



**COLORADO**  
Department of Public  
Health & Environment

October 13, 2025

**Certified Mail Number: 9589 0710 5270 1318 3163 92**

PWSID # CO0150500  
The Board of Trustees  
Town of Hartman  
PO Box 22  
Hartman CO 81043-0022

**Service of Drinking Water Enforcement Order DW.10.25.150500**

The Town of Hartman (the “Supplier”) is hereby issued the enclosed Enforcement Order and Administrative Penalty Assessment (the “Order”). This Order is issued by the Colorado Department of Public Health and Environment, Water Quality Control Division (the “Department”) pursuant to the authority given to the Department by sections 25-1.5-203, 25-1-114.1 and 25-9-110 of the Colorado Revised Statutes (“C.R.S.”), and section 11.1(6)(c) of Regulation No. 11 (“Colorado Primary Drinking Water Regulations”), 5 CCR 1002-11.

On June 28, 2023 and May 13, 2024, the Department issued Drinking Water Enforcement Order Number DW.06.23.150500 (“2023 Order”) and DW.05.24.150500 (“2024 Order”) to the Supplier. Violations cited in the 2023 Order and the 2024 Order:

- Failure to correct significant deficiencies identified during sanitary survey - 1 violation
- Failure to maintain a certified Operator in Responsible Charge - 1 violation
- Failure to monitor and/or report for microbial contaminants - 4 violations
- Failure to monitor and/or report for residual disinfectant in the distribution system - 4 violations
- Failure to distribute and/or certify consumer notices for lead tap sample results - 1 violation
- Failure to distribute and/or certify tier 2 public notice - 1 violation

The violations cited in this Order were incurred after the issuance of the 2024 Order:

- I. Failure to maintain a certified Operator in Responsible Charge - 2 violations
- II. Failure to complete and/or report a lead service line inventory - 1 violation
- III. Failure to monitor and/or report for microbiological contaminants at the raw water source - 1 violation
- IV. Failure to monitor and/or report for microbiological contaminants in the distribution system - 10 violations



- V. Failure to monitor and/or report for residual disinfectant in the distribution system - 10 violations
- VI. Failure to distribute and/or certify tier 2 public notice - 16 violations
- VII. Failure to distribute and/or certify tier 1 public notice - 6 violations
- VIII. Failure to distribute and/or certify an annual consumer confidence report - 2 violations
- IX. Failure to comply with a formal enforcement order (2023 Order) - 46 violations
- X. Failure to comply with a formal enforcement order (2024 Order) - 13 violations

Administrative penalty assessment: \$132,746.00

Please contact Zeenath Khan by phone at 720.254.1393 or by email at [zeenath.khan@state.co.us](mailto:zeenath.khan@state.co.us) with any questions regarding the content of the Order.

**Enclosures:**

Drinking Water Enforcement Order DW.10.25.150500  
Drinking Water Enforcement Requirements Summary  
Drinking Water Enforcement Response Forms

cc: Drinking Water Enforcement File DW.10.25.150500  
ec: The Board of Trustees, hartmantownhall@gmail.com  
Velma Cooper Casanova, Supplier's Representative, velmacooper61@gmail.com  
Meagan Hillman, Prowers County Public Health and Environment, mhillman@prowerscounty.net  
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Local Assistance Unit, Water Quality Control Division, CDPHE  
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# COLORADO

## Department of Public Health & Environment

WATER QUALITY CONTROL DIVISION

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**ENFORCEMENT ORDER &  
ADMINISTRATIVE PENALTY ASSESSMENT**

**NUMBER: DW.10.25.150500**

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**IN THE MATTER OF:      TOWN OF HARTMAN  
AS OWNER AND/OR OPERATOR OF  
PUBLIC WATER SYSTEM IDENTIFICATION NUMBER: CO0150500  
PROWERS COUNTY, COLORADO**

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Pursuant to the authority vested in the Colorado Department of Public Health and Environment (the “Department”) by sections 25-1-109 and 25-1.5-203 of the Colorado Revised Statutes (“C.R.S.”) and section 11.1(6), 5 CCR 10002-11, which authority is implemented through the Department’s Water Quality Control Division (the “Division”), the Department hereby makes the following findings and issues the following Enforcement Order (“Order”):

1. The Colorado Primary Drinking Water Regulations are published in the Code of Colorado Regulations at 5 CCR 1002-11 and are collectively referred to in this Order as “Regulation 11.”
2. The Water and Wastewater Facility Operators Certification Requirements are published in the Code of Colorado Regulations at 5 CCR 1003-2 and are collectively referred to in this Order as “Regulation 100.”

### GENERAL FINDINGS

3. The Town of Hartman is a person as defined by section 11.3(54), Regulation 11.



4. At all times relevant to the violations cited herein, the Town of Hartman was a statutory town registered with the Colorado Department of Local Affairs (Local Government ID Number 50008).
5. The Town of Hartman is a supplier of water within the meaning of section 25-1.5-201(2), C.R.S., and its implementing regulation, section 11.3(81), Regulation 11. Hereafter, the Town of Hartman will be referred to as the “Supplier.”
6. The Supplier owns and/or operates a drinking water system located in the Town of Hartman, Prowers County, Colorado (the “System”).
7. The System is a public water system as defined by section 25-1.5-201(1), C.R.S. and its implementing regulation, Regulation 11, section 11.3(60).
8. The Public Water System Identification Number (“PWSID”) assigned to the System by the Department is PWSID #: CO0150500.
9. Pursuant to section 11.1(5), Regulation 11, the System is subject to the Colorado Primary Drinking Water Regulations (Regulation 11), which were adopted pursuant to section 25-1.5-203, C.R.S.
10. Pursuant to section 11.3(11), Regulation 11, if a system provides water for human consumption to at least 15 service connections used by year-round residents of the area served by the system and/or regularly serves at least 25 year-round residents it is classified as a “community water system.” Department records establish that the System serves 56 year-round residents and a daily average of five transient consumers and is therefore classified as a “community water system,” as that phrase is defined in section 11.3(11), Regulation 11.
11. The System’s source of water is groundwater as defined by section 11.3(35), Regulation 11.
12. On June 28, 2023 and May 13, 2024, the Department issued Drinking Water Enforcement Order Number DW.06.23.150500 (“**2023 Order**”) (**Exhibit A**) and DW.05.24.150500 (“**2024 Order**”) (**Exhibit B**) (collectively, “the Orders”) to the Town of Hartman for its drinking water system. The Orders cited multiple violations of Regulation 11: failure to correct significant deficiencies identified during a sanitary survey, failure to maintain a certified Operator in Responsible Charge, failure to monitor and/or report for microbiological contaminants, failure to monitor and/or report for residual disinfectant in the distribution system, failure to distribute and/or certify consumer notices for lead tap sample results, and failure to distribute tier 2 public notice. The 2023 and 2024 Orders and all violations cited therein are hereby incorporated by reference as general findings.

In summary, the 2023 Order required the Supplier to:

- a. Comply with Regulation 11;



- b. Initial response: Describe how the Supplier will comply with the order;
- c. Implement and maintain five interim measures to protect public health until the Supplier's finished water storage tank, "Elevated Storage Tank" (Facility ID 002), could be replaced,
  - i. Interim measure #1: Additional monitoring for microbiological contamination every two weeks at the storage tank,
  - ii. Interim measure #2: Weekly visual inspections of the storage tank roof,
  - iii. Interim measure #3: Maintain a 2.0 mg/L disinfectant residual at the entry point,
  - iv. Interim measure #4: When the Supplier completes a periodic ("periodic" means a visual inspection by the Supplier, required at least twice per year) or comprehensive ("comprehensive" means a professional evaluation of the interior, exterior and structural conditions, required at least every five years) inspection, submit the reports to the Department within 60 days, and
  - v. Interim measure #5: Develop and follow an emergency response plan in the event that the tank collapses or fails;
- d. Design application: Design a new storage tank;
- e. Construction: Construct a new storage tank according to a Department approved schedule;
- f. Remove old tank: Remove "Elevated Storage Tank" (Facility ID 002);
- g. Respond to comments: Generally, resolve any Department comments on submittals within 30 calendar days; and
- h. Quarterly progress reports: Submit written quarterly progress reports.

In summary, the 2024 Order required the Supplier to:

- a. Comply with Regulation 11 and Regulation 100;
- b. Initial response: Describe how the Supplier will comply with the order;
- c. Unreported sample results: Submit the results of any unreported sampling data cited as a violation in the Order;

- d. Cease monitoring and reporting violations: Cease violation of monitoring and reporting requirements of Regulation 11;
  - e. Maintain a certified operator: Demonstrate the System is under operation of qualified personnel who meet the requirements of Regulation 100;
  - f. Public notice: Perform all overdue and pending public notifications for violations cited in the Order and repeat delivery of public notices quarterly for any unresolved violations;
  - g. Lead consumer notices: Distribute lead consumer notices for tap sample results;
  - h. Respond to comments: Generally, resolve any Department comments on submittals within 30 calendar days; and
  - i. Quarterly progress reports: Submit written quarterly progress reports.
13. The Department assessed a \$336.00 administrative penalty in the 2023 Order.
14. The Department assessed a \$2,268.00 administrative penalty in the 2024 Order.
15. On July 30, 2024, the Department notified the Supplier of its failure to comply with the **2023 Order**. The Department requested the Supplier respond by August 13, 2024 proposing a plan to return to compliance with the 2023 Order. At the time of the Department’s letter the following requirements of the 2023 Order were overdue:
- a. Interim measure #1: The Supplier was 210 days overdue to submit additional total coliform sample results for sampling performed at “Elevated Storage Tank” (Facility ID 002).
  - b. Interim measure #2: The Supplier was 238 days overdue to submit logs of visual inspections of “Elevated Storage Tank” (Facility ID 002).
  - c. Interim measure #3: The Supplier was 243 days overdue to submit entry point residual disinfectant records.
  - d. Design application: The Supplier was 106 days over to submit a complete drinking water design application for its storage tank replacement project.
  - e. Quarterly progress reports: The Supplier was 121 days overdue to submit a first quarter 2024 progress report. The Supplier was 30 days overdue to submit a second quarter 2024 progress report.

16. On December 23, 2024, the Supplier provided the Department with a proposed plan to return to compliance with the 2023 Order. The Supplier provided to the Department a list of names, titles, and responsibilities of various town staff that would be responsible for completing the actions described in the plan. The following paragraphs summarize the Supplier's December 23, 2024 plan and subsequent failures to follow through on its plan to return to compliance with the 2023 Order:
- a. Interim measure #1: To maintain compliance with interim measure #1, the Supplier stated that it would schedule the two-week testing in the next sampling period. It stated that an operator trainee would be trained to perform the sampling technique until the Supplier hires an Operator in Responsible Charge. The Supplier stated that it would update its sampling plan. The Supplier noted the Department was paying for laboratory and courier fees on a temporary basis.
    - i. According to Department records, to date, the Supplier has failed to provide any reports of the two-week sampling.
  - b. Interim measure #2: To maintain compliance with interim measure #2, the Supplier stated it performed a visual inspection of "Elevated Storage Tank" (Facility ID 002) on December 19, 2024 and that it would submit the results. The Supplier stated that the operator trainee would perform the inspections every two weeks and that it would report an inspection log in its quarterly progress reports. The Supplier stated the town clerk would submit the quarterly progress reports.
    - i. According to Department records, to date, the Supplier has failed to provide any reports of visual inspections.
  - c. Interim measure #3: The Supplier stated that it had not measured the entry point residual disinfectant since November 30, 2023. It also stated a reading was taken on October 29, 2024. The Supplier stated the operator trainee was trained on maintaining the treatment system and measuring the residual disinfectant concentration until the Supplier hires an Operator in Responsible Charge. The Supplier stated the residual concentration is measured every Sunday and the town clerk would report the residual disinfectant monitoring log in the quarterly progress reports.
    - i. According to Department records, to date, the Supplier has failed to provide any reports of the entry point disinfectant residual concentration.
  - d. Interim measure #4: The Supplier stated that no periodic or comprehensive inspections had been performed on "Elevated Storage Tank" (Facility ID 002). The Supplier stated that it had no plans to perform periodic inspections. The

Supplier stated that it planned to conduct a comprehensive inspection in the spring of 2025.

- i. According to Department records, to date, the Supplier has failed to provide any reports of any completed periodic or comprehensive inspections.
  - e. Design application: Supplier stated that it would sign a contract with a Professional Engineer by the week of March 25, 2025 to begin the design application. The Supplier stated that it would submit a design application by September 3, 2025 and that it would pay for the engineering work with two grants awarded by the Department's Small Communities Water and Wastewater Grant and the Colorado Department of Local Affairs Energy Impact Assistance Fund.
    - i. According to Department records, to date, the Supplier has failed to provide evidence that it contracted with a Professional Engineer. Additionally, the Supplier has not submitted a design application.
  - f. Quarterly progress reports: The Supplier stated that it would submit quarterly progress reports for the duration of the order and that it would participate in monthly calls with the Department.
    - i. By submitting the December 23, 2024 plan, the Supplier resolved the overdue progress reports. However, according to Department records, to date, the Supplier has failed to provide quarterly progress reports for the first quarter 2025, second quarter 2025, and third quarter 2025.
    - ii. The Supplier attended monthly check-in meetings on January 21, 2025 and July 14, 2025. However, the Department was unable to schedule check-in meetings with the Supplier in February, March, April, May, June, August and September 2025 due to the Supplier's inability to retain staff or board members to participate in meetings.
17. On July 30, 2024, the Department notified the Supplier of its failure to comply with the **2024 Order**. The Department requested the Supplier submit the initial response form by August 13, 2024 describing its plan for complying with the 2024 Order. At the time of the Department's letter, the following requirements of the 2024 Order were overdue:
- a. Initial response: The Supplier was 48 days overdue to submit an initial response to the 2024 Order.
  - b. Unreported sample results: The Supplier was 48 days overdue to submit any unreported sampling data cited as a monitoring violation in the 2024 Order.

- c. Cease monitoring and reporting violations: The Supplier was 60 days overdue to perform sampling for total coliform and residual disinfectant concentration within the Supplier's distribution system.
  - d. Maintain a certified operator: The Supplier was 48 days overdue to submit notification the Supplier had retained a certified Operator in Responsible Charge.
  - e. Public notice: The Supplier was 48 days overdue to distribute all overdue and pending public notifications.
  - f. Lead consumer notices: The Supplier was 48 days overdue to distribute lead consumer notices for tap sample results.
  - g. Penalty payment: The Supplier was 18 days overdue to pay a \$2,268.00 administrative penalty.
18. On December 23, 2024, the Supplier provided the Department with an initial response to the 2024 Order describing its plan to comply with the 2024 Order. The following paragraphs summarize the Supplier's December 23, 2024 responses, plan, and subsequent failures to follow through on its plan to return to compliance with the 2023 Order:
- a. Initial response: By submitting the December 23, 2024 plan, the Supplier resolved the overdue initial response. The Supplier returned to compliance with this requirement.
  - b. Unreported sample results: The Supplier resolved the requirement to report missing sampling results by stating it did not have missing sample results. The Supplier returned to compliance with this requirement.
  - c. Cease monitoring and reporting violations: The Supplier stated that it collected total coliform bacteria samples in October and December of 2024.
    - i. The Supplier reported total coliform and disinfectant residual sample results for October and December 2024, and for January, February, April, May, and June 2025. However, according to Department records, to date, the Supplier has failed to provide sample results for multiple monitoring periods, as cited in this Order.
  - d. Maintain a certified operator: The Supplier stated it would obtain a certified Operator in Responsible Charge by February 2025.
    - i. On February 28, 2025, the Supplier designated an Operator in Responsible Charge with the required certifications. However, according to Department records, on June 30, 2025, the designated operator resigned. To date, the Supplier has not designated a new Operator in Responsible Charge.

- e. Public notice: The Supplier stated it would work with a technical assistance provider and the Department to prepare public notice and a schedule for performing public notice. The Supplier stated the town clerk would distribute public notices with routine water bills and certify the delivery of the public notice.
    - i. According to Department records, to date, the Supplier has failed to certify the delivery of public notification for multiple violations, as cited in this Order.
  - f. Lead consumer notices: The Supplier stated that no consumer notices had been distributed at the time of the December 23, 2024 plan. The Supplier stated it would work with a technical assistance provider and the Department to prepare lead consumer notices and a schedule for distribution. The Supplier stated the town clerk would distribute notices with routine water bills and certify their delivery.
    - i. According to Department records, to date, the Supplier has failed to certify the delivery of lead consumer notices.
  - g. Penalty payment: The Supplier stated the town clerk would be responsible for the payment of the 2024 Order's \$2,268.00 administrative penalty.
    - i. According to Department records, to date, the Supplier has failed to make any penalty payments.
  - h. Quarterly Progress Reports: The Supplier stated that it would submit quarterly progress reports for the duration of the order and that it would participate in monthly calls with the Department.
    - i. The Supplier submitted a first quarter 2025 progress report on April 4, 2025. The Supplier submitted a duplicate progress report on May 14, 2025. According to Department records, to date, the Supplier has failed to provide quarterly progress reports for the second quarter 2025 and third quarter 2025.
    - ii. The Supplier attended monthly check-in meetings on January 21, 2025 and July 14, 2025. However, the Department was unable to schedule check-in meetings with the Supplier in February, March, April, May, June, August and September 2025 due to the Supplier's inability to retain staff or board members to participate in meetings.
19. On November 7, 2024, the Department notified the Supplier of its failure to develop and report a lead service line inventory as required by the Lead and Copper Rule Revisions, section 11.17, Regulation 11.

20. On August 7, 2025, the Department notified the Supplier of a treatment technique violation for failing to maintain a certified Operator in Responsible Charge for the System.
21. The Department has notified the Supplier of repeated violations for failing to monitor and/or report for microbiological contaminants in the distribution system as shown in the following table.

Monitoring Period	Analyte	Date of Department's Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
May 2024	Total Coliform Bacteria	July 8, 2024	No sample results reported	November 4, 2024
June 2024	Total Coliform Bacteria	July 18, 2024	No sample results reported	November 4, 2024
July 2024	Total Coliform Bacteria	August 19, 2024	No sample results reported	November 4, 2024
August 2024	Total Coliform Bacteria	September 16, 2024	No sample results reported	November 4, 2024
September 2024	Total Coliform Bacteria	October 24, 2024	No sample results reported	November 4, 2024
November 2024	Total Coliform Bacteria	December 18, 2024	No sample results reported	December 9, 2024
March 2025	Total Coliform Bacteria	April 16, 2025	No sample results reported	May 9, 2025
July 2025	Total Coliform Bacteria	August 27, 2025	No sample results reported	Unresolved
August 2025	Total Coliform Bacteria	September 24, 2025	No sample results reported	Unresolved
September 2025	Total Coliform Bacteria	October 13, 2025	No sample results reported	Unresolved

22. The Department has notified the Supplier of repeated violations for failing to monitor and/or report for distribution system residual disinfectant as shown in the following table.

