



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Charles D. Baker
Governor

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Secretary

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April 5, 2022

Mr. James Mercer, Treasurer
Housatonic Water Works
80 Maple Ave Ste 1
Great Barrington, MA 01230

Re: Great Barrington– DWP
Housatonic Water Works
PWS ID #1113003
Enforcement
000012548

Dear Public Water Supplier:

THIS IS AN IMPORTANT NOTICE. FAILURE TO TAKE ADEQUATE ACTION IN RESPONSE TO THIS NOTICE COULD RESULT IN SERIOUS LEGAL CONSEQUENCES. THIS NOTICE IS ISSUED PURSUANT TO M.G.L. c. 21A, § 16, 310 CMR 5.00 AND G.L. c. 111, §§ 159-160 AND 310 CMR 22.00.

MassDEP received your Compliance Schedule Approval (CSA) form for the Notice of Noncompliance (ENF#000012548) addressing Quarter 3 and Quarter violations of the Haloacetic Acid (HAA5) Maximum Contaminant Level and certain reporting and public notice violations.

You are correct in that the three cited reporting and public notice violations in NON 00012548 were associated with the third quarter 2021 Haloacetic Acid MCL violation. MassDEP records will reflect that determination. Housatonic Water Works is a repeat violator, violating the HAA5 MCL for multiple quarters in a 12-month period. Also, an additional violation is the failure to prepare and submit an Operational Evaluation Level Report associated with the third quarter HAA5 results by the deadline cited in the Massachusetts Drinking Water Regulations 310 CMR 22.00. This violation and the Quarter 1, 2022 HAA MCL violation will be addressed in a separate enforcement document.

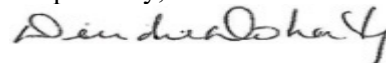
MassDEP rejects Housatonic Water Works Option 2 response to this Notice of Noncompliance. MassDEP requires a corrective action plan. MassDEP rejects the Housatonic Water Works position that anticipating better water quality in the future is a corrective action plan for these HAA MCLs. MassDEP does acknowledge that reducing chlorine while maintaining sufficient levels for primary and secondary disinfection is one immediate response action that is appropriate.

MassDEP directs Housatonic Water Works to specifically directs Housatonic Water Works to:

1. **By May 20, 2022**, submit to MassDEP a report by a Massachusetts Registered Professional Engineer with expertise in Drinking Water compliance documenting the causes of the MCL violation and his or her recommendations for preventing future MCL violations in the water distribution system. The report shall include an alternatives analysis including a feasibility evaluation, effectiveness determination, cost estimate, and implementation schedule. Housatonic Water Works shall implement the recommended actions set forth in the report as approved by MassDEP in accordance with a schedule approved by MassDEP.
2. **By April 15, 2022**, identify and describe all immediate actions taken to reduce the levels of HAA5 in the distribution system at Housatonic Water Works.
3. Repeat the **public notice** and certification every three months as long as the HAA MCL violations persist(s) in accordance with 310 CMR 22.16.
4. Include in its next Consumer Confidence Report (CCR) the following information: an explanation of each monitoring and/or reporting violation in accordance with 310 CMR 22.16A(6)(a); and/or the information on each MCL, treatment technique or MRDL violation required by 310 CMR 22.16A(4)(k).
5. Collect and analyze the required Disinfection Byproducts samples at the MassDEP-required locations to return to compliance with the Disinfection Byproduct monitoring and reporting requirements and submit to MassDEP two (2) copies of the monitoring results by mail or upload via eDEP by the deadlines identified in 310 CMR 22.00.

If you have any questions regarding this matter, please contact me at (413) 755-2148 or Douglas Paine at 413-755-2281 or douglas.paine@mass.gov.

Respectfully,



Deirdre Doherty
Drinking Water/Municipal Services Chief
Western Regional Office

Enclosures

cc: Boston DWP

BOH

MassDEP-WERO: J. Gibbs, D. Paine, H. Pokharel