-4055) and RCAP Solutions, Inc. (1-800-488-1969). Health related questions may be directed to Dave Gordon of the DES Bureau of Environmental and Occupational Health whose number is 271-4608. If you have any questions regarding this letter, please contact Allyson Gourley at (603) 271-0672 or by email at *agourley@des.state.nh.us*.

Sincerely,

COPY

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

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cc: Gretchen R. Hamel, DES Legal Unit Administrator
Town of Kingston Health Officer
EPA, Region 1

ec: Jim Gill, P.E., DES
Jack Shields, GSRWA
Robert Morancy, RCAP Solutions, Inc.
Dave Gordon, DES BEOH