Monitoring Period	Analyte	Date of Department's Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
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May 2024	Residual Disinfectant	July 8, 2024	No sample results reported	November 4, 2024
June 2024	Residual Disinfectant	July 18 2024	No sample results reported	November 4, 2024
July 2024	Residual Disinfectant	August 19, 2024	No sample results reported	November 4, 2024
August 2024	Residual Disinfectant	September 16, 2024	No sample results reported	November 4, 2024
September 2024	Residual Disinfectant	October 24, 2024	No sample results reported	November 4, 2024
November 2024	Residual Disinfectant	December 18, 2024	No sample results reported	December 9, 2024
March 2025	Residual Disinfectant	April 16, 2025	No sample results reported	May 9, 2025
July 2025	Residual Disinfectant	August 27, 2025	No sample results reported	Unresolved
August 2025	Residual Disinfectant	September 24, 2025	No sample results reported	Unresolved
September 2025	Residual Disinfectant	October 13, 2025	No sample results reported	Unresolved

23. The Department has notified the Supplier of repeated violations for failing to monitor and/or report for lead and copper in the distribution system as shown in the following table.

Monitoring Period	Analyte	Date of Department's Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
January to June 2024	Lead & Copper	July 25, 2024	No sample results reported	January 20, 2025
July to December 2024	Lead & Copper	January 23, 2025	No sample results reported	January 20, 2025

24. The Department has notified the Supplier of a violation for failing to monitor and/or report for microbiological contaminants from the System's raw water source as shown in the following table.



Monitoring Period	Analyte	Date of Department's Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
January 30, - January 31, 2025	Total coliform bacteria & <i>E. coli</i>	February 5, 2025	No sample results reported	Unresolved

25. The Department has notified the Supplier of repeated violations for failing to distribute tier 2 public notice for violations and/or timely certify delivery as shown in the following table.

Violation that Triggered Public Notice Requirement	Public Notice Deadline	Type of Public Notice Violation	Date the Department Notified the Supplier of the Public Notice Violation
Significant Deficiency F310	April 30, 2024	Failure to distribute and/or certify	May 14, 2024
Public Notice Required by the 2024 Order & Failure to Maintain a Certified Operator	June 12, 2024	Failure to distribute and/or certify	August 13, 2024
Significant Deficiency F310	July 30, 2024	Failure to distribute and/or certify	August 13, 2024
Public Notice Required by the 2024 Order & Failure to Maintain a Certified Operator	September 12, 2024	Failure to distribute and/or certify	October 24, 2024
Significant Deficiency F310	October 30, 2024	Failure to distribute and/or certify	November 15, 2024
Failure to Complete a Lead Service Line Inventory	December 7, 2024	Failure to distribute and/or certify	January 22, 2025



<b>Violation that Triggered Public Notice Requirement</b>	<b>Public Notice Deadline</b>	<b>Type of Public Notice Violation</b>	<b>Date the Department Notified the Supplier of the Public Notice Violation</b>
Public Notice Required by the 2024 Order & Failure to Maintain a Certified Operator	December 12, 2024	Failure to distribute and/or certify	January 22, 2025
Significant Deficiency F310	January 30, 2025	Failure to distribute and/or certify	February 20, 2025
Failure to Maintain Minimum Disinfection in the Distribution System	March 7, 2025	Failure to distribute and/or certify	April 21, 2025
Failure to Complete a Lead Service Line Inventory	March 7, 2025	Failure to distribute and/or certify	April 21, 2025
Failure to Complete a Lead Service Line Inventory	April 30, 2025	Failure to distribute and/or certify	May 19, 2025
Significant Deficiency F310	April 30, 2025	Failure to distribute and/or certify	May 21, 2025
Failure to complete a Level 1 Assessment	May 15, 2025	Failure to distribute and/or certify	June 20, 2025
Significant Deficiency F310	July 30, 2025	Failure to distribute and/or certify	August 27, 2025
Failure to Complete a Lead Service Line Inventory	July 30, 2025	Failure to distribute and/or certify	August 27, 2025
Failure to Maintain a Certified Operator	September 6, 2025	Inadequate language in distributed notice	October 13, 2025

26. The Department has notified the Supplier of repeated violations for failing to distribute tier 1 public notices to consumers and/or timely certify delivery as shown in the following table.



Situation that Triggered Tier 1 Public Notice Requirement	Public Notice Deadline	Type of Public Notice Violation	Date the Department Notified the Supplier of the Public Notice Violation
Department Issued Boil Water Advisory	January 31, 2025	Failure to distribute and/or certify	February 19, 2025
Department Issued Boil Water Advisory	February 14, 2025	Failure to distribute and/or certify	March 14, 2025
Department Issued Boil Water Advisory	February 28, 2025	Failure to distribute and/or certify	March 14, 2025
Department Issued Boil Water Advisory	March 14, 2025	Failure to distribute and/or certify	April 16, 2025
Department Issued Boil Water Advisory	September 17, 2025	Failure to distribute and/or certify	Not Applicable
Department Issued Boil Water Advisory	October 1, 2025	Failure to distribute and/or certify	October 13, 2025

27. The Department has notified the Supplier of repeated violations for failing to distribute an annual consumer confidence report and/or timely certify delivery as shown in the following table.

Report Requirement	Distribution Deadline	Type of Violation	Date the Department Notified the Supplier of the Violation
Consumer Confidence Report	July 1, 2024	Failure to distribute and/or certify	August 8, 2024
Consumer Confidence Report	July 1, 2025	Failure to distribute a report (incomplete) and certify	July 14, 2025



28. To date, the Supplier has not demonstrated to the Department's satisfaction that it is maintaining certified Operator(s) in Responsible Charge with the minimum classification levels for the System.
29. To date, the Supplier has not demonstrated to the Department's satisfaction that it has completed and/or reported a lead service line inventory.
30. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance for monitoring total coliform bacteria and *E. coli* at the raw water source.
31. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance for monitoring microbiological contaminants in the distribution system.
32. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance for monitoring residual disinfectant in the distribution system.
33. To date, the Supplier has not demonstrated to the Department's satisfaction that it has distributed the tier 2 public notices for multiple violations.
34. To date, the Supplier has not demonstrated to the Department's satisfaction that it has distributed all required tier 1 public notices for the Department issued boil or bottled water advisory that occurred in January through March 2025 and in September 2025.
35. To date, the Supplier has not demonstrated to the Department's satisfaction that it has distributed annual consumer confidence reports for 2024 or 2025.
36. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance with the 2023 Order.
37. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance with the 2024 Order.
38. The Department is issuing this Order, in part, to establish an enforceable schedule for the Supplier to return to compliance and to ensure long-term compliance with Regulation 11 and Regulation 100.

## VIOLATIONS

### I. Failure to Maintain a Certified Operator in Responsible Charge - 2 Violations

39. All preceding paragraphs are incorporated by reference herein.



40. Pursuant to section 11.16(1)(d), Regulation 11, the supplier must have the system operated by qualified personnel who meet the requirements of Regulation 100, the Water and Wastewater Facility Operators Certification Requirements.
41. Pursuant to section 25-9-110(2)(a), C.R.S., and sections 100.10.1(a) and 100.10.5, Regulation 100, no owner of a public water system shall allow the facility to be operated without the direct supervision of an Operator in Responsible Charge certified in a classification equivalent to or higher than the classification of the facility as specified in Regulation 100.
42. Pursuant to section 100.10.3, Regulation 100, “[e]ach owner of a water or wastewater facility shall ensure that a certified Operator in Responsible Charge is available or ensure that operations are conducted in accordance with the facility’s written operating plan as described in section 100.12.6, Regulation 100, whenever the facility is in operation. ‘Available’ means either onsite or able to be contacted as needed to make decisions and to initiate appropriate actions in a timely manner.”
43. Pursuant to section 100.10.4, Regulation 100, each owner of a water or wastewater facility shall submit in writing to the Department, no later than 30 days after any changes, the full legal name and operator identification number of the certified Operator in Responsible Charge employed by the owner.
44. Pursuant to section 100.4, Regulation 100, the Supplier is required to designate an Operator in Responsible Charge with a classification “C” treatment certification, or higher, for the System’s treatment facility “Chlorinator for Well 1” (Facility ID 001T).
45. Pursuant to section 100.8, Regulation 100, the Supplier is required to designate an Operator in Responsible Charge with a classification “1” distribution certification, or higher, for the System’s distribution system.
46. Department records establish that, to date, the Supplier has failed to comply with the certified operator requirements as described below:

Operator Certification Violation Period	Reason
December 22, 2023 to January 31, 2025	The Operator in Responsible Charge resigned on December 22, 2023. The Supplier did not designate a new Operator in Responsible Charge until February 1, 2025.
June 30, 2025 - ongoing	The Operator in Responsible Charge resigned on June 30, 2025. To date, the Supplier has not designated a new Operator in Responsible Charge.



47. The Supplier's failures to ensure that the System is operated by qualified personnel who meet the requirements of Regulation 100 constitute violations of sections 11.16(1)(d), Regulation 11, section 100.10, Regulation 100, and section 25-9-110(2)(a), C.R.S. Furthermore, if the Supplier failed to notify the Department of a change to the designated certified Operator in Responsible Charge, such failure constitutes a violation of section 100.10.4, Regulation 100.

**II. Failure to Complete and/or Report a Lead Service Line Inventory - 1 Violation**

48. All preceding paragraphs are incorporated by reference herein.
49. Pursuant to section 11.17(1)(a), Regulation 11, for all community and non-transient, noncommunity water systems must comply with the Lead and Copper Rule Revisions, section 1.17, Regulation 11, beginning October 16, 2024.
50. Pursuant to section 11.17(2)(a)(i), Regulation 11, the supplier must develop a lead service line inventory to identify the materials of all service lines connected to the distribution system regardless of ownership status. The lead service line inventory must meet all requirements specified in section 11.17(2)(a)(ii), Regulation 11.
51. Pursuant to section 11.17(2)(d), Regulation 11, the supplier must submit an initial lead service line inventory to the Department by no later than October 16, 2024.
52. Pursuant to section 11.17(2)(d), Regulation 11, the supplier must make the initial lead service line inventory available to the public at the same time as it submits it to the Department.
53. Department records establish that, to date, the Supplier has failed to submit a lead service line inventory to the Department.
54. The Supplier's failure to develop a lead service line inventory constitutes a treatment technique violation of section 11.17(2)(a), Regulation 11, as defined in section 11.17(2)(e)(i), Regulation 11. The Supplier's failure to provide the Department and the public with a lead service line inventory constitutes a violation of section 11.17(d), Regulation 11.

**III. Failure to Monitor and/or Report for Microbiological Contaminants at the Raw Water Source - 1 Violation**

55. All preceding paragraphs are incorporated by reference herein.

56. Pursuant to section 11.16(1)(a), Regulation 11, all public water systems must comply with the requirements of the Revised Total Coliform Rule, section 11.16, Regulation 11, unless otherwise specified.
57. Pursuant to section 11.11(1)(a), Regulation 11, for all groundwater systems, the supplier must comply with the Groundwater Rule, section 11.11, Regulation 11.
58. Pursuant to section 11.11(4)(a)(i)(B), Regulation 11, the Supplier must conduct triggered source water monitoring if the Supplier is notified that a sample collected under 11.16, Regulation 11, is total coliform-positive and the sample was not invalidated under 11.16(7), Regulation 11.
59. Pursuant to section 11.11(4)(b)(i), Regulation 11, the Supplier must collect triggered source water monitoring samples no later than 24 hours after being notified of a total coliform-positive sample collected under 11.16, Regulation 11.
60. Pursuant to section 11.11(4)(b)(ii), Regulation 11, the Supplier must collect at least one triggered source water monitoring sample from each groundwater source that was in use at the time the total coliform-positive sample was collected. These samples must be collected at the well, before any treatment is applied.
61. Pursuant to section 11.11(4)(b)(iii), Regulation 11, the supplier must have all groundwater source samples analyzed for the presence of one of the following fecal indicators: *E. coli*, enterococci, or coliphage.
62. Pursuant to section 11.35(2)(a), Regulation 11, except where a different reporting period is specified, the supplier must submit to the Department all sample results or test measurements required by the Colorado Primary Drinking Water Regulations no later than whichever of the following comes first:
  - a. The tenth of the month following the month when the sample result(s) or test measurement(s) was received; or
  - b. The first 10 calendar days following the end of the monitoring period specified by the Department.
63. On January 30, 2025, the Department notified the Supplier that a sample collected in the distribution system on January 29, 2025 had a total coliform-positive sample result. The Department notified the Supplier of the requirement to collect one raw sample from the source water on or before January 31, 2025 and to have the sample analyzed for total coliform bacteria and *E. coli*.
64. Department records establish that, to date, the Supplier has failed to provide the Department with the sample results for total coliform bacteria and *E. coli* from “No 1 Well” (Facility ID 001), that was triggered on January 30, 2025.

- 65. The Supplier’s failure to perform triggered source water monitoring constitutes a violation of section 11.11(4)(b), Regulation 11. Furthermore, the Supplier’s failure to report sample results to the Department constitutes a violation of section 11.35(2)(a), Regulation 11.

**IV. Failure to Monitor and/or Report for Microbiological Contaminants in the Distribution System - 10 Violations**

- 66. All preceding paragraphs are incorporated by reference herein.
- 67. Pursuant to section 11.45(1), Regulation 11, the maximum contaminant levels (MCLs) specified in Table 11.45-I, Regulation 11, for microbiological contaminants, including *E. coli*, apply to all public water systems, regardless of size or type.
- 68. Pursuant to section 11.16(4)(a), Regulation 11, to determine compliance with the MCL for *E. coli* or to determine if a treatment technique is triggered as defined in section 11.16(8), Regulation 11, the supplier must collect total coliform samples as specified in the supplier’s sample plan in section 11.16(3), Regulation 11, and as specified in sections 11.16(4) and 11.16(5), Regulation 11.
- 69. Pursuant to section 11.16(4)(b)(i), Regulation 11, for all public water systems, the supplier must collect the number of routine total coliform samples specified in Table 11.16-I, Regulation 11, each month. Accordingly, for the System, which is classified as a community system and serves less than 1,001 people, the Supplier is required to collect a minimum of one total coliform bacteria sample each calendar month.
- 70. Department records establish that, to date, the Supplier has failed to provide the Department with the sample results of its total coliform and/or *E. coli* monitoring for the following monitoring periods:

Month	Year	Number of Samples Required	Number of Samples Received
May	2024	1	0
June	2024	1	0
July	2024	1	0
August	2024	1	0
September	2024	1	0
November	2024	1	0
March	2025	1	0
July	2025	1	0
August	2025	1	0
September	2025	1	0



71. Department records establish that the Supplier performed and reported the required sampling for the October 2024, December 2024, January 2025, February 2025, April 2025, May 2025, and June 2025 monitoring periods.
72. The Supplier's failures to perform routine total coliform bacteria and/or *E. coli* monitoring constitute violations of section 11.16(4), Regulation 11, as defined in section 11.16(11)(c). Furthermore, the Supplier's failures to report sample results to the Department constitute violations of 11.35(2)(a), Regulation 11.

V. **Failure to Monitor and/or Report for Residual Disinfectant in the Distribution System - 10 Violations**

73. All preceding paragraphs are incorporated by reference herein.
74. Pursuant to section 11.11(2)(c)(i), Regulation 11, to determine compliance with the minimum disinfection treatment technique requirements for groundwater sources, the supplier must monitor the residual disinfectant concentration. In the distribution system, the supplier must monitor the disinfectant residual concentration at the same time and at the same locations that total coliform samples are collected under sections 11.16(4) and 11.16(5), Regulation 11.
75. Pursuant to section 11.45(5), Regulation 11, the maximum residual disinfectant level (MRDL) for disinfectants apply to all community and non-transient, non-community water systems.
76. Pursuant to section 11.23(1)(a), Regulation 11, for all community and non-transient, non-community water systems that supply water treated with chlorine or chloramines, the Supplier must comply with the requirements specified in the Maximum Residual Disinfectant Levels Rule, Section 11.23, Regulation 11.
77. Pursuant to section 11.23(1)(c)(i), Regulation 11, to determine compliance with the maximum residual disinfectant level (MRDL) for chlorine and/or chloramines, the supplier must monitor the residual disinfectant concentration in the distribution system at the same time and at the same locations that total coliform samples are collected under sections 11.16, Regulation 11, as identified in the supplier's sample siting plan under section 11.16(3), Regulation 11.
78. Department records establish that, to date, the Supplier has failed to provide the Department with the sample results of its total coliform and/or *E. coli* monitoring, and therefore, failed to provide the Department with the results of the corresponding residual disinfectant concentration in the distribution system for the following monitoring periods:

Month	Year	Number of Samples Required	Number of Samples Received
May	2024	1	0
June	2024	1	0
July	2024	1	0
August	2024	1	0
September	2024	1	0
November	2024	1	0
March	2025	1	0
July	2025	1	0
August	2025	1	0
September	2025	1	0

79. Department records establish that the Supplier performed and reported the required sampling for the October 2024, December 2024, January 2025, February 2025, April 2025, May 2025, and June 2025 monitoring periods.
80. The Supplier's failures to measure the residual disinfectant concentration in the distribution system constitute violations of sections 11.11(2)(c)(i), and 11.23(1)(c), Regulation 11. Furthermore, the Supplier's failures to report sample results to the Department constitute violations of 11.35(2)(a), Regulation 11.

**VI. Failure to Distribute and/or Certify Tier 2 Public Notice - 16 Violations**

81. All preceding paragraphs are incorporated by reference herein.
82. Pursuant to section 11.33(1)(a), Regulation 11, for all public water systems, the supplier must comply with the Public Notification Rule, section 11.33, Regulation 11.
83. Pursuant to section 11.33(1)(a), Regulation 11, for all public water systems, the supplier must comply with the public notice requirements specified in section 11.33, Regulation 11, for the violations or situations specified in Table 11.33-I, Regulation 11, including violations of the maximum contaminant level, maximum residual disinfection level, treatment technique, monitoring requirements, and testing procedures.
84. Pursuant to section 11.33(6)(a), Regulation 11, the supplier must distribute public notice to consumers supplied by the public water system in accordance with section 11.33(6), and 11.33(3)(b), Regulation 11.
85. When the supplier has a violation as described in section 11.33(3)(a), the supplier is required to provide a tier 2 public notification as soon as possible but no later than 30 days of learning of the violation. Furthermore, pursuant to Table 11.33-I, Regulation 11,



the Department may determine that tier 2 public notice is required, instead of tier 3 public notice, for violations of the monitoring, testing procedure, and reporting requirements, considering potential public health impacts and the persistence of the violation.

86. Pursuant to section 11.33(5), Regulation 11, the supplier must include all of the “ten elements” in all public notices, as described in section 11.33(5)(a)(i)-(x), Regulation 11, and must include the applicable information described in sections 11.33(5)(b)-(g), Regulation 11.
87. Pursuant to section 11.33(3)(b)(ii), Regulation 11, the supplier must repeat distribution of tier 2 public notice every three months for as long as the violation or situation persists.
88. Pursuant to section 11.33(7), Regulation 11, no later than 10 calendar days after completing initial or repeat public notice requirements, the supplier must submit a certification that states that the supplier has fully complied with the public notice requirements. Additionally, the supplier must include a representative copy of each public notice distributed, published, posted, and/or made available to consumers and the media.
89. On September 30, 2022, the Department notified the Supplier of a treatment technique violation for failing to correct Significant Deficiency F310. The Department’s September 30, 2022 letter notified the Supplier of the requirement to perform tier 2 public notification by October 30, 2022 for the failure to correct Significant Deficiency F310. The Supplier was also notified that it must repeat public notice distribution every three months as long as the violation persists.
  - a. To date, the Supplier has not demonstrated resolution of Significant Deficiency F310; therefore, the Supplier has an ongoing obligation to perform public notice.
90. May 13, 2024, the Department issued the 2024 Order to the Town of Hartman for its drinking water system. The 2024 Order required the Supplier to perform tier 2 public notification for the violations cited in the 2024 Order by June 12, 2024. The 2024 Order also required the Supplier to repeat the public notice distribution, for any unresolved violations, every three months.
  - a. According to Department records, the violations cited in the 2024 Order that triggered the tier 2 public notice requirement were resolved on February 1, 2025. Therefore, the Department did not require the Supplier to perform public notice for the 2024 Order after February 1, 2025.
91. On November 7, 2024, the Department notified the Supplier of a treatment technique violation for the failure to complete and/or report a lead service line inventory. The Department’s November 7, 2024 letter notified the Supplier of the requirement to perform tier 2 public notification by December 7, 2024 for the treatment technique

violation. The Supplier was also notified that it must repeat public notice distribution every three months as long as the violation persists.

- a. To date, the Supplier has not demonstrated resolution of the failure to complete and/or report a lead service line inventory violation; therefore, the Supplier has an ongoing obligation to perform public notice.
92. On February 5, 2025, the Department notified the Supplier of a treatment technique violation for failure to maintain minimum disinfection in the distribution system in the January 2025 monitoring period. The Department's February 5, 2025 letter notified the Supplier of the requirement to perform tier 2 public notification by March 7, 2025 for the treatment technique violation.
93. On April 15, 2025, the Department notified the Supplier of a treatment technique violation for failing to complete or submit a level 1 assessment of sanitary defects. The Department's April 15, 2025 letter notified the Supplier of the requirement to perform tier 2 public notification by May 15, 2025 for the failure to complete a level 1 assessment violation. The Supplier was also notified that it must repeat public notice distribution every three months as long as the violation persists.
  - a. On May 14, 2025, the Supplier demonstrated resolution of the treatment technique violation; therefore, the Supplier was not required to repeat public notification.
94. On August 7, 2025, the Department notified the Supplier of a treatment technique violation for failing to maintain a certified operator. The Department's August 7, 2025 letter notified the Supplier of the requirement to perform tier 2 public notification by September 6, 2025 for the operator certification violation. The Supplier was also notified that it must repeat public notice distribution every three months as long as the violation persists.
  - a. To date, the Supplier has not demonstrated resolution of the operator certification violation; therefore, the Supplier has an ongoing obligation to perform public notice.
95. On April 24, 2025, the Department notified the Operator in Responsible Charge that the deadlines for the Supplier's tier 2 public notice had been consolidated to allow the Supplier to issue one notice for multiple violations. The new schedule set by the Department started April 30, 2025 and repeated every three months.
96. As shown in the following table, Department records establish that the Supplier failed to submit representative copies of public notices and failed to submit delivery certifications to the Department that it has fully complied with the tier 2 public notice requirements.

<b>Violation that Triggered Public Notice Requirement</b>	<b>Public Notice Deadline</b>	<b>Date Public Notice Performed</b>	<b>10-Day Deadline to Certify Delivery</b>	<b>Date Certificate of Delivery and Copy of Notice Submitted</b>
Significant Deficiency F310	April 30, 2024	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Public Notice Required by the 2024 Order & Failure to Maintain a Certified Operator	June 12, 2024	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Significant Deficiency F310	July 30, 2024	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Public Notice Required by the 2024 Order & Failure to Maintain a Certified Operator	September 12, 2024	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Significant Deficiency F310	October 30, 2024	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Failure to Complete a Lead Service Line Inventory	December 7, 2024	January 31, 2025 <i>Late</i>	February 10, 2025	March 19, 2025 <i>Late</i>
Public Notice Required by the 2024 Order & Failure to Maintain a Certified Operator	December 12, 2024	January 31, 2025 <i>Late</i>	February 10, 2025	March 19, 2025 <i>Late</i>
Significant Deficiency F310	January 30, 2025	January 31, 2025 <i>Late</i>	February 10, 2025	March 19, 2025 <i>Late</i>
Failure to Maintain Minimum Disinfection in the Distribution System	March 7, 2025	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Failure to Complete a Lead Service Line Inventory	March 7, 2025	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Failure to Complete a Lead Service Line Inventory	April 30, 2025	April 30, 2025	May 10, 2025	June 3, 2025 <i>Late</i>



Violation that Triggered Public Notice Requirement	Public Notice Deadline	Date Public Notice Performed	10-Day Deadline to Certify Delivery	Date Certificate of Delivery and Copy of Notice Submitted
Significant Deficiency F310	April 30, 2025	April 30, 2025	May 10, 2025	June 3, 2025 <i>Late</i>
Failure to complete a Level 1 Assessment	May 15, 2025	April 30, 2025	May 10, 2025	June 3, 2025 <i>Late</i>
Significant Deficiency F310	July 30, 2025	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Failure to Complete a Lead Service Line Inventory	July 30, 2025	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Failure to Maintain a Certified Operator	September 6, 2025	August 28, 2025 <i>Missing required language</i>	September 7, 2025	September 8, 2025 <i>Late</i>

97. The Supplier’s failures to timely provide the Department with copies of the public notices and the required certifications constitute violations of section 11.33(7), Regulation 11. Additionally, if the Supplier failed to distribute tier 2 public notices to consumers, such failures constitute violations of sections 11.33(3)(b) and 11.33(6), Regulation 11.

**VII. Failure to Distribute and/or Certify Tier 1 Public Notice - 6 Violations**

98. All preceding paragraphs are incorporated by reference herein.
99. When the supplier has a violation or situation as described in section 11.33(2)(a), Regulation 11, the supplier is required to provide a tier 1 public notification as soon as possible but no later than 24 hours of learning of the violation or situation.
100. Pursuant to section 11.33(2)(b)(ii), Regulation 11, as soon as possible, but no later than 24 hours after learning of the violation or situation, the supplier must begin consultation with the Department to determine additional public notice requirements.
101. Pursuant to section 11.33(2)(b)(ii)(A), Regulation 11, the supplier must comply with any additional public notification requirements set up as a result of the consultation with the Department (e.g., the timing, form, manner, frequency, and content of repeat notices, if any, and other actions to reach all consumers).



102. Pursuant to section 11.33(2)(b)(iii), Regulation 11, the supplier must distribute tier 1 public notice in a form and manner that fits the specific situation and is designed to reach residential, transient, and non-transient consumers. The Supplier must use one or more of the following delivery methods: appropriate broadcast media, including radio, television and a phone call to each consumer using a reverse 911 system, where available; hand delivery of the notice to consumers; or another direct delivery method approved, in writing, by the Department. Pursuant to section 11.33(2)(c), Regulation 11, the Department may also require posting of the public notice in conspicuous locations throughout the area supplied by the system.
  
103. On January 30, 2025, the Department notified the Supplier of a Department issued boil water advisory due to the lack of disinfection while operating with a significant deficiency. Untreated water under these conditions may allow disease-causing organisms to enter the water system. The Department's January 30, 2025 letter notified the Supplier of the requirement to perform Tier 1 public notification by January 31, 2025. The Supplier was also notified that it must repeat public notice distribution every two weeks for as long as the situation persists.
  - a. On March 19, 2025, the Department rescinded the Boil Water Advisory; therefore, the Supplier was not required to repeat the tier 1 public notice after March 19, 2025.
  
104. On September 16, 2025, the Department notified the Supplier of a Department issued boil water advisory due to the lack of operational control, lack of maintenance of the treatment system by a certified water professional, and recent lack of monitoring for microbiological contaminants. The Department's September 16, 2025 letter notified the Supplier of the requirement to perform Tier 1 public notification by September 17, 2025. The Supplier was also notified that it must repeat public notice distribution every two weeks for as long as the situation persists.
  - a. To date, the Department has not rescinded the Boil Water Advisory; therefore, the Supplier has an ongoing obligation to perform public notice.
  
105. As shown in the following table, Department records establish that the Supplier failed to submit representative copies of the public notices and failed to submit delivery certifications to the Department as required by the tier 1 public notice requirements.

Situation that Triggered a Tier 1 Public Notice Requirement	Public Notice Deadline	Date Public Notice Performed	10-Day Deadline to Certify Delivery	Date Certificate of Delivery and Copy of Notice Submitted
Department Issued Boil Water Advisory	January 31, 2025	February 1, 2025	February 11, 2025	March 19, 2025 <i>Late</i>
Department Issued Boil Water Advisory	February 14, 2025	February 14, 2025	February 24, 2025	March 19, 2025 <i>Late</i>
Department Issued Boil Water Advisory	February 28, 2025	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>
Department Issued Boil Water Advisory	March 14, 2025	Possibly April 30, 2025 <i>Late</i>	Possibly May 10, 2025	<i>Copy of notice not submitted</i>  Certificate of delivery submitted on May 7, 2025
Department Issued Boil Water Advisory	September 17, 2025	September 17, 2025	September 27, 2025	October 7, 2025 <i>Late</i>
Department Issued Boil Water Advisory	October 1, 2025	<i>Unknown/Not submitted</i>	Not applicable	<i>Not submitted</i>

106. The Supplier’s failures to timely provide the Department with copies of the public notices and the required certifications constitute violations of section 11.33(7), Regulation 11. Additionally, if the Supplier failed to distribute tier 1 public notices to consumers, such failures constitute violations of sections 11.33(2)(b) and 11.33(6), Regulation 11.

**VIII. Failure to Distribute and/or Certify an Annual Consumer Confidence Report - 2 Violations**

107. All preceding paragraphs are incorporated by reference herein.



108. Pursuant to section 11.34(1)(a), Regulation 11, for community water systems, the supplier must distribute an annual consumer confidence report that complies with the requirements in section 11.34, Regulation 11.
109. Section 11.34, Regulation 11, establishes the minimum requirements for the content, distribution, and reporting of the consumer confidence report. The consumer confidence report must contain information on the quality of the water delivered by the system and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.
110. Pursuant to section 11.34(2), Regulation 11, each consumer confidence report must contain system information, sampling results, and violation data collected during, or prior to, the previous calendar year.
111. Pursuant to section 11.34(3)(b)-(c), Regulation 11, the supplier of each community water system must mail or otherwise directly deliver one copy of the system's consumer confidence report to each customer no later than July 1, each year.
112. Pursuant to section 11.34(4)(a), Regulation 11, no later than July 1 of each calendar year, the supplier must submit a copy of the consumer confidence report along with a certification of delivery to the Department. The certification of delivery must state that the consumer confidence report has been distributed to customers and that the information is correct and consistent with the information that the supplier previously submitted to the Department.
113. Department records establish that the Supplier has failed to provide the Department with a representative copy of the System's 2024 consumer confidence report containing compliance data from calendar year 2023, due by July 1, 2024.
114. On May 19, 2025, the Supplier submitted a copy of its 2025 consumer confidence report containing compliance data from calendar year 2024. The Supplier's report was incomplete because it was missing explanations of the Supplier's reported violations. Additionally, to date, the Supplier has not submitted a certificate of delivery for the 2025 consumer confidence report.
115. The Supplier's failure to provide the Department with a copy of the System's 2024 consumer confidence report and failures to timely report the required certificates of delivery for 2024 and 2025 constitute violations of section 11.34(4), Regulation 11. Additionally, if the Supplier failed to distribute the 2024 and 2025 consumer confidence reports including all required content and according to the delivery requirements, such failures constitute violations of section 11.34, Regulation 11.

**IX. Failure to Comply with a Formal Enforcement Order (2023 Order) - 46 Violations**

116. All preceding paragraphs are incorporated by reference herein.
117. Pursuant to section 11.1(6)(c)(i), Regulation 11, if a supplier violates any provision of the Colorado Primary Drinking Water Regulations, the Department may issue an enforcement order requiring the supplier to take actions necessary to correct the violation(s).
118. Pursuant to section 11.1(6)(c)(ii), Regulation 11, an enforcement order may require the supplier to design, redesign, install, modify, construct or reconstruct facilities, which may include sources and treatment; use treatment techniques; acquire an alternate source; take other corrective actions; or demonstrate the adequacy of control measures and use operational techniques and practices that will eliminate any violations.
119. Pursuant to section 11.1(6)(c)(iii), Regulation 11, a supplier that violates the Colorado Primary Drinking Water Regulations or an enforcement order(s) may be subject to civil or criminal actions pursuant to the provisions of sections 25-1-114 and 25-1-114.1, C.R.S.
120. On June 28, 2023, the Department issued the 2023 Order (Exhibit A) to the Supplier for its drinking water system. The Order cited one violation of Regulation 11: failure to correct significant deficiencies identified during a sanitary survey. The 2023 Order was sent by email to thetownofhartman@gmail.com and hartmantownhall@gmail.com and by certified mail, number 7020 1290 0001 3027 8653.
121. The US Postal Service does not have a delivery record for the 2023 Order by certified mailing. On July 18, 2023, the Supplier paid the administrative penalty. On July 28, 2023, the Supplier submitted the initial response to the 2023 Order. Therefore, based on information and belief, the Supplier received the 2023 Order electronically on June 28, 2023.
122. Department records establish that the Supplier failed to comply with the requirements of the 2023 Order. The Department notified the Supplier of its failures to comply with the 2023 Order in multiple correspondences.
  - a. On July 30, 2024, the Department notified the Supplier of its failure to comply with the 2023 Order. The Department's letter notified the Supplier of the Department's intent to issue an additional enforcement action and an escalated penalty for the ongoing violation of the 2023 Order. The Department's letter was sent by email to thetownofhartman@gmail.com and hartmantownhall@gmail.com.
  - b. On February 10, 2025, the Department notified the Supplier of its failure to comply with the 2023 Order and the Department's expectations for the Supplier's timeline to return to compliance. The Department's letter notified the Supplier of the Department's authority to issue an additional enforcement action and an escalated penalty for violation of the 2023 Order. The

Department’s letter was sent by email to thetownofhartman@gmail.com and hartmantownhall@gmail.com.

- c. On September 4, 2025, the Department notified the Supplier of its failure to comply with the 2023 Order. The Department’s letter notified the Supplier of the Department’s intent to issue an additional enforcement action and an escalated penalty for the ongoing violation of the 2023 Order. The Department’s letter was sent by email to thetownofhartman@gmail.com and hartmantownhall@gmail.com, and by certified mail, number 9589 0710 5270 1318 3163 23. To date, United States Postal Service records show the letter has not been picked up from the post office. However, based on information and belief, the Supplier received the letter electronically on September 4, 2025.

123. Abbreviated descriptions of the 2023 Order requirements, deadlines and compliance achieved dates are shown in the following table.

Paragraph of the 2023 Order	Summary of the Requirement	Deadline	Date the Supplier Complied with the Requirement	Days in Violation of the 2023 Order
<b>Progress Reports</b>				
42(a)	Progress Report - Initial Response	July 28, 2023	July 28, 2023	0 days
42(b)	Progress Report - Quarterly	December 31, 2023	December 28, 2023	0 days
42(b)	Progress Report - Quarterly	March 31, 2024	Returned to compliance upon submitting the December 23, 2024 report	267 days
42(b)	Progress Report - Quarterly	June 30, 2024	Returned to compliance upon submitting the December 23, 2024 report	176 days
42(b)	Progress Report - Quarterly	September 30, 2024	Returned to compliance upon submitting the December 23, 2024 report	84 days
42(b)	Progress Report - Quarterly	December 31, 2024	On December 23, 2024, the Supplier submitted a Plan to Return to Compliance	0 days



42(b)	Progress Report - Quarterly	March 31, 2025	Not Submitted	196 days
42(b)	Progress Report - Quarterly	June 30, 2025	Not Submitted	105 days
42(b)	Progress Report - Quarterly	September 30, 2025	Not Submitted	13 days
<b>Interim Measure #1</b> Additional bacteria testing every two weeks. Report results by the tenth of each calendar month.				
40(a)	Report on Interim Measure #1	August, 10, 2023	Returned to compliance upon submitting the next report on September 11, 2023	32 days
40(a)	Report on Interim Measure #1	September 10, 2023	September 11, 2023	1 day
40(a)	Report on Interim Measure #1	October 10, 2023	October 10, 2023	0 days
40(a)	Report on Interim Measure #1	November 10, 2023	November 10, 2023	0 days
40(a)	Report on Interim Measure #1	December 10, 2023	December 8, 2023	0 days
40(a)	Report on Interim Measure #1	January 10, 2024	Not submitted	642 days
40(a)	Report on Interim Measure #1	February 10, 2024	Not submitted	611 days
40(a)	Report on Interim Measure #1	March 10, 2024	Not submitted	582 days
40(a)	Report on Interim Measure #1	April 10, 2024	Not submitted	551 days
40(a)	Report on Interim Measure #1	May 10, 2024	Not submitted	521 days
40(a)	Report on Interim Measure #1	June 10, 2024	Not submitted	490 days
40(a)	Report on Interim Measure #1	July 10, 2024	Not submitted	460 days
40(a)	Report on Interim Measure #1	August 10, 2024	Not submitted	429 days
40(a)	Report on Interim Measure #1	September 10, 2024	Not submitted	398 days
40(a)	Report on Interim Measure #1	October 10, 2024	Not submitted	368 days
40(a)	Report on Interim Measure #1	November 10, 2024	Not submitted	337 days
40(a)	Report on Interim Measure #1	December 10, 2024	Not submitted	307 days
40(a)	Report on Interim Measure #1	January 10, 2025	Not submitted	276 days
40(a)	Report on Interim Measure #1	February 10, 2025	Not submitted	245 days
40(a)	Report on Interim Measure #1	March 10, 2025	Not submitted	217 days



40(a)	Report on Interim Measure #1	April 10, 2025	Not submitted	186 days
40(a)	Report on Interim Measure #1	May 10, 2025	Not submitted	156 days
40(a)	Report on Interim Measure #1	June 10, 2025	Not submitted	125 days
40(a)	Report on Interim Measure #1	July 10, 2025	Not submitted	95 days
40(a)	Report on Interim Measure #1	August 10, 2025	Not submitted	64 days
40(a)	Report on Interim Measure #1	September 10, 2025	Not submitted	33 days
40(a)	Report on Interim Measure #1	October 10, 2025	Not submitted	3 days
<b>Interim Measure #2</b> Visual Inspections of the tank every two weeks. Report a log with every quarterly progress report.				
40(b)	Report on Interim Measure #2	December 31, 2023	The Supplier's December 28, 2023 progress report stated that no inspections were performed	652 days
40(b)	Report on Interim Measure #2	March 31, 2024	Not submitted	561 days
40(b)	Report on Interim Measure #2	June 30, 2024	Not submitted	470 days
40(b)	Report on Interim Measure #2	September 30, 2024	Not submitted	378 days
40(b)	Report on Interim Measure #2	December 31, 2024	Not submitted	286 days
40(b)	Report on Interim Measure #2	March 31, 2025	Not submitted	196 days
40(b)	Report on Interim Measure #2	June 30, 2025	Not submitted	105 days
40(b)	Report on Interim Measure #2	September 30, 2025	Not submitted	13 days
<b>Interim Measure #3</b> Maintain 2.0 mg/L entry point residual disinfectant. Report a log with every quarterly progress report.				
40(c)	Report on Interim Measure #3	December 31, 2023	December 28, 2023	0 days
40(c)	Report on Interim Measure #3	March 31, 2024	Not submitted	561 days
40(c)	Report on Interim Measure #3	June 30, 2024	Not submitted	470 days
40(c)	Report on Interim Measure #3	September 30, 2024	Not submitted	378 days
40(c)	Report on Interim Measure #3	December 31, 2024	Not submitted	286 days
40(c)	Report on Interim Measure #3	March 31, 2025	Not submitted	196 days
40(c)	Report on Interim Measure #3	June 30, 2025	Not submitted	105 days
40(c)	Report on Interim Measure #3	September 30, 2025	Not submitted	13 days

<b>Interim Measure #4</b>				
Submit tank inspection reports within 60 days of completion				
40(d)	Report on Interim Measure #4	Within 60 days of completing a periodic or comprehensive tank inspection	Not submitted	Unknown
<b>Interim Measure #5</b>				
Develop an emergency response plan				
40(e)	Report on Interim Measure #5	August 27, 2023	August 15, 2023	0 days
<b>Penalty Payment</b>				
46	Penalty Payment: Pay the \$336.00 penalty	August 27, 2023	July 18, 2023	0 days
<b>Design and Construct a New Storage Tank</b>				
41(a)	<u>Submit Design Plans and Specifications:</u> Submit a design application for a new storage tank	April 15, 2024	Not submitted	546 days
41(b)	<u>Complete Construction:</u> Complete the new storage tank project and remove the old tank from service	December 31, 2025	Future deadline  The Supplier does not appear to be able to meet this future deadline	Not applicable
41(c)	<u>Certify Construction Completion:</u> Submit a certification when the project is complete	Within 14 days of construction completion	Future deadline	Not applicable

124. To date, the Supplier has not demonstrated to the Department’s satisfaction that it has returned to compliance with the 2023 Order.

125. The Supplier’s failures to comply with the 2023 Order constitute violations of the 2023 Order and constitute a violation of Regulation 11.

**X. Failure to Comply with a Formal Enforcement Order (2024 Order) - 13 Violations**

126. All preceding paragraphs are incorporated by reference herein.

127. On May 13, 2024, the Department issued the 2024 Order (Exhibit A) to the Supplier for its drinking water system. The Order cited multiple violations of Regulation 11: failure to maintain a certified Operator in Responsible Charge, failure to monitor and/or report for



microbiological contaminants, failure to monitor and/or report for residual disinfectant in the distribution system, failure to distribute and/or certify consumer notices for lead tap sample results, and failure to distribute tier 2 public notice. The 2024 Order was sent by email to [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com) and [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com) and by certified mail, number 7020 1290 0001 3027 9803.

128. The US Postal Service documented delivering 2024 Order by certified mail to the Hartman post office on May 18, 2024 but does not have a record for when the mail was picked up by an individual. On December 23, 2024, the Supplier submitted the initial response to the 2024 Order; therefore, based on information and belief, the Supplier received the 2023 Order electronically on May 13, 2024.
129. Department records establish that the Supplier failed to comply with the requirements of the 2024 Order. The Department notified the Supplier of its failures to comply with the 2024 Order in multiple correspondences.
  - a. On July 30, 2024, the Department notified the Supplier of its failure to comply with the 2024 Order. The Department's letter notified the Supplier of the Department's intent to develop additional enforcement action and an escalated penalty for the ongoing violation of the 2024 Order. The Department's letter was sent by email to [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com) and [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com).
  - b. On February 10, 2025, the Department notified the Supplier of its failure to comply with the 2024 Order and the Department's expectations for the Supplier's timeline to return to compliance. The Department's letter notified the Supplier of the Department's intent to develop additional enforcement action and an escalated penalty for the ongoing violations of the 2024 Order. The Department's letter was sent by email to [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com) and [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com), and certified mail number 9589 0710 5270 1318 3154 87, which was confirmed as delivered by the US Postal Service on February 13, 2025.
  - c. On July 14, 2025, the Department notified the Supplier of its failure to comply with the 2024 Order. The Department's letter notified the Supplier of the Department's intent to issue an additional enforcement action and an escalated penalty for the ongoing violations of the 2024 Order. The Department's letter was sent by email to [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com) and [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com), and by certified mail number 9589 0710 5270 1318 3159 06, which was confirmed as delivered by the US Postal Service on July 17, 2025 and signed for by Catherine Fernandez.
130. Abbreviated descriptions of the 2024 Order requirements, deadlines and compliance achieved dates are shown in the following table.

Paragraph of the 2024 Order	Summary of the Requirement	Deadline	Date the Supplier Complied with the Requirement	Days in Violation of the 2024 Order
<b>Progress Reports</b>				
82(a)	Progress Report - Initial Response	June 12, 2024	December 23, 2024	194 days
82(b)	Progress Report - Quarterly	September 30, 2024	Returned to compliance upon submitting the initial response on December 23, 2024	84 days
82(b)	Progress Report - Quarterly	December 31, 2024	The initial response submitted on December 23, 2024 was acceptable for this progress report	0 days
82(b)	Progress Report - Quarterly	March 31, 2025	April 4, 2025	4 days
82(b)	Progress Report - Quarterly	June 30, 2025	Not submitted (duplicate first quarter 2025 report submitted on May 7, 2025 was unacceptable)	105 days
82(b)	Progress Report - Quarterly	September 30, 2025	Not submitted	13 days
<b>Public Notice</b>				
Distribute all overdue and pending notices using the template provided with the Order. Repeat distribution every three months. Submit a copy of the notice and a certificate of delivery within 10 days of completion.				
79	Perform Public Notice and Report to the Department	June 12, 2024	Returned to compliance upon reporting the public notice on March 19, 2025	280 days

79	Perform Public Notice and Report to the Department	September 12, 2024	Returned to compliance upon reporting the public notice on March 19, 2025	188 days
79	Perform Public Notice and Report to the Department	December 12, 2024	Performed on January 31, 2025; Reported on March 19, 2025	97 days
<b>Lead Consumer Notification</b>				
80	<u>Consumer Notification - Lead Tap Results:</u> Distribute notices to residents for the July - December 2023 sample results.	June 12, 2024	Not submitted	488 days
<b>Maintain a Certified Operator</b>				
78	<u>Retain a Certified Operator:</u> Report that the Supplier has retained a certified operator with a “C” treatment and “1” distribution certification, or higher.	June 12, 2024	On February 1, 2025, the Supplier designated an Operator in Responsible Charge with the required certifications.  On June 30, 2025, the designated operator resigned.	234 days (from June 12, 2024 to February 1, 2025)  105 days (from June 30, 2025 to date)
<b>Cease Monitoring and Reporting Violations</b>				
76	<u>Perform Sampling and Reporting:</u> Routine total coliform bacteria and residual disinfectant monitoring for the May 2024 monitoring period. Report results by the tenth of each calendar month.	June 10, 2024	The Supplier performed the required sampling in the October 2024 monitoring period and reported the results on November 4, 2024.	147 days



77	<u>Report Missing Sample Results:</u> Alternatively, report that no unreported sample results exist.	June 12, 2024	December 23, 2024	194 days
<b>Penalty Payment</b>				
86	<u>Penalty Payment:</u> Pay the \$2,268.00 administrative penalty	July 12, 2024	Not submitted	488 days

131. To date, the Supplier has not demonstrated to the Department’s satisfaction that it has returned to compliance with the 2024 Order.
132. The Supplier’s failures to comply with the 2024 Order constitute violations of the 2024 Order and constitute a violation of Regulation 11.

**COMPLIANCE REQUIREMENTS**

133. Pursuant to section 11.4(1)(b), Regulation 11, “[f]or all public water systems, the supplier must not begin construction of any new waterworks, make improvements to or modify existing waterworks, or begin using a new source until the supplier submits and receives Department approval of plans and specifications for such construction, improvements, modifications, or use.” A Professional Engineer registered in the State of Colorado must design all treatment systems serving a community water supply. The Department will grant approval upon finding that the proposed facilities are in substantial conformance with the design criteria specified in Policy DW-005, *State of Colorado Design Criteria for Potable Water Systems*. Information regarding [design review requirements](#) is available on the Department’s web page.
134. Improvements or modifications to waterworks may impact the minimum required operator certification level for the supplier’s system. Pursuant to sections 100.1.2 and 100.10.1(a), Regulation 100, the supplier’s treatment and distribution systems must be under the supervision of a certified operator who holds a certification level in a class equal to or greater than the class of the facility or system. Pursuant to section 100.10.4, Regulation 100, within 30 calendar days of changes to information for its certified Operator in Responsible Charge, the supplier is required to submit written notification to the Department.

**Based upon the foregoing factual and legal determinations and pursuant to section 11.1(6)(c), Regulation 11, the Supplier is hereby ordered to:**

135. Immediately comply with Regulation 11, 5 CCR 1002-11.
136. Immediately comply with Regulation 100, 5 CCR 1003-2.



Further, the Department hereby orders the Supplier to comply with the following specific terms and conditions of this Enforcement Order:

137. **By October 15, 2025**, within two calendar days of the date of the Order, the Supplier must perform the current tier 1 “Boil Water Advisory” public notice. The Supplier must directly deliver the appropriate version of the attached **Public Notification Template**.

- a. **Before distributing the notice, the Supplier must consult with the Department about which public notice template is appropriate at the time of distribution.** The Supplier may use the notice that combines all public notices, if appropriate.
- b. The Supplier may not edit the language in the attached Public Notification Template, except where highlighted in yellow, unless approved by the Department in writing.
- c. The Supplier must directly deliver the Boil Water Advisory by printing the notice on paper and delivering the notice to each customer and to other service connections by US mail or door-to-door delivery.
- d. The Supplier must complete at least one secondary delivery method designed to reach all consumers who are regularly supplied by the System but do not pay water bills and do not have service connection addresses. This secondary delivery method may be achieved as described in section 11.33(3)(b)(iii)(A)(II), Regulation 11. Acceptable methods include posting the notice in public places, posting the notice online, delivering multiple copies of the notice to apartment buildings or employers, or by another method approved by the Department. If posted, the Supplier must continuously post the notice for as long as the violation(s) persist, or for seven calendar days, whichever is longer.
- e. Within 10 calendar days of completion, the Supplier must submit a copy of the distributed public notice materials with a certificate of delivery form (included in the Public Notification Template) to the Department.
- f. **Every two weeks (by October 29, November 12, November 26, etc.)**, the Supplier must repeat delivery of the Boil Water Advisory until the Department rescinds the requirement in writing. To report to the Department, the Supplier must submit a copy of the distributed repeat public notice materials with a certificate of delivery form to the Department within 10 calendar days after completing the repeat delivery requirements.

138. **Interim Measures are Required.** Until a replacement storage tank is online and “Elevated Storage Tank” (Facility ID 002) is removed from service, the Supplier must implement and maintain interim measures to protect public health:

- a. **INTERIM MEASURE #1 - BACTERIA SAMPLING AFTER THE TANK**



**Immediately and ongoing**, the Supplier must perform additional sampling for total coliform bacteria to monitor for contamination introduced by “Elevated Storage Tank” (Facility ID 002).

- i. The Supplier must ensure that all samples meet the applicable testing requirements and analytical methods specified in section 11.46, Regulation 11.
- ii. **Every two weeks**, the Supplier must collect an additional routine sample from the first available sampling tap after the storage tank. The Supplier must collect the interim measure samples from the same sample site every two weeks.
- iii. This interim measure sampling is in addition to the minimum sampling requirements specified in the Revised Total Coliform Rule, section 11.16, Regulation 11. The Supplier must also continue to collect a minimum of one routine sample per month from representative sites throughout the distribution system in accordance with its written sampling plan.
- iv. The additional samples will be considered “routine” sampling pursuant to the Revised Total Coliform Rule, section 11.16, Regulation 11, and will be subject to repeat sampling and other requirements of the rule.
- v. **By November 12, 2025**, within 30 days of the date of the Order, the Supplier must submit to the Department an updated Revised Total Coliform Rule sampling plan to identify the new interim measure sample site and the corresponding upstream and downstream repeat sample sites in accordance with the Revised Total Coliform Rule, section 11.16, Regulation 11.
- vi. Pursuant to section 11.35(2)(a), Regulation 11, the Supplier must submit the interim measures sample results to the Department no later than the first 10 calendar days following the end of the collection month.

b. **INTERIM MEASURE #2 - VISUAL INSPECTIONS OF THE TANK**

**Immediately and ongoing**, the Supplier must perform visual inspections to monitor for additional damage to the roof of “Elevated Storage Tank” (Facility ID 002).

- i. **Every two weeks**, on the same day that the Supplier collects the total coliform bacteria sample for interim measure #1, the Supplier must visually inspect the storage tank roof from ground level to identify if the air vent appears to be intact on the roof.
- ii. If the Supplier observes changes or possible additional damage, the Supplier must report the observations to the Department **within 24 hours**. The Department may require additional inspections to identify the extent of the damage.
- iii. To demonstrate compliance, the Supplier must report the dates of the ground-level visual inspections in its quarterly progress reports required for the Order.

c. **INTERIM MEASURE #3 - MINIMUM DISINFECTION TREATMENT**

**Immediately and ongoing**, the Supplier must begin maintaining a minimum entry point residual disinfectant residual concentration of 2.0 mg/L to protect public health from contamination that may be introduced by “Elevated Storage Tank” (Facility ID 002).

- i. If the Supplier would like to request a reduction of the required disinfectant residual level, the Supplier must provide justification to the Department within 30 calendar days of the date of the Order. If approved, all requirements of paragraph 138(c) will be applicable to the reduced disinfectant residual level.
- ii. Pursuant to section 11.46, Regulation 11, the Supplier must ensure that all samples meet the applicable testing requirements and analytical methods specified in section 11.46, Regulation 11.
- iii. **Once per week**, the Supplier must measure and record the entry point residual disinfectant concentration. The Supplier must use the [Groundwater Entry Point Chlorine Residual Disinfectant Monitoring Log](#) template available on the Department’s webpage.
- iv. If the Supplier measures a residual disinfectant concentration below 2.0 mg/L at the entry point, the Supplier must take corrective action to restore the minimum 2.0 mg/L concentration **within 72 hours of discovery**. The Supplier must increase the residual disinfectant concentration monitoring frequency to at least **once every 24 hours** from the time of discovery until the residual disinfectant concentration is greater than or equal to 2.0 mg/L.

- v. The Supplier must submit monthly monitoring logs to the Department no later than the first 10 calendar days following the end of the collection month.

d. **INTERIM MEASURE #4 - PERIODIC AND COMPREHENSIVE INSPECTION REPORTS**

**Immediately and ongoing**, the Supplier must submit all storage tank inspection summary reports for periodic and comprehensive inspections performed on “Elevated Storage Tank” (Facility ID 002) in accordance with the Storage Tank Rule, section 11.28, Regulation 11.

- i. The Supplier must perform periodic inspections at a minimum frequency of twice per year. Periodic inspections must be separated by at least two calendar months and must not be separated by more than eight calendar months.
- ii. The Supplier must perform comprehensive inspections at a minimum frequency of every five years.
- iii. In addition to the information required to be recorded for storage tank inspection summaries as specified in section 11.28(3)(g), Regulation 11, the Supplier must also submit photographs to document the condition of the storage tank roof.
- iv. The Supplier must submit all inspection summary reports **no later than 60 calendar days** after each completed inspection.

e. **INTERIM MEASURE #5 - EMERGENCY RESPONSE PLAN**

**Immediately and ongoing**, the Supplier must adhere to its Emergency Response Plan that describes the actions that the Supplier will take in the event that the roof of “Elevated Storage Tank” (Facility ID 002) fails or collapses.

- i. According to Department records, the Supplier submitted a copy of its Emergency Response Plan to the Department on September 14, 2023. This version of the plan is enclosed with the Order as **Exhibit C**.
- ii. If the Supplier makes any changes to its Emergency Response Plan, it must submit the revised plan to the Department for review within 30 calendar days of the effective date of the change.

139. The Supplier must demonstrate to the Department’s satisfaction that it is ensuring the System is operated by qualified personnel who meet the requirements of Regulation 100.

- a. **By November 12, 2025**, within 30 calendar days of the date of the Order, the Supplier must submit notification to the Department that it has retained one or more certified Operator(s) in Responsible Charge with a level “C” treatment certification, or higher, and a level “1” distribution certification, or higher.
    - i. The Supplier must use the Department’s [monitoring plan wizard tool](#) to create a contact update form.
  - b. **Upon designation and ongoing**, the Supplier must ensure that the Operator(s) in Responsible Charge is responsible for supervising the operation of the applicable facilities (distribution system and/or treatment facilities) and for supervising the operational activities and functions of other facility operators, certified or uncertified, in accordance with section 100.12, Regulation 100.
  - c. The Order will not be closed until the Supplier demonstrates six consecutive months of compliance with the operator certification requirements of Regulation 100.
140. **Immediately**, the Supplier must cease violations of the monitoring and reporting requirements of Regulation 11, including, but not limited to, taking action to complete the following monitoring and reporting in a timely manner:
- a. The Supplier must ensure that all samples are collected in accordance with its written sampling plans and that all sample analyses meet the applicable testing requirements and analytical methods specified in section 11.46, Regulation 11.
  - b. **By November 12, 2025**, within 30 calendar days of date of the Order, the Supplier must submit to the Department the results of any unreported sampling data cited as a monitoring violation in the Order. Alternatively, if no unreported sample results exist, the Supplier may submit a written statement that there are no unreported sample results.
  - c. **By October 31, 2025**, the Supplier must collect a minimum of one raw sample from “No 1 Well” (Facility ID 001) to be analyzed for total coliform bacteria.
  - d. **By October 31, 2025**, the Supplier must collect a minimum of one routine sample to be analyzed for total coliform bacteria and measure residual disinfectant concentration in the distribution system for the October 2025 monitoring period.
    - i. The Supplier must measure the residual disinfectant concentration in the distribution system at the same time and at the same sampling locations as the routine total coliform sample collection.
  - e. The Supplier must submit all sample results to the Department no later than 10 calendar days after the sample collection month.

141. **By November 12, 2025**, within 30 calendar days of the date of the Order, the Supplier must distribute a 2025 consumer confidence report to customers. The Supplier must directly deliver the attached **2025 Consumer Confidence Report Template**.
- a. The Supplier may not edit the language in the attached report template, except where highlighted in yellow, unless approved by the Department in writing.
  - b. The Supplier must directly deliver the report by printing the notice on paper and delivering the notice to each residence by US mail or door-to-door delivery.
  - c. The Supplier must complete at least one good faith effort to reach consumers who are supplied by the System but are not customers (e.g. renters, workers, etc.) using a method described on the attached certificate of delivery form.
  - d. The Supplier must make the report available to the public upon request.
  - e. Within 10 calendar days of completion, the Supplier must submit a copy of the distributed report with a certificate of delivery form (included in the 2025 Consumer Confidence Report Template) to the Department.
142. **By November 12, 2025**, within 30 calendar days of receipt of the Order, the Supplier must distribute lead consumer notices to the people supplied at that sample site of the individual lead tap samples.
- a. The Supplier must use the Department's [template consumer notice](#) and [certificate of delivery form](#) available at the Department's web page.
  - b. The Supplier must deliver consumer notices for the results of samples collected in the July 1, 2023 to December 31, 2023 monitoring period.
  - c. If it has not already done so, the Supplier must deliver consumer notices for the results of samples collected in the January 1, 2025 to June 30, 2025 monitoring period.
  - d. Within 10 calendar days of completion, the Supplier must submit to the Department a sample copy of both lead consumer notices along with certificates of delivery.
143. **By November 12, 2025**, within 30 calendar days of the date of the Order, the Supplier must perform all overdue and pending public notifications for the violations cited in this Order. ***The schedule set forth in this paragraph supersedes the future public notification deadlines for these violations.*** The Supplier must directly deliver the appropriate version of the attached **Public Notification Template**.

- g. **Before distributing each notice, the Supplier must consult with the Department about which public notice template is appropriate at the time of distribution.** If the Supplier is still on a Boil Water Advisory, the public notice must not negate the Boil Water Advisory instructions.
  - h. The Supplier may not edit the language in the attached Public Notification Template, except where highlighted in yellow, unless approved by the Department in writing.
  - i. The Supplier must directly deliver the notice by printing the notice on paper and delivering the notice to each customer and to other service connections by US mail or door-to-door delivery.
  - j. The Supplier must complete at least one secondary delivery method designed to reach all consumers who are regularly supplied by the System but do not pay water bills and do not have service connection addresses. This secondary delivery method may be achieved as described in section 11.33(3)(b)(iii)(A)(II), Regulation 11. Acceptable methods include posting the notice in public places, posting the notice online, delivering multiple copies of the notice to apartment buildings or employers, or by another method approved by the Department. If posted, the Supplier must continuously post the notice for as long as the violation(s) persist, or for seven calendar days, whichever is longer.
  - k. Within 10 calendar days of completion, the Supplier must submit a copy of the distributed public notice materials with a certificate of delivery form (included in the Public Notification Template) to the Department.
  - l. **Every three months (by February 12, May 12, August 12, etc.)**, the Supplier must repeat delivery of public notices for any unresolved violations. To report to the Department, the Supplier must submit a copy of the distributed repeat public notice materials with a certificate of delivery form to the Department within 10 calendar days after completing the repeat delivery requirements.
144. **By January 13, 2026**, within three months of the date of the Order, the Supplier must complete a lead service line inventory. The Supplier must submit the lead service line inventory to the Department.
- a. The Supplier must use the [guidance](#) available on the department's website.
  - b. The Supplier must use the applicable [Non-Lead Service Line Inventory Form](#) or [Service Line Inventory Form](#) available on the Department's website. If the Supplier would like guidance on which forms are required, the Supplier must consult with the Department.

- c. The lead service line inventory must meet all requirements specified in section 11.17(2)(a)(ii), Regulation 11.
  - d. The Supplier must make the lead service line inventory available to the public at the same time as it submits it to the Department.
145. In order to achieve long-term compliance with Regulation 11, specifically including correcting the conditions of the finished water storage tank, the Supplier must construct a new storage tank and remove “Elevated Storage Tank” (Facility ID 002) from service.
146. **By February 13, 2026**, within four months of the date of the Order, the Supplier must **propose an implementation schedule** for its storage tank replacement project. The schedule must include the following sections:
- a. The Supplier must submit a statement and signature from the Supplier in support of the proposed implementation schedule.
  - b. **A Funding Plan**: The Supplier must describe its overall strategy to fund its storage tank replacement project. The funding plan must include, at a minimum, the following information:
    - i. The total project cost. This must include all applicable costs (not already paid for) necessary to complete the storage tank replacement project such as: preparing reports for funding applications, design, engineering, easement/land acquisition, equipment, materials, labor, construction, implementation, contingencies, and any other costs.
    - ii. Identify the Supplier’s preferred funding sources to fund the total cost of its storage tank replacement project.
    - iii. The date that the Supplier expects to have adequate funding to begin the project (for example: to begin the design phase or the construction/implementation phase, whichever is the first step).
    - iv. The Supplier is encouraged to identify backup funding options in case it cannot attain its preferred funding options or, if attained, the preferred options do not fully fund its storage tank replacement project.
  - c. **A Grant/Loan Plan**: The grant/loan plan must include, at a minimum, the following information:
    - i. The name of the funding program(s) and the name of the specific grants or loans to which the Supplier will apply.

- ii. The name and contact information of a person at the grant/loan program who can verify the Supplier’s application status.
  - iii. A description of how the Supplier meets the eligibility requirements for the grant/loan.
  - iv. The dollar amount that the Supplier will request from each grant or loan.
  - v. The date that the Supplier will complete all pre-application work required by the grant/loan program.
  - vi. The date that the Supplier will complete the application for each grant or loan.
  - vii. The expected decision/award date for each grant or loan.
- d. A Construction Completion Schedule: The construction completion schedule must include, at a minimum, the following information and milestones:
- i. An overall schedule for the design phase and construction phase of the Supplier’s storage tank replacement project.
  - ii. The date that the Supplier will submit a complete drinking water design application (Basis of Design Report and the associated design plans and specifications) for Department review. Forms and guidance regarding [design review requirements](#) are available on the Department’s web page.
    - 1. The design application must be prepared by a Professional Engineer licensed in the state of Colorado and experienced in drinking water treatment design.
    - 2. The design application must be submitted in accordance with Policy DW-005, *State of Colorado Design Criteria for Potable Water Systems*.
  - iii. The date that the Supplier will begin construction of its storage tank replacement project. The Supplier may make the date contingent on the design approval date, for example, 90 days from Department design approval.
    - 1. “Begin construction” means initiation of the physical effort to construct a project, excluding engineering, architectural, legal, fiscal and economic investigations, studies, completion of plans and specifications, and surveys. Physical effort

includes, but is not limited to, site clearance, excavation, construction, or the establishment of an office or construction building on site.

- iv. The date that the Supplier will complete construction of its storage tank replacement project. The Supplier may make the date contingent on the construction start date, for example, 90 days from beginning construction.
- v. The date that the Supplier will physically disconnect “Elevated Storage Tank” (Facility ID 002) from the System.
- vi. The date that the Supplier will ensure the constructed improvements are fully operational and staff have received adequate training on the operation, maintenance, and monitoring of the improvements. The Supplier may make the date contingent on the construction completion date, for example, 30 days from construction completion.
- vii. Within 14 calendar days of construction of its storage tank replacement project, the Supplier must submit a completed [Construction as Approved Certification Form](#) certifying that the System improvements were constructed/installed as approved by the Department.

147. Upon the Department’s written approval of the Supplier’s implementation schedule, all associated activities and schedule milestones will become conditions of this Order.

148. If the Supplier does not submit an adequate implementation proposal and/or does not fully resolve Department comments, the Department may impose alternative activities and/or an alternate implementation schedule that will become conditions of this Order.

149. If the Department provides comments on any of the Supplier’s enforcement responses, the Supplier must provide a written response **within 30 calendar days** that resolves all comments.

150. The Supplier must submit written progress reports to the Department in accordance with the following:

- a. **By November 12, 2025**, within 30 calendar days of the date of the Order, the Supplier must submit an initial response to the Order describing the Supplier’s plan for complying with the Order. This initial response serves as the Supplier’s fourth quarter 2025 progress report.
- b. **By March 31, 2026**, and continuing quarterly for the duration of this Order, the Supplier must submit quarterly progress reports by the last day of each calendar quarter (March 31, June 30, September 30 and December 31).



- i. Each report must clearly indicate the Supplier's compliance status with the Order and must include a description of activities that the Supplier will be undertaking in the upcoming quarter to meet the Order requirements.
- ii. This is the minimum frequency requirement for progress reporting. The Department encourages the Supplier to submit more frequent progress reports.

151. **No later than 14 calendar days** after full completion of all requirements of the Order, the Supplier must submit a written notice of completion to the Department.

- a. If the Department determines that the Supplier has not satisfactorily completed the requirements in the Order, the Department will reject the notice of completion in writing. If the Department rejects the notice of completion, it will include in its rejection letter a statement identifying the requirements that the Department considers incomplete or not satisfactorily performed and a schedule for completion.
- b. If the Supplier wishes to dispute the Department's rejection of its notice of completion, it must, within 15 calendar days of receipt of the Department's rejection letter, submit a written statement as to its belief of full compliance, addressing in detail all outstanding requirements that were identified in the rejection letter issued by the Department.

#### **ORDER FOR ADMINISTRATIVE PENALTY**

152. Pursuant to section 25-1-114.1(2.5)(a), C.R.S. any person who violates the *Colorado Primary Drinking Water Regulations* or any final Enforcement Order issued by the Department, shall be subject to an administrative penalty as follows:

- a. For systems that serve a population of more than ten thousand people, an amount not to exceed one thousand dollars per violation per day; or
- b. For systems that serve a population of ten thousand people or less, an amount not to exceed one thousand dollars per violation per day, but only in an amount, as determined by the Department, that is necessary to ensure compliance.

153. Based upon the facts described in this action the Department has determined that an administrative penalty is appropriate in this matter and therefore assesses an administrative penalty of **\$132,746.00** for the specific violations identified in this action. The reasoning behind this penalty amount is detailed in the administrative penalty methodology/calculation worksheet, which is incorporated herein by reference and enclosed as **Exhibit D**.



154. **By December 12, 2025**, within 60 calendar days of the date of the Order, if the Supplier does not contest the findings and penalty assessment set out above, the Supplier must complete payment of the \$132,746.00 administrative penalty. *In a separate correspondence, the Supplier will receive an invoice containing payment instructions. If the Supplier does not receive the invoice within 14 calendar days of the date of the Order, please contact Zeenath Khan by phone at 720.254.1393 or via e-mail at [zeenath.khan@state.co.us](mailto:zeenath.khan@state.co.us).*
155. Payment or appeal of the administrative penalty in this manner does not relieve the Supplier of its obligation to perform the activities required by this enforcement action.

### **SUBMITTALS**

156. To assist the Supplier, the Department is providing template enforcement order response forms as an enclosure with this Order. While the Supplier is not required to use these forms and the Department's assistance of providing these forms does not replace the Supplier's responsibility to report to the Department, the Department encourages the Supplier to use the provided forms.
157. All documents, plans, records, reports and replies required to be submitted under this Order must be submitted by the Supplier to the Department in accordance with one of the following methods:

#### **Electronically - via the Drinking Water Portal**

- The most efficient method of reporting is using the Department's [Drinking Water Portal](#).
- First-time users must create an account.
- Files submitted electronically must be in PDF format.
- The Department does not accept documents via email.

#### **By Fax**

Fax: (303) 758-1398

Please include a cover sheet addressed to the attention of Zeenath Kahn.

#### **By Mail**

CDPHE Water Quality Control Division  
WQCD-B2-CAS Drinking Water Compliance Assurance Section  
Attention: Zeenath Kahn  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530



158. All documents submitted under this Order must use the same titles as stated in the Order and must reference both the Order number and the paragraph number pursuant to which the document is required.
159. All reports, notices, summaries, and certifications required to be submitted to the Department by the public water system must bear the original signature of the owner or the owner's authorized representative.

#### **POTENTIAL ADDITIONAL ADMINISTRATIVE/CIVIL AND CRIMINAL PENALTIES**

160. You are advised that, as stated in section 11.1(6)(c)(iii), Regulation 11, a supplier that violates Regulation 11 or an enforcement order(s) may be subject to civil or criminal actions pursuant to the provisions of sections 25-1-114 and 25-1-114.1, C.R.S.

#### **REQUEST FOR HEARING OR APPEAL**

161. Pursuant to section 11.1(6)(c)(iv), Regulation 11, and section 21.4(A)(3)(e), Regulation 21, 5 CCR 1002-21, a recipient of an enforcement order may request a hearing with the Division to contest such order. Under these provisions, such requests must be filed in writing within 30 calendar days after service of the order via the instructions in the Submittals section of this Order. Such requests must contain, at a minimum, the information specified in section 11.1(6)(c)(iv)(A), Regulation 11, and section 21.4(B)(2), Regulation 21. Hearings on enforcement orders will be held in accordance with applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21. Hearings before the Division on enforcement orders will not address administrative penalty assessments.
162. You are further advised that, pursuant to section 25-1-114.1(2.5)(b), C.R.S., an administrative penalty assessment may be appealed to the Water Quality Control Commission. To appeal an administrative penalty assessment, you must submit a request for hearing in writing to the Water Quality Control Commission within 30 calendar days after issuance of the penalty assessment, as required by sections 21.4(A)(2)(h) and 21.12(B), Regulation 21. Such requests should be submitted by email to [cdphe.wqcc@state.co.us](mailto:cdphe.wqcc@state.co.us), and they must contain, at a minimum, the information specified in sections 21.4(B)(2) and 21.12(B), Regulation 21. Hearings on administrative penalty assessments will be held in accordance with applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21.



163. Pursuant to section 25-9-110(4), C.R.S., an alleged violator of section 25-9-110(2)(a), C.R.S., for failure to have a certified Operator in Responsible Charge, may request a public hearing upon being served with notice of the violation. Requests for such a hearing must be filed in writing with the Department via the instructions in the Submittals section of this Order within 30 calendar days after service of the order. Such requests, at a minimum, must contain the information specified in section 100.10.7, Regulation 100. Hearings held pursuant to section 25-9-110(4), C.R.S., will be conducted before the Colorado Water and Wastewater Facility Operators Certification Board in accordance with the applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21.

#### **ADDITIONAL ACTION**

164. Pursuant to section 25-1-114.1(3), C.R.S., the Department may request the Attorney General to seek a temporary restraining order or permanent injunction to prevent or abate any violation of a minimum general sanitary standard or regulation adopted pursuant to section 25-1.5-203, C.R.S.

**FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

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Nicole Graziano, P.E., Section Manager  
Drinking Water Compliance Assurance Section  
Water Quality Control Division



**COLORADO**  
Department of Public  
Health & Environment

June 28, 2023

**Certified Mail Number: 7020 1290 0001 3027 8653**

PWSID# CO0150500  
Kord Benson, Mayor  
Town of Hartman  
PO Box 22  
Hartman, CO 81043-0022

**Service of Drinking Water Enforcement Order DW.06.23.150500**

Town of Hartman (the “Supplier”) is hereby issued the enclosed Enforcement Order and Administrative Penalty Assessment (the “Order”). This Order is issued by the Colorado Department of Public Health and Environment, Water Quality Control Division (the “Department”) pursuant to the authority given to the Department by sections 25-1.5-203 and 25-1-114.1 of the Colorado Revised Statutes (“C.R.S.”), and section 11.1(6)(c) of Regulation No. 11 (Colorado Primary Drinking Water Regulations), 5 CCR 1002-11.

Violations cited in the Order:

- I. Failure to correct significant deficiencies identified during a sanitary survey - 1 violation

Administrative penalty assessment: \$336.00

Please contact Samantha Thywissen by phone at 303.692.3511 or by email at [samantha.thywissen@state.co.us](mailto:samantha.thywissen@state.co.us) with any questions regarding the content of the Order.

**Enclosures:**

Drinking Water Enforcement Order DW.06.23.150500  
Drinking Water Enforcement Requirements Summary  
Drinking Water Enforcement Response Forms

cc: Drinking Water Enforcement File DW.06.23.150500  
ec: Kord Benson, Mayor, [dawn2mae@outlook.com](mailto:dawn2mae@outlook.com), [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com)  
Tammy Swisher, Administrative Contact, [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com)  
Randall Holland, Operator, [publicworks@kitcarsoncolorado.com](mailto:publicworks@kitcarsoncolorado.com),  
[administrator@townofholly.com](mailto:administrator@townofholly.com)  
Douglas Schwenke, JDS Hydro Consultants, Inc., [dschwenke@jdshydro.com](mailto:dschwenke@jdshydro.com)



DW.10.25.150500 EXHIBIT A

Service of Drinking Water Enforcement Order DW.06.23.150500  
Town of Hartman

June 28, 2023  
Page 2 of 2

Meagan Hillman, Prowers County Public Health and Environment,  
[mhillman@prowerscounty.net](mailto:mhillman@prowerscounty.net)

Kedge Stokke, Prowers County Public Health and Environment,  
[kstokke@prowerscounty.net](mailto:kstokke@prowerscounty.net)

Sean Scott, Division of Environmental Health and Sustainability, CDPHE

Tara Marshall, Colorado Department of Local Affairs, [tara.marshall@state.co.us](mailto:tara.marshall@state.co.us)

Flint Timmins, Colorado Department of Local Affairs, [flint.timmins@state.co.us](mailto:flint.timmins@state.co.us)

Christina Carballal, EPA Region VIII, [carballal-broome.christina@epa.gov](mailto:carballal-broome.christina@epa.gov)



# COLORADO

## Department of Public Health & Environment

### WATER QUALITY CONTROL DIVISION

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**ENFORCEMENT ORDER &  
ADMINISTRATIVE PENALTY ASSESSMENT**

**NUMBER: DW.06.23.150500**

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**IN THE MATTER OF:      TOWN OF HARTMAN  
AS OWNER AND/OR OPERATOR OF  
PUBLIC WATER SYSTEM IDENTIFICATION NUMBER: CO0150500  
PROWERS COUNTY, COLORADO**

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Pursuant to the authority vested in the Colorado Department of Public Health and Environment (the “Department”) by sections 25-1-109 and 25-1.5-203 of the Colorado Revised Statutes (“C.R.S.”), which authority is implemented through the Department’s Water Quality Control Division (the “Division”), the Department hereby makes the following findings and issues the following Enforcement Order (“Order”):

#### DRINKING WATER REGULATIONS

1. The Colorado Primary Drinking Water Regulations are published in the Code of Colorado Regulations at 5 CCR 1002-11 and are collectively referred to in this Order as “Regulation 11.”
2. The Water and Wastewater Facility Operators Certification Requirements, Regulation No. 100, is published in the Code of Colorado Regulations at 5 CCR 1003-2 and are referred to in this Order as “Regulation 100”.

#### GENERAL FINDINGS

3. Town of Hartman is a person as defined by section 11.3(54), Regulation 11.



4. At all times relevant to the violations cited herein, Town of Hartman was a statutory town registered with the Colorado Department of Local Affairs (Local Government ID Number 50008).
5. Town of Hartman is a supplier of water within the meaning of section 25-1.5-201(2), C.R.S., and its implementing regulation, section 11.3(81), Regulation 11. Hereafter, Town of Hartman will be referred to as **“the Supplier.”**
6. The Supplier owns and/or operates a drinking water system, located in the Town of Hartman, Prowers County, Colorado (**the “System”**).
7. The System is a public water system as defined by section 25-1.5-201(1), C.R.S. and its implementing regulation, Regulation 11, section 11.3(60).
8. The Public Water System Identification Number (“PWSID”) assigned to the System by the Department is PWSID #: CO0150500.
9. Pursuant to section 11.1(5), Regulation 11, the System is subject to the Colorado Primary Drinking Water Regulations (Regulation 11), which were adopted pursuant to section 25-1.5-203, C.R.S.
10. Pursuant to section 11.3(11), Regulation 11, if a system provides water for human consumption to at least fifteen (15) service connections used by year-round residents of the area served by the system and/or regularly serves at least twenty-five (25) year-round residents it is classified as a “community water system.” Department records establish that the System serves eighty-eight (88) year-round residents and a daily average of five (5) transient consumers and is therefore classified as a “community water system,” as that phrase is defined in section 11.3(11), Regulation 11.
11. The System’s source of water is groundwater as defined by section 11.3(35), Regulation 11.
12. On August 3, 2021, the Department conducted a sanitary survey of the System in accordance with section 11.38, Regulation 11. In a letter dated August 31, 2021, the Department notified the Supplier of the sanitary survey findings including, but not limited to, one (1) significant deficiency. The Department’s August 31, 2021 letter is incorporated by reference as a general finding of the Order as **Exhibit A**. The Department notified the Supplier of the requirement to submit a written response to the sanitary survey findings within forty-five (45) days (by October 15, 2021) and to correct the significant deficiency within one hundred twenty (120) days (by December 29, 2021) or by a Department-approved alternate date. An abbreviated description of the relevant unresolved significant deficiency is provided here for reference and a full description is found in Exhibit A.

- a. **Significant Deficiency F310 - Storage Condition of “Elevated Storage Tank” (Facility ID 002):** The condition of the storage structure may allow potential sources of contamination to enter the tank. The Department inspector noted that the storage tank roof had surface corrosion and holes.
13. As defined in section 11.2(72), Regulation 11, significant deficiency means any situation, practice, or condition in a public water system with respect to design, operation, maintenance, or administration, that the state determines may result in or have the potential to result in production of finished drinking water that poses an unacceptable risk to health and welfare of the public served by the water system. Significant deficiencies include, but are not limited to, defects in design, operation, or maintenance, or failure or malfunction of the sources, treatment, storage, or distribution system that the Department determines to be causing, or have the potential for causing, the introduction of contamination into the water delivered to consumers. Pursuant to the health effects language in Table 11.33-VI, Regulation 11, an uncorrected significant deficiency may allow contaminants or disease-causing organisms to enter the drinking water, which can cause diarrhea, nausea, cramps, and associated headaches.
14. On October 1, 2021, JDS-Hydro Consultants, Inc. provided the Supplier’s response to the sanitary survey findings. A summary of the Supplier’s response is provided here, relevant to the Order:
  - a. The Supplier will plug all holes in the roof of “Elevated Storage Tank” (Facility ID 002) by December 29, 2021.
  - b. The Supplier will lock and seal the access hatch of “Elevated Storage Tank” (Facility ID 002) by December 29, 2021.
  - c. The Supplier will ensure that the vent is downturned on “Elevated Storage Tank” (Facility ID 002) by December 29, 2021.
  - d. The Supplier will continue to pursue funding assistance to construct a new storage tank. If additional funding is not successful, the Supplier will repair the storage tank. The Supplier did not provide an estimated completion date for replacing or repairing “Elevated Storage Tank” (Facility ID 002).
15. On November 2, 2021, the Department approved a corrective action plan for “Elevated Storage Tank” (Facility ID 002), as follows:
  - a. By December 29, 2021, the Supplier must complete temporary repairs and submit photographic evidence of the repairs.
  - b. By November 1, 2022, the Supplier must perform permanent repairs to the tank, or replace the tank.

16. On December 21, 2021, the Supplier submitted evidence of payment to a contractor to perform temporary repairs to “Elevated Storage Tank” (Facility ID 002).
17. On August 4, 2022 and August 11, 2022, JDS-Hydro Consultants, Inc., on behalf of the Supplier, submitted photographic evidence of the temporary repairs to “Elevated Storage Tank” (Facility ID 002) completed around December 2021. The Supplier also submitted documentation that in April 2022, the storage tank suffered a significant leak which was repaired on August 3, 2022. The August 2022 responses indicated additional holes had developed in the top of the tank or had not previously been repaired. The report warned that the vent on the roof may blow off in a substantial windstorm.
18. On August 4, 2022, JDS-Hydro Consultants, Inc., on behalf of the Supplier, notified the Department that additional funding was awarded to the Supplier for the tank replacement project. In accordance with the funding program timelines, the Supplier estimated a new tank would be constructed by December 31, 2024.
19. On September 29, 2022, the Department notified the Supplier that the extended time proposed for the storage tank replacement project could not be approved as a sanitary survey corrective action plan; therefore, the supplier was no longer in compliance with the corrective action plan and schedule approved by the Department on November 2, 2021.
20. On September 30, 2022, the Department notified the Supplier of a treatment technique violation for failing to correct Significant Deficiency F310 by the Department-approved corrective action plan deadline.
21. On April 20, 2023, the Department notified the Supplier of the Department’s authority and intent to develop an enforcement order for the Supplier’s unresolved violations. The Department required the Supplier to respond by May 4, 2023, identifying their plan to return to full compliance for all unresolved violations. The Department’s letter was sent by email to dawn2mae@outlook.com, thetownofhartman@gmail.com and hartmantownhall@gmail.com and by certified mail, number 7020 0640 0001 0179 2472, The US Postal Service online records indicate that the hard copy letter has been available for pick up at the Hartman Post Office since April 26, 2023.
22. On May 4, 2023, the Department received a response from the Supplier stating that they need to pursue a third funding source in order to fully fund the tank replacement project which would require more time that previously estimated. The Supplier proposed a schedule to replace “Elevated Storage Tank” (Facility ID 002) including, but not limited to, the following milestones:
  - a. Submit a pre-qualification application for State Revolving Fund grant/loan application by May 26, 2023,

- b. Submit a drinking water design application to the Department by April 15, 2024,
  - c. Submit a final State Revolving Fund grant/loan application by April 15, 2024,
  - d. Begin construction of the new storage tank by November 1, 2024, and
  - e. Complete construction of the new storage tank by December 31, 2025.
23. To date, the Supplier has not demonstrated to the Department’s satisfaction that they have fully corrected Significant Deficiency F310.
24. The Department is issuing this Order, in part, to establish an enforceable schedule for the Supplier to achieve compliance with Regulation 11 by replacing “Elevated Storage Tank” (Facility ID 002) with a new storage tank and to ensure long-term compliance with Regulation 11.

### VIOLATIONS

#### I. Failure to Correct Significant Deficiencies Identified During a Sanitary Survey - 1 Violation

25. All preceding paragraphs are incorporated by reference herein.
26. Pursuant to section 11.38(1)(a), Regulation 11, for all public water systems, the supplier must comply with the requirements of the Sanitary Survey Rule, section 11.38, Regulation 11.
27. Pursuant to section 11.1(6)(b)(i), Regulation 11, the Department may enter and inspect, at any reasonable time and in a reasonable manner, any establishment, facility or any other property, premises, or place owner, operated or under the control of a public water system for the purpose of investigating any actual, suspected, or potential violations of any minimum general sanitary standards required by section 25-1.5-202, C.R.S.
28. As defined in section 11.38(1)(b), Regulation 11, a sanitary survey is defined as “[a]n onsite review of a system’s adequacy in producing and distributing safe drinking water. The review will include, but is not limited to, all of the following eight components and the related operation and maintenance practices of each: source; treatment; distribution system; finished water storage; pumps, pump facilities and controls; monitoring, reporting and data verification; system management and operation; and

compliance with all requirements of Regulation 11, Regulation 100, and any other Department-mandated requirements.”

29. Pursuant to sections 11.38(3)(a), Regulation 11, if a significant deficiency or violation is identified during a sanitary survey, the supplier must implement corrective action as specified in section 11.38(3), Regulation 11.
30. Pursuant to sections 11.38(3)(d)-(e) Regulation 11, no later than forty-five (45) days after receiving written notice of significant deficiencies and/or violations, the supplier must submit a written corrective action plan to the Department for approval. The corrective action plan must include the actions the supplier will take to address the significant deficiencies and/or violations and a proposed schedule for completing the actions. Any changes the supplier makes to a Department-approved corrective action plan and schedule must be approved by the Department.
31. Pursuant to section 11.38(3)(f)-(g), Regulation 11, within one hundred twenty (120) days (or earlier if required by the Department) after receiving written notice of significant deficiencies and/or violations, the supplier must either: (1) have completed Department-approved corrective action including any Department-specified interim measures; or, (2) be in compliance with a Department-approved corrective action plan and schedule including any Department-specified interim measures. No later than thirty (30) days after completing any corrective action, the supplier must notify the Department of the completed corrective action.
32. On August 3, 2021, the Department conducted a sanitary survey of the System in accordance with section 11.38, Regulation 11. In a letter dated August 31, 2021, the Department notified the Supplier of the sanitary survey findings including, but not limited to, one (1) significant deficiency. The Department’s August 31, 2021 letter is incorporated by reference as a general finding of the Order as Exhibit A. The Department notified the Supplier of the requirement to submit a written response to the sanitary survey findings within forty-five (45) days (by October 15, 2021) and to correct the significant deficiency within one hundred twenty (120) days (by December 29, 2021) or by a Department-approved alternate date. An abbreviated description of the relevant unresolved significant deficiency is provided here for reference and a full description is found in Exhibit A.
  - a. **Significant Deficiency F310 - Storage Condition of “Elevated Storage Tank” (Facility ID 002):** The condition of the storage structure may allow potential sources of contamination to enter the tank. The Department inspector noted that the storage tank roof had surface corrosion and holes.
33. On November 2, 2021, the Department approved a corrective action plan for “Elevated Storage Tank” (Facility ID 002) that required the Supplier to complete temporary repairs as an interim measure and, by November 1, 2022, perform permanent repairs to the tank, or replace the tank.

34. Department records establish that the Supplier failed to perform permanent repairs or replace “Elevated Storage Tank” (Facility ID 002) by November 1, 2022, thus failed to comply with the Department-approved corrective action plan.
35. Department records establish that, to date, the Supplier has not demonstrated adequate resolution of Significant Deficiency F310 at “Elevated Storage Tank” (Facility ID 002).
36. The Supplier’s failure to correct all significant deficiencies within 120 days after receiving written notice or in accordance with the Department-approved corrective action plan, including specified interim measures to protect public health, constitutes a treatment technique violation of section 11.38(3), Regulation 11, as defined in section 11.38(4)(a), Regulation 11. Furthermore, if the Supplier failed to notify the Department of completed corrective actions, such failure constitutes a treatment technique violation of section 11.38(3), Regulation 11, as defined in section 11.38(4)(a), Regulation 11.

#### COMPLIANCE REQUIREMENTS

37. Pursuant to section 11.4(1)(b), Regulation 11, “[f]or all public water systems, the supplier must not begin construction of any new waterworks, make improvements to or modify existing waterworks, or begin using a new source until the supplier submits and receives Department approval of plans and specifications for such construction, improvements, modifications, or use.” A Professional Engineer registered in the State of Colorado must design all treatment systems serving a community water supply. The Department shall grant approval upon finding that the proposed facilities are in substantial conformance with the design criteria specified in Policy DW-005, *State of Colorado Design Criteria for Potable Water Systems*. Information regarding design review requirements is available on the Department’s web page at <https://www.colorado.gov/cdphe/design>.
38. Improvements or modifications to waterworks may impact the minimum required operator certification level for the Supplier’s system. Pursuant to sections 100.1.2 and 100.10.1(a), Regulation 100, the supplier’s treatment and distribution systems must be under the supervision of a certified operator who holds a certification level in a class equal to or greater than the class of the facility or system. Pursuant to section 100.10.4, Regulation 100, within thirty (30) calendar days of changes to information for its certified operator in responsible charge, the supplier is required to submit written notification to the Department.

**Based upon the foregoing factual and legal determinations and pursuant to section 11.1(6)(c), Regulation 11, the Supplier is hereby ordered to:**

39. Immediately comply with Regulation 11, 5 CCR 1002-11.

Further, the Department hereby orders the Supplier to comply with the following specific terms and conditions of this Enforcement Order.

40. Until a replacement storage tank is online and “Elevated Storage Tank” (Facility ID 002) is removed from service, the Supplier shall implement and maintain interim measures to protect public health:
- a. **By July 28, 2023,** within thirty (30) calendar days of the date of the Order, the Supplier shall begin performing additional monitoring for total coliform bacteria **every two-weeks** to monitor for contamination introduced by “Elevated Storage Tank” (Facility ID 002).
    - i. **Every two weeks,** in addition to the minimum sampling requirements specified in the Revised Total Coliform Rule, section 11.16, Regulation 11, the Supplier must collect an additional routine sample from the first available sampling tap after the storage tank.
    - ii. The additional sampling shall be considered routine sampling pursuant to the Revised Total Coliform Rule, section 11.16, Regulation 11, and subject to the requirements of the rule.
    - iii. The Supplier must submit to the Department an updated microbiological sample siting plan to include the additional routine sample site and the corresponding upstream and downstream repeat sample sites in accordance with the Revised Total Coliform Rule, section 11.16, Regulation 11.
    - iv. Pursuant to section 11.46, Regulation 11, the Supplier must ensure that all samples meet the applicable testing requirements and analytical methods specified in section 11.46, Regulation 11.
    - v. Pursuant to section 11.35(2)(a), Regulation 11, the Supplier must submit the sample results to the Department **no later than the first ten (10) calendar days following the end of the collection month.**
  - b. **By July 28, 2023,** within thirty (30) calendar days of the date of the Order, the Supplier shall begin performing visual inspections **every two-weeks** to monitor for additional damage to the roof of “Elevated Storage Tank” (Facility ID 002).
    - i. **Every two weeks,** on the same day that the Supplier collects the additional routine total coliform bacteria sample, the Supplier must visually inspect the storage tank roof from ground level to identify if the air vent appears to be intact on the roof.

- ii. If the Supplier observes changes or possible additional damage, the Supplier must report the observations to the Department **within twenty-four (24) hours**. The Department may require additional inspections to identify the extent of the damage.
  - iii. To demonstrate compliance, the Supplier shall report the dates of the ground-level visual inspections in their quarterly progress reports required for the Order.
- c. **By July 28, 2023**, within thirty (30) calendar days of the date of the Order, the Supplier shall begin maintaining a minimum entry point residual disinfectant concentration of 2.0 mg/L to protect public health from contamination that may be introduced by “Elevated Storage Tank” (Facility ID 002).
- i. The Supplier shall maintain the interim 2.0 mg/L minimum residual disinfection concentration **at all times**.
    - 1. If the Supplier would like to request a reduction of the required disinfectant residual, the Supplier must provide justification to the Department within thirty (30) calendar days of the date of the Order. If approved, all requirements of paragraph 40(c) shall be applicable to the reduced disinfectant residual.
  - ii. The Supplier shall measure and record the entry point residual disinfectant concentration at a minimum frequency of **every seven (7) calendar days**. The Supplier must use the groundwater entry point chlorine residual disinfectant monitoring log template available on the Department’s webpage at <https://cdphe.colorado.gov/rctcr>.
  - iii. If the residual disinfectant concentration is measured below 2.0 mg/L at the entry point, the Supplier must take corrective action to restore the minimum 2.0 mg/L concentration **within 72 hours of discovery**. The Supplier must increase the residual disinfectant concentration monitoring frequency to at least **once every 24 hours** from the time of discovery until the residual disinfectant concentration is greater than or equal to 2.0 mg/L.
  - iv. Pursuant to section 11.46, Regulation 11, the Supplier must ensure that all samples meet the applicable testing requirements and analytical methods specified in section 11.46, Regulation 11.

- v. Pursuant to section 11.35(2)(a), Regulation 11, the Supplier must submit monthly monitoring logs to the Department **no later than the first ten (10) calendar days following the end of the collection month.**
  
- d. **For the duration of the Order,** the Supplier shall submit all storage tank inspection summary reports for inspections performed on “Elevated Storage Tank” (Facility ID 002) in accordance with the Storage Tank Rule, section 11.28, Regulation 11.
  - i. The Supplier must submit the inspection summary reports **no later than sixty (60) calendar days** after each completed inspection.
  - ii. In addition to the information required to be recorded for storage tank inspection summaries as specified in section 11.28(3)(g), Regulation 11, the Supplier must also submit photographs to document the condition of the storage tank roof.
  
- e. **By August 27, 2023,** within sixty (60) calendar days of the date of the Order, the Supplier shall develop and submit to the Department for review, an emergency plan that specifically describes the actions that the Supplier will take in the event that the roof of “Elevated Storage Tank” (Facility ID 002) fails or collapses.
  - i. The Supplier’s plan must include, but is not limited to:
    1. The Supplier must immediately notify the Department’s 24-hour incident reporting hotline at 1-877-518-5608.
    2. A timeline of actions that they will take to protect the finished water from contamination.
    3. A timeline of actions that they will take to repair and/or isolate “Elevated Storage Tank” (Facility ID 002). If isolated, the storage tank will be considered a cross connection and must be controlled with an appropriate device or method or physically disconnected.
    4. The disinfection and flushing procedures to be completed after the tank is repaired or isolated.
    5. A plan to perform tier 1 public notice to consumers within twenty-four (24) hours of the tank failure or collapse.
    6. Any other actions necessary to protect public health.

7. The Department may specify different or additional required corrective actions in a separate correspondence at the time of the event.
  - ii. If the Department provides comments on the Supplier's emergency response plan, the Supplier must provide a written response **within (30) calendar days** that resolves all comments.
  
41. In order to achieve long-term compliance with the Regulations, specifically including correcting the conditions of the finished water storage tank, the Supplier shall construct a new storage tank and remove "Elevated Storage Tank" (Facility ID 002) from service in accordance with the following schedule:
  - a. **By April 15, 2024**, the date proposed by the Supplier, the Supplier shall submit a complete drinking water design application (Basis of Design Report with associated plans and specifications) for a new finished water storage tank for Department review and approval.
    - i. The design application must be prepared by a Professional Engineer licensed in the state of Colorado and experienced in drinking water treatment design.
    - ii. The design application must be submitted in accordance with Policy DW-005, State of Colorado Design Criteria for Potable Water *Systems*. Information regarding design review requirements is available on the department's web page at <https://www.colorado.gov/cdphe/design>.
    - iii. If the Department provides comments on the design submittals, the Supplier must provide a written response **within (30) calendar days** that resolves all comments.
  - b. **By December 31, 2025**, the date proposed by the Supplier, the Supplier shall complete construction of a new finished water storage tank and shall remove "Elevated Storage Tank" (Facility ID 002) from service.
  - c. **Within fourteen (14) calendar days** of construction/implementation of System improvements, the Supplier shall submit a completed *Construction As Approved Certification Form* certifying that the System improvements were constructed/installed as approved by the Department. This form is available at: <https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms>.
  
42. The Supplier shall submit written progress reports to the Department in accordance with the following:

- a. **By July 28, 2023**, within thirty (30) calendar days of the date of the Order, the Supplier shall submit an initial response to the Order, describing the Supplier's plan for complying with the Order. This initial response serves as the Supplier's 3<sup>rd</sup> quarter 2023 progress report.
  - b. **By December 31, 2023**, and continuing quarterly for the duration of this Order, the Supplier shall submit quarterly progress reports by the last day of each calendar quarter (March 31, June 30, September 30 and December 31).
    - i. Each report shall clearly indicate the Supplier's compliance status with the Order and shall include a description of activities that the Supplier will be undertaking in the upcoming quarter to meet the Order requirements.
    - ii. This is the minimum frequency requirement for progress reporting. The Department encourages the Supplier to submit more frequent progress reports.
43. **No later than fourteen (14) calendar days** after full completion of all requirements of the Order, the Supplier shall submit a written notice of completion to the Department.
- a. If the Department determines that the Supplier has not satisfactorily completed the requirements in the Order, the Department will reject the notice of completion in writing. If the Department rejects the notice of completion, it will include in its notice a statement identifying the requirements that the Department considers incomplete or not satisfactorily performed and a schedule for completion.
  - b. If the Supplier wishes to dispute the Department's rejection of its notice of completion, it shall, within fifteen (15) calendar days of receipt of the Department's rejection, submit a written statement as to its belief of full compliance, addressing in detail all outstanding requirements that were identified in the rejection letter issued by the Department.

#### **ORDER FOR ADMINISTRATIVE PENALTY**

44. Pursuant to section 25-1-114.1(2.5)(a), C.R.S. any person who violates the *Colorado Primary Drinking Water Regulations* or any final Enforcement Order issued by the Department, shall be subject to an administrative penalty as follows:
- a. For systems that serve a population of more than ten thousand people, an amount not to exceed one thousand dollars per violation per day; or

- b. For systems that serve a population of ten thousand people or less, an amount not to exceed one thousand dollars per violation per day, but only in an amount, as determined by the Department, that is necessary to ensure compliance.
45. Based upon the facts described in this action the Department has determined that an administrative penalty is appropriate in this matter and therefore assesses an administrative penalty of three hundred thirty-six dollars (**\$336.00**) for the specific violations identified in this action. The reasoning behind this penalty amount is detailed in the administrative penalty methodology/calculation worksheet, which is incorporated herein by reference and enclosed as **Exhibit B**.
46. **By August 27, 2023**, within sixty (60) calendar days of the date of the Order, if the Supplier does not contest the findings and penalty assessment set out above, the Supplier shall complete payment of the \$336.00 administrative penalty. *In a separate correspondence, the Supplier will receive an invoice containing payment instructions. If the Supplier does not receive the invoice within fourteen (14) calendar days of the date of the Order, please contact Samantha Thywissen by phone at 303.692.3511 or via e-mail at [samantha.thywissen@state.co.us](mailto:samantha.thywissen@state.co.us).*
47. Payment or appeal of the administrative penalty in this manner does not relieve the Supplier of its obligation to perform the activities required by this enforcement action.

### **SUBMITTALS**

48. As an assistance, the Department is providing template enforcement order response forms to the Supplier as an enclosure with this Order. While the Supplier is not required to use these forms, and the Department's assistance of providing these forms does not replace the Supplier's responsibility to report to the Department, the Department encourages the Supplier to use the provided forms.
49. All documents, plans, records, reports and replies required to be submitted under this Order shall be submitted by the Supplier to the Department in accordance with one of the following:

#### **Electronically - via the Drinking Water Portal**

- The most efficient method of reporting is using the Department's Drinking Water Portal at <https://wqcdcompliance.com/login>.
- First-time users must create an account.
- Files submitted electronically must be in PDF format.
- The Department does not accept documents via email.

**By Fax**

Fax: (303) 758-1398

Please include a cover sheet addressed to the attention of Samantha Thywissen.

**By Mail**

CDPHE Water Quality Control Division

WQCD-B2-CAS Drinking Water Compliance Assurance Section

Attention: Samantha Thywissen

4300 Cherry Creek Drive South

Denver, Colorado 80246-1530

50. All documents submitted under this Order shall use the same titles as stated in the Order and shall reference both the Order number and the paragraph number pursuant to which the document is required.
51. All reports, notices, summaries, and certifications required to be submitted to the Department by the public water system must bear the original signature of the owner or the owner's authorized representative.

**POTENTIAL ADDITIONAL ADMINISTRATIVE/CIVIL AND CRIMINAL PENALTIES**

52. You are advised that, as stated in section 11.1(6)(c)(iii), Regulation 11, a supplier that violates Regulation 11 or an enforcement order(s) may be subject to civil or criminal actions pursuant to the provisions of sections 25-1-114 and 25-1-114.1, C.R.S.

**REQUEST FOR HEARING OR APPEAL**

53. Pursuant to section 11.1(6)(c)(iv), Regulation 11, a recipient of an enforcement order may request a hearing to contest such order. Requests for such a hearing must be filed in writing with the Department within thirty (30) calendar days after service of the order via the instructions in the Submittals section of this Order. Such requests, at a minimum, must contain the information specified in section 11.1(6)(c)(iv)(A), Regulation 11, and section 21.4(B)(2), Regulation 21 (Procedural Rules), 5 CCR 1002-21. Hearings on enforcement orders will be held in accordance with applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21, 5 CCR 1002-21. Hearings before the Department on enforcement orders will not address administrative penalty assessments.

54. You are further advised that, pursuant to section 25-1-114.1(2.5)(b), C.R.S., an administrative penalty assessment may be appealed to the Water Quality Control Commission. Requests for such an appeal should be filed in writing with the Water Quality Control Commission within thirty (30) calendar days after service of the penalty assessment by email to [cdphe.wqcc@state.co.us](mailto:cdphe.wqcc@state.co.us). Such requests, at a minimum, shall contain the information specified in section 21.4(B)(2), Regulation 21, 5 CCR 1002-21. Hearings on administrative penalty assessments will be held in accordance with applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21, 5 CCR 1002-21.

**ADDITIONAL ACTION**

55. Pursuant to section 25-1-114.1(3), C.R.S., the Department may request the Attorney General to seek a temporary restraining order or permanent injunction to prevent or abate any violation of a minimum general sanitary standard or regulation adopted pursuant to section 25-1.5-203, C.R.S.

**FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**Nicole  
Graziano** Digitally signed  
by Nicole  
Graziano  
Date: 2023.06.28  
09:22:51 -06'00'

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Nicole Graziano, P.E., Section Manager  
Drinking Water Compliance Assurance Section  
Water Quality Control Division



August 31, 2021

Ms. Cecilia Gonzalez  
 Town of Hartman  
 PO BOX 22  
 Hartman, CO 81043

Subject: Sanitary Survey of Town of Hartman  
 Public Water System Identification No. CO0150500  
 Prowers County

Dear Ms. Gonzalez:

A sanitary survey was performed on August 3, 2021 by the Field Services Section of the Colorado Department of Public Health & Environment’s Water Quality Control Division (the department) at Town of Hartman (the supplier) in accordance with the *Colorado Primary Drinking Water Regulations, 5 CCR 1002-11* (Regulation 11), Sections 11.38(1)(b) and 11.38(2). This letter serves to provide the supplier with written notification of the sanitary survey findings, including any identified significant deficiencies and violations of Regulation 11. The assistance provided was very helpful and is greatly appreciated. Table 1 identifies the parties present during the sanitary survey.

**Table 1: Parties Present**

Name	Organization
Randy Holland, Doug Schwenke & Dannie McMillan	Town of Hartman
Tammy Bruning & Emma Ely	Colorado Department of Public Health & Environment

In response to this letter, the supplier must provide a written response, documenting resolution of all significant deficiencies and violations, and/or propose a corrective action plan with a corrective action schedule, as required by Regulation 11, Section 11.38(3)(d,f). Also, for findings that are violations of Regulation 11, the supplier must comply with the public notification requirements described in Section V, below. The supplier’s written response is due within forty-five (45) days and should be submitted to the department electronically through the drinking water portal at <https://wqcdcompliance.com/login> under the category “Sanitary Survey Inspection”. If a corrective action plan is proposed, it must outline the course of action that has been or will be taken and the date(s) of the completed corrective action(s) and/or the date(s) by which the supplier proposes to correct each significant deficiency and violation of Regulation 11. Table 2 summarizes the number of findings and the required written response and resolution dates.

**Table 2: Sanitary Survey Findings**

Severity Category	Number Identified	Written Response Due (within 45 days of letter date)	Resolution Due (within 120 days of letter, or department-approved alternate date)	Public Notice Required (Violations of Regulations 11)
Significant Deficiencies	1	October 15, 2021	December 29, 2021	Not required
Violations	0	No response required	Not applicable	Not required
Observations - Recommendations	1	No response required	Not applicable	Not applicable



Failure to adequately address all significant deficiencies referenced above may result in additional violations of Regulation 11. A list of the findings for each category in Table 2 can be found in the following sections:

### **Section I: Significant Deficiencies**

According to Regulation 11, Section 11.3(72), a significant deficiency means:

*any situation, practice, or condition in a public water system with respect to design, operation, maintenance, or administration, that the state determines may result in or have the potential to result in production of finished drinking water that poses an unacceptable risk to health and welfare of the public served by the water system.*

The items in this category are significant deficiencies. Please direct questions regarding resolution of the following items to the department inspector. Please submit documentation regarding resolution to the drinking water portal at <https://wqcdcompliance.com/login> under the category “Sanitary Survey Inspection”.

#### **1. F310 - Finished Water Storage: Elevated Storage Tank (SDWIS ID: 002)**

*Storage Condition:* The condition of the storage structure may allow potential sources of contamination to enter the tank.

At the time of the sanitary survey, the department inspector reviewed the November 7, 2020 comprehensive inspection for the Elevated Storage Tank. The inspection revealed the interior tank roof had surface corrosion and holes were noted (Attachment 1), the access hatch was unlocked and was not sealed and the vent was not downturned (Attachment 2). These conditions could allow the entrance of contaminants such as insects, birds, and small animals into the tank. Maintaining a tank in a manner that may allow for potential contamination of potable water presents a risk to public health, which meets the definition of a significant deficiency as defined in Regulation 11, Section 11.3(72) and must be corrected. Although these sanitary defects were identified during the November 7, 2020 comprehensive storage tank inspection, the supplier has been working to secure funds to correct these deficiencies and a corrective action schedule was being implemented. As of the date of the survey, the Town of Hartman has been preliminarily awarded a Small Communities Grant to repair the existing elevated tank (Attachment 3). The town is also in discussions with the Colorado’s Department of Local Affairs (DOLA) to potentially combine the Small Communities Grant with an additional Tier 2 grant through the Energy Impact and Assistance Fund (EIAF). The additional funding would provide the supplier with the capability to replace the entire storage tank.

In accordance with Section 7.0.3 of the Colorado Design Criteria for Potable Water Systems, the supplier must replace the tank or seal the tank roof so it is watertight with no openings except: properly constructed vents, access openings, pipe penetrations, pump mountings or control ports. The supplier must also fix the access hatch with a water and insect tight seal and the access hatch must have a locking device. The vent must open downward and be protected by a non-corrodible screen that may not have openings that exceed 0.07 inches (typically 12 to 16 mesh screen). To resolve this significant deficiency the supplier is expected to receive design approval to install a new tank and remove this tank from service, or submit photographic evidence of the correction(s) to the department inspector upon completion.

In addition to the long term repair or replacement of the tank, the supplier must evaluate and propose interim measures (i.e. temporary sealing of the holes) to protect water quality. The supplier is expected to provide a plan and timeline for interim measures.

Please note, Regulation 11, Section 11.4(1), states no person shall make improvements to or modify the treatment process of an existing water works until plans and specifications for such construction, improvements, or modifications have been submitted to, and approved by the department. In addition, a Professional Engineer registered in the State of Colorado shall design all treatment systems serving a community water system. Prior to construction of a new tank, the supplier must hire an engineer to develop plans and specifications to be submitted to the department for review and approval. For more information concerning the design review process, please contact Doug Camrud at [douglas.camrud@state.co.us](mailto:douglas.camrud@state.co.us).

### **Section II: Violations**

**No violations were identified.**

**Section III: Observations/Recommendations**

The department recommends the supplier follow up and consider the following observations-recommendations. Please direct questions regarding any of the items below to the department inspector.

**1. F330 - Management:**

*Storage Tank Inspection Plan:* Development and maintenance of a finished water storage tank inspection plan.

In accordance with Regulation 11, Section 11.28(2)(a), Suppliers of water are required to develop and maintain a written inspection plan for finished water storage tanks. As discussed during the sanitary survey, the Supplier had developed a corrective action plan to either repair the significant deficiencies identified in the comprehensive inspection performed on November 7, 2020 or to completely replace the storage tank dependent on the acquisition of funding.

The department recommends that the Supplier increase the level of detail in their corrective action plan to include interim measures to protect water quality while funding and potential future design and review processes are taking place. Please update the storage tank inspection plan with more definitive timelines for interim measures and tank replacement as the corrective action schedule progresses.

**Section IV: Field Verification/Sampling**

While performing the sanitary survey, the department inspector performed water quality sampling for free chlorine residual. Table 3 indicates the results of the water quality sampling performed on-site.

**Table 3: Sampling Results**

Parameter	Sample Location	Value	Units	Notes
Entry Point Disinfectant Residual	EP 001T	0.34	mg/L	
Distribution System Disinfectant Residual	Post Office -108 S. Main St.	0.26	mg/L	

**Reminders**

- Regulation 11, Section 11.4(1)(b) (Prior Approval Required) requires the department’s approval prior to commencement of construction of any improvements, treatment process modifications or the addition of new water sources.
- Most regulations, guidance documents and forms are available on the department’s website at <https://wqcdcompliance.com>
- Regulation 11, Section 11.5 requires all suppliers of water to develop and implement a monitoring plan. The department’s monitoring plan template is available at <https://cdphe.colorado.gov/monitoringplans>. For assistance developing or updating your monitoring plan, coaching assistance can be requested via the Local Assistance Unit website at <https://cdphe.colorado.gov/dwtrain>. The supplier is required to submit a copy of the updated plan via the department’s online portal at <https://wqcdcompliance.com/login>. For portal support, please contact Kaleb Winisko at [kaleb.winisko@state.co.us](mailto:kaleb.winisko@state.co.us) or 303-691-7803. The plan will then be reviewed by the Drinking Water Compliance Assurance Section. For questions regarding the monitoring plan requirements please contact the Compliance Assurance Section at 303-692-3556.
- In November 2018, the Water and Wastewater Facility Operators Certification Board updated and revised the criteria for facility classification in Regulation No. 100. These revisions are important because treatment and distribution/collection system classification establishes the minimum certification level for the operator in responsible charge (ORC). This may affect your facility’s operator certification requirements. For existing facilities, the new criteria was applied March 1, 2021. More information is available at <https://cdphe.colorado.gov/wq-facility-classification>.

Attached is a form that the supplier may use to document the required written response to this letter. While using this form is optional, it will fulfill the requirement to provide a written response if completed and submitted to the department by the written response due date listed above. Please submit written response to the drinking water portal at <https://wqcdcompliance.com/login> under the category "Sanitary Survey Inspection".

We would appreciate any feedback that you provide so that we can improve. Please take a few moments to complete [this survey](#).

If you have any questions, please contact me at (719) 295-5077 or [tammy.bruning@state.co.us](mailto:tammy.bruning@state.co.us). Thank you for your time and cooperation.

Sincerely,

**Tammy Bruning** Digitally signed by Tammy Bruning  
Date: 2021.08.31 11:54:14 -06'00'

Tammy Bruning  
Environmental Protection Specialist  
Field Services Section  
Water Quality Control Division  
Colorado Department of Public Health & Environment

Encl: Sanitary Survey Response Form

cc: Prowers County Health Department  
Drinking Water File, PWSID No. CO0150500  
  
Cecilia Gonzalez, AC  
Randy Holland, ORC  
Doug Schwenke  
Cameron Wilkins, PE, CDPHE-FSS, Unit Manager  
Emily Clark, CDPHE-DWCAS, Enforcement & Field Findings Compliance Lead  
Margaret Talbott, PE, CDPHE-DWCAS, Unit Manager  
Emma Ely, CDPHE-FSS, Environmental Protection Specialist

**Attachments**

**Interior Inspection Report**

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**Roof Condition**

<p>Coating Condition: Poor Welds/seam Condition: Fair/Poor Corrosion Present On Panels? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Oxidation Present? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> De-lamination Present? Y <input checked="" type="checkbox"/> N <input type="checkbox"/></p> <p>Summary: The interior roof was found in poor condition with heavy de-lamination, 50% uniform surface corrosion and holes noted.</p>	
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**Ladder Condition**

<p>Ladder Location: 12 o'clock Coating Condition: Good Weld/Seam Condition: Good Supports Condition: Good Corrosion Present? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Oxidation Present? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> De-lamination Present? Y <input type="checkbox"/> N <input checked="" type="checkbox"/></p> <p>Summary: The ladder, which is made of rebar, was found in good condition with heavy sediment &amp; corrosive staining, micro &amp; macro blistering, pitting and 3% rust noduling noted.</p>	
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**Attachment: 1**  
**Severity:** Significant Deficiency  
**Facility ID:** Elevated Storage Tank (SDWIS ID: 002)  
**Category:** F310 - Finished Water Storage  
**Attachment Comments:** November 7, 2020 Comprehensive inspection regarding holes in roof of tank



**Attachment: 2**  
**Severity:** Significant Deficiency  
**Facility ID:** Elevated Storage Tank (SDWIS ID: 002)  
**Category:** F310 - Finished Water Storage  
**Attachment Comments:** Ball vent on tank

FY2020-21 SCG Fundable List- Drinking Water Awards	
Tier 1	
Entity	Amount
Moffat, Town of	\$50,000
South Swink Water Company	\$50,000
Stucker Mesa Domestic Water Company	\$28,000
Somerset Domestic Waterworks District	\$50,000
Victor, City of	\$22,000
Tier 2	
Entity	Amount
Cheyenne Wells, Town of	\$2,500
Eureka Water Company	\$400,000
Granada, Town of	\$400,000
Mancos, Town of	\$400,000
Hartman, Town of	\$400,000
Westcreek Lakes Water District	\$39,069
Louviers Water and Sanitation District	\$158,431
Total Tier 1 and Tier 2	\$2,000,000

WIIN funding for projects has not been finalized. The additional awards will be announced upon final review by EPA for WIIN funded projects.

**Attachment: 3**  
**Severity:** Significant Deficiency  
**Facility ID:** Elevated Storage Tank (SDWIS ID: 002)  
**Category:** F310 - Finished Water Storage  
**Attachment Comments:** Small Communities Grant List

### Sanitary Survey Response Form

In accordance with Section 11.38(3) of the *Colorado Primary Drinking Water Regulations (Regulation 11)*, “No later than 45 days after receiving written notice of significant deficiencies and/or violations, the supplier must submit a written corrective action plan to the Department for approval. The corrective action plan must include the actions the supplier will take to address the significant deficiencies and/or violations and a proposed schedule for completing the actions.”

Please note that this form is intended to help the supplier submit information required in Section 11 of Regulation 11. Use of the form is **not required**. Please provide documentation of any corrective actions taken (e.g., monitoring plan submitted on 1/2/2014, mesh screen fixed photo is attached).

System and Sanitary Survey Information	
System Name	
PWSID	
Date of Sanitary Survey Letter	
Inspector Name	

Brief description of deficiency or violation	Describe the corrective action(s) taken or corrective action(s) that your system plans to take	Date addressed or proposed schedule	Documentation attached (photos, documents)?

**DW.06.25.150500 EXHIBIT A**

Brief description of deficiency or violation	Describe the corrective action(s) taken or corrective action(s) that your system plans to take	Date addressed or proposed schedule	Documentation attached (photos, documents)?

Typed Name and Title	Signature	Date

# DW.10.25.150500 EXHIBIT A

DW.06.23.150500 EXHIBIT B

## ADMINISTRATIVE PENALTY COMPUTATION SUMMARY

Enforcement Order Number: DW.06.23.150500

System Summary

Public Water System Name:	TOWN OF HARTMAN
Public Water System Identification Number:	CO0150500
Principal Colorado County Served:	PROWERS
Population Served:	93

Penalty Summary

Violations

Violations	Base	Ag/Mit	Economic Benefit	Total
1 Failure to Correct Significant Deficiencies Identified During a Sanitary Survey	\$ 480.00	\$ (144.00)	\$ -	\$ 336.00
<b>TOTAL # VIOLATIONS</b>	<b>1</b>			
<b>TOTAL PENALTY</b>			<b>\$ 336.00</b>	

*These calculations were completed in accordance with the WQCD's Public Water System Administrative Penalty Determination document, which is available upon request from the Colorado Department of Public Health & Environment, Water Quality Control Division.*

DW.10.25.150500 EXHIBIT A

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	I	
Violation Name	Failure to Correct Significant Deficiencies Identified During a Sanitary Survey	
Population Range	25-100	<b>Base penalty for one violation:</b> Failure to correct Significant Deficiency F310, identified during the August 2021 sanitary survey.  <b>Monthly penalty:</b> Calculated from the Department-approved corrective action deadline, 11/1/2022, to the date of the Order, counted as seven months.
Base Penalty	\$ 200.00	
Monthly Penalty	\$ 40.00	
Instances of Violation	7 Months	

SUBTOTAL UNADJUSTED BASE PENALTY \$ 480.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification: The Supplier has taken steps to comply by (1) completing multiple interim repairs to the storage tank, (2) securing two grants for the project, and (3) proposing an implementation schedule.</i>	-30%	\$ (144.00)
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		\$ -
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	-30%	\$ (144.00)

TOTAL ADJUSTED BASE PENALTY \$ 336.00

Economic Benefit			
	per sample	# of samples	TOTAL
			\$ -
			\$ -
<b>TOTAL</b>			\$ -

TOTAL ECONOMIC BENEFIT \$ -

**TOTAL PENALTY FOR VIOLATION I** **\$ 336.00**



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Requirements Summary

System Name: Town of Hartman		PWS ID: CO0150500
Enforcement Order Number: DW.06.23.150500		Order Issue Date: 6/28/2023
This requirements summary is provided by the Department to the Supplier to assist the Supplier. Please refer to the Order for the complete requirement language.		
<p><b>How to Report to the Department:</b> As an assistance, the Department will provide template reports and forms to the Supplier. While the Supplier is not required to use these forms, and the Department's assistance of providing these forms does not replace the Supplier's responsibility to report to the Department, the Department encourages the Supplier to use the provided forms.</p> <p>Submit responses to the Portal: <a href="http://wqcdcompliance.com/login">wqcdcompliance.com/login</a> (preferred) or by fax: (303) 758-1398.</p>		
Paragraph	Requirement	Deadline
39	Immediately comply with Regulation 11, 5 CCR 1002-11	Immediately & ongoing
42(a)	<p><b>Progress Report - Initial Response:</b> Submit an initial response to the Order, describing the Supplier's plan for complying with the Order. The initial response serves as the 3<sup>rd</sup> quarter 2023 progress report.</p>	7/28/2023
40(a)	<p><b>Maintain Interim Measure #1:</b> Begin performing additional monitoring of total coliform bacteria after "Elevated Storage Tank" (Facility ID 002), every two weeks. Refer to the Order for a full description of the requirement.</p>	7/28/2023 & ongoing
40(b)	<p><b>Maintain Interim Measure #2:</b> Begin performing visual inspections of the roof of "Elevated Storage Tank" (Facility ID 002) from ground level, every two weeks. Refer to the Order for a full description of the requirement.</p>	7/28/2023 & ongoing
40(c)	<p><b>Maintain Interim Measure #3:</b> Begin maintaining a minimum entry point residual concentration of 2.0 mg/L. Measure, record and report entry point residual concentration. Refer to the Order for a full description of the requirement.</p>	7/28/2023 & ongoing
40(d)	<p><b>Maintain Interim Measure #4:</b> Submit all storage tank inspection summary reports of "Elevated Storage Tank" (Facility ID 002) with photographic evidence of the condition of the roof.</p>	For the duration of the Order
40(e)	<p><b>Maintain Interim Measure #5:</b> Submit an emergency response plan. Refer to the Order for the required elements of the plan.</p> <ul style="list-style-type: none"> <li><b>Response to Department Comments:</b> If the Department provides comments on the plan, the Supplier must provide a written response <u>within 30 days</u> that resolves all comments.</li> </ul>	8/27/2023

DW.10.25.150500 EXHIBIT A

46	<b>Penalty Payment:</b> Pay the \$336.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.	8/27/2023
42(b)	<b>Progress Report - Quarterly:</b> Submit written progress reports to the Department for the duration of the Order.	12/31/2023 And by the last day of each calendar quarter (March 31, June 30, Sep 30, Dec 31)
41(a)	<b>Submit Design Plans and Specifications:</b> Submit a complete drinking water design application (Basis of Design Report, plans and specifications) for a new finished water storage tank to replace “Elevated Storage Tank” (Facility ID 002). <ul style="list-style-type: none"> <li>• <b>Response to Department comments:</b> If the Department provides comments on the design submittals, the Supplier must provide a written response <u>within 30 days</u> that resolves all comments.</li> </ul>	4/15/2024
41(b)	<b>Complete Construction/Implementation:</b> Complete construction and implementation of a new finished water storage tank and remove “Elevated Storage Tank” (Facility ID 002) from service.	12/31/2025
41(c)	<b>Certify Construction Completion:</b> Submit a completed <i>Construction As Approved Certification Form</i> certifying that the System improvements were constructed/installed as approved by the Department. This form is available at: <a href="https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms">https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms</a>	Within 14 days of construction completion
<b>Completion</b>		
43	<b>Notice of Completion:</b> Submit a written notice of completion to the Department.	Within 14 days of completion of all requirements of the Order



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Response

### Initial Response: Plan for Complying with the Order

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.06.23.150500	Order Issue Date: 6/28/2023

**How to use this form:** The Supplier should complete the “Plan for Compliance” to clearly indicate the Supplier’s plan to comply with the Order.

**Due date:** This initial response is due within 30 days of the Order issue date.

Paragraph	Requirement	Deadline
40(a)	<b>Maintain Interim Measure #1:</b> Begin performing additional monitoring of total coliform bacteria after “Elevated Storage Tank” (Facility ID 002), every two-weeks. Refer to the Order for a full description of the requirement.	7/28/2023 & ongoing
Plan for Compliance:		
40(b)	<b>Maintain Interim Measure #2:</b> Begin performing visual inspections of the roof of “Elevated Storage Tank” (Facility ID 002) from ground level, every two weeks. Refer to the Order for a full description of the requirement.	7/28/2023 & ongoing
Plan for Compliance:		
40(c)	<b>Maintain Interim Measure #3:</b> Begin maintaining a minimum entry point residual concentration of 2.0 mg/L. Measure, record and report entry point residual concentration. Refer to the Order for a full description of the requirement.	7/28/2023 & ongoing
Plan for Compliance:		
40(d)	<b>Maintain Interim Measure #4:</b> Submit all storage tank inspection summary reports of “Elevated Storage Tank” (Facility ID 002) with photographic evidence of the condition of the roof.	For the duration of the Order
Plan for Compliance:		

Plan for Compliance:		
40(e)	<p><b>Maintain Interim Measure #5:</b> Submit an emergency response plan. Refer to the Order for the required elements of the plan.</p> <ul style="list-style-type: none"> <li><b>Response to Department Comments:</b> If the Department provides comments on the plan, the Supplier must provide a written response <u>within 30 days</u> that resolves all comments.</li> </ul>	8/27/2023
Plan for Compliance:		
46	<p><b>Penalty Payment:</b> Pay the \$336.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.</p>	8/27/2023
Plan for Compliance:		
42(b)	<p><b>Progress Report - Quarterly:</b> Submit written progress reports to the Department for the duration of the Order.</p>	<p>12/31/2023 And by the last day of each calendar quarter (March 31, June 30, Sep 30, Dec 31)</p>
Plan for Compliance:		
41(a)	<p><b>Submit Design Plans and Specifications:</b> Submit a complete drinking water design application (Basis of Design Report, plans and specifications) for a new finished water storage tank to replace “Elevated Storage Tank” (Facility ID 002).</p> <ul style="list-style-type: none"> <li><b>Response to Department comments:</b> If the Department provides comments on the design submittals, the Supplier must provide a written response <u>within 30 days</u> that resolves all comments.</li> </ul>	4/15/2024
Plan for Compliance:		
41(b)	<p><b>Complete Construction/Implementation:</b> Complete construction and implementation of a new finished water storage tank and remove “Elevated Storage Tank” (Facility ID 002) from service.</p>	12/31/2025
Plan for Compliance:		

41(c)	<p><b>Certify Construction Completion:</b>                  Submit a completed <i>Construction As Approved Certification Form</i> certifying that the System improvements were constructed/installed as approved by the Department. This form is available at: <a href="https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms">https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms</a></p>	Within 14 days of construction completion
Plan for Compliance:		
Name of Person Completing this Form:		Phone:
Signature (if submitted to the Portal, no signature required):		Date:



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Response Quarterly Progress Report

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.06.23.150500	Order Issue Date: 6/28/2023

**How to use this form:** The Supplier should complete the “Status/Progress Report” to clearly indicate the Supplier’s compliance status with the Order including a description of activities that the Supplier will be undertaking in the upcoming quarter to meet the Order requirements.

**Due date:** This progress report is due by the last day of each calendar quarter (March 31, June 30, September 30 and December 31).

Paragraph	Requirement	Deadline
40(a)	<b>Maintain Interim Measure #1:</b> Begin performing additional monitoring of total coliform bacteria after “Elevated Storage Tank” (Facility ID 002), every two-weeks. Refer to the Order for a full description of the requirement.	7/28/2023 & ongoing

Status/Progress Report:

40(b)	<b>Maintain Interim Measure #2:</b> Begin performing visual inspections of the roof of “Elevated Storage Tank” (Facility ID 002) from ground level, every two weeks. Refer to the Order for a full description of the requirement.	7/28/2023 & ongoing
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Status/Progress Report:

40(c)	<b>Maintain Interim Measure #3:</b> Begin maintaining a minimum entry point residual concentration of 2.0 mg/L. Measure, record and report entry point residual concentration. Refer to the Order for a full description of the requirement.	7/28/2023 & ongoing
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Status/Progress Report:

40(d)	<p><b>Maintain Interim Measure #4:</b> Submit all storage tank inspection summary reports of “Elevated Storage Tank” (Facility ID 002) with photographic evidence of the condition of the roof.</p>	For the duration of the Order
Status/Progress Report:		
40(e)	<p><b>Maintain Interim Measure #5:</b> Submit an emergency response plan. Refer to the Order for the required elements of the plan.</p> <ul style="list-style-type: none"> <li>• <b>Response to Department Comments:</b> If the Department provides comments on the plan, the Supplier must provide a written response <u>within 30 days</u> that resolves all comments.</li> </ul>	8/27/2023
Status/Progress Report:		
46	<p><b>Penalty Payment:</b> Pay the \$336.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.</p>	8/27/2023
Status/Progress Report:		
41(a)	<p><b>Submit Design Plans and Specifications:</b> Submit a complete drinking water design application (Basis of Design Report, plans and specifications) for a new finished water storage tank to replace “Elevated Storage Tank” (Facility ID 002).</p> <ul style="list-style-type: none"> <li>• <b>Response to Department comments:</b> If the Department provides comments on the design submittals, the Supplier must provide a written response <u>within 30 days</u> that resolves all comments.</li> </ul>	4/15/2024
Status/Progress Report:		
41(b)	<p><b>Complete Construction/Implementation:</b> Complete construction and implementation of a new finished water storage tank and remove “Elevated Storage Tank” (Facility ID 002) from service.</p>	12/31/2025
Status/Progress Report:		

41(c)	<b>Certify Construction Completion:</b> Submit a completed <i>Construction As Approved Certification Form</i> certifying that the System improvements were constructed/installed as approved by the Department. This form is available at: <a href="https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms">https://www.colorado.gov/cdphe/wq-facility-design-and-approval-forms</a>	Within 14 days of construction completion
Status/Progress Report:		
Name of Person Completing this Form:	Phone:	
Signature (if submitted to the Portal, no signature is required):	Date:	



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Response

### Notice of Completion

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.06.23.150500	Order Issue Date: 6/28/2023

Date that the Supplier completed all requirements of the Order: \_\_\_\_\_

#### Completion Details

**OPERATIONS:** If the Supplier improved operations, describe the improvements.

**PERFORMANCE:** If the Supplier upgraded/added/improved a source, treatment or distribution system, describe the performance of the upgrade/addition/improvement.

**MANAGEMENT:** If the Supplier made improvements to administration/management/training, describe the improvements.

**PLAN FOR CONTINUING COMPLIANCE:** Describe the Supplier's plan to comply with Regulation 11 and Regulation 100.

#### Supplier Information

Name of Person Completing this Form:	Phone:
Signature (if submitted to the Portal, no signature is required):	Date:



**COLORADO**  
Department of Public  
Health & Environment

May 13, 2024

**Certified Mail Number: 7020 1290 0001 3027 9803**

PWSID # CO0150500  
Catherine Fernandez, Mayor  
Town of Hartman  
PO Box 22  
Hartman CO 81043-0022

**Service of Drinking Water Enforcement Order DW.05.24.150500**

Town of Hartman (the “Supplier”) is hereby issued the enclosed Enforcement Order and Administrative Penalty Assessment (the “Order”). This Order is issued by the Colorado Department of Public Health and Environment, Water Quality Control Division (the “Department”) pursuant to the authority given to the Department by sections 25-1.5-203 and 25-1-114.1 of the Colorado Revised Statutes (“C.R.S.”), and section 11.1(6)(c) of Regulation No. 11 (Colorado Primary Drinking Water Regulations), 5 CCR 1002-11.

Violations cited in the Order:

- I. Failure to maintain a certified operator in responsible charge - 1 violation
- II. Failure to monitor and/or report for microbiological contaminants - 4 violations
- III. Failure to monitor and/or report for residual disinfectant in the distribution system - 4 violations
- IV. Failure to distribute and/or certify consumer notices for lead tap sample results - 1 violation
- V. Failure to distribute tier 2 public notice - 1 violation

Administrative penalty assessment: \$2,268.00

Please contact Zeenath Khan by phone at 720.254.1393 or by email at [zeenath.khan@state.co.us](mailto:zeenath.khan@state.co.us) with any questions regarding the content of the Order.

**Enclosures:**

Drinking Water Enforcement Order DW.05.24.150500  
Drinking Water Enforcement Requirements Summary  
Drinking Water Enforcement Response Forms

cc: Drinking Water Enforcement File DW.05.24.150500



DW.10.25.150500 EXHIBIT B

Service of Drinking Water Enforcement Order DW.05.24.150500  
Town of Hartman

May 13, 2024  
Page 2 of 2

ec: Catherine Fernandez, Mayor, [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com)  
Tammy Swisher, Administrative Contact, [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com)  
Meagan Hillman, Prowers County Public Health and Environment,  
[mhillman@prowerscounty.net](mailto:mhillman@prowerscounty.net)  
Connie Martinez, Prowers County Public Health and Environment,  
[cmartinez@prowerscounty.net](mailto:cmartinez@prowerscounty.net)  
Tara Marshall, Colorado Department of Local Affairs, [tara.marshall@state.co.us](mailto:tara.marshall@state.co.us)  
Flint Timmins, Colorado Department of Local Affairs, [flint.timmins@state.co.us](mailto:flint.timmins@state.co.us)  
Ian Ferguson, Drinking Water Compliance Specialist, WQCD, CDPHE  
Grants and Loans Unit, Water Quality Control Division, CDPHE  
Infrastructure Unit, Water Quality Control Division, CDPHE  
Field Services Section, Water Quality Control Division, CDPHE  
Local Assistance Unit, Water Quality Control Division, CDPHE  
Sean Scott, Division of Environmental Health and Sustainability, CDPHE  
Christina Carballal, EPA Region VIII, [carballal-broome.christina@epa.gov](mailto:carballal-broome.christina@epa.gov)



# COLORADO

## Department of Public Health & Environment

### WATER QUALITY CONTROL DIVISION

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**ENFORCEMENT ORDER &  
ADMINISTRATIVE PENALTY ASSESSMENT**

**NUMBER: DW.05.24.150500**

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**IN THE MATTER OF:      TOWN OF HARTMAN  
AS OWNER AND/OR OPERATOR OF  
PUBLIC WATER SYSTEM IDENTIFICATION NUMBER: CO0150500  
PROWERS COUNTY, COLORADO**

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Pursuant to the authority vested in the Colorado Department of Public Health and Environment (the “Department”) by sections 25-1-109 and 25-1.5-203 of the Colorado Revised Statutes (“C.R.S.”), which authority is implemented through the Department’s Water Quality Control Division (the “Division”), the Department hereby makes the following findings and issues the following Enforcement Order (“Order”):

#### DRINKING WATER REGULATIONS

1. The Colorado Primary Drinking Water Regulations are published in the Code of Colorado Regulations at 5 CCR 1002-11 and are collectively referred to in this Order as “Regulation 11.”
2. The Water and Wastewater Facility Operators Certification Requirements, Regulation No. 100, is published in the Code of Colorado Regulations at 5 CCR 1003-2 and are referred to in this Order as “Regulation 100”.

#### GENERAL FINDINGS

3. Town of Hartman is a person as defined by section 11.3(54), Regulation 11.



## DW.10.25.150500 EXHIBIT B

4. At all times relevant to the violations cited herein, Town of Hartman was a statutory town registered with the Colorado Department of Local Affairs (Local Government ID Number 50008).
5. Town of Hartman is a supplier of water within the meaning of section 25-1.5-201(2), C.R.S., and its implementing regulation, section 11.3(81), Regulation 11. Hereafter, Town of Hartman will be referred to as **“the Supplier.”**
6. The Supplier owns and/or operates a drinking water system, located in the Town of Hartman, Prowers County, Colorado (**the “System”**).
7. The System is a public water system as defined by section 25-1.5-201(1), C.R.S. and its implementing regulation, Regulation 11, section 11.3(60).
8. The Public Water System Identification Number (“PWSID”) assigned to the System by the Department is PWSID #: CO0150500.
9. Pursuant to section 11.1(5), Regulation 11, the System is subject to the Colorado Primary Drinking Water Regulations (Regulation 11), which were adopted pursuant to section 25-1.5-203, C.R.S.
10. Pursuant to section 11.3(11), Regulation 11, if a system provides water for human consumption to at least 15 service connections used by year-round residents of the area served by the system and/or regularly serves at least 25 year-round residents it is classified as a “community water system.” Department records establish that the System serves 88 year-round residents and a daily average of five transient consumers and is therefore classified as a “community water system,” as that phrase is defined in section 11.3(11), Regulation 11.
11. The System’s source of water is groundwater as defined by section 11.3(35), Regulation 11.
12. Pursuant to section 100.4, Regulation 100, the Supplier is required to designate an Operator in Responsible Charge with a classification “C” treatment certification, or higher, for the System’s treatment facility “Chlorinator for Well 1” (Facility ID 001T).
13. Pursuant to section 100.8, Regulation 100, the Supplier is required to designate an Operator in Responsible Charge with a classification “1” distribution certification, or higher, for the System’s distribution system.
14. On December 26, 2023, the System’s designated certified Operator in Responsible Charge notified the Department that he resigned.

15. On February 2, 2024, the Department notified the Supplier of a treatment technique violation for failing to maintain a certified operator in responsible charge for both the treatment facility and the distribution system. The Department’s February 2, 2024 letter notified the Supplier of the requirement to perform tier 2 public notification by March 3, 2024 for the operator certification violation. The Supplier was also notified that it must repeat public notice distribution every three months as long as the violation persists.
16. The Department has recently notified the Supplier of repeated violations for failing to monitor and/or report for microbiological contaminants in the distribution system as shown in the following table.

Monitoring Period	Analyte	Date of Department’s Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
January 2024	Total Coliform Bacteria	February 12, 2024	No sample results reported	N/A Unresolved
February 2024	Total Coliform Bacteria	March 19, 2024	No sample results reported	N/A Unresolved
March 2024	Total Coliform Bacteria	April 18, 2024	No sample results reported	N/A Unresolved
April 2024	Total Coliform Bacteria	May 13, 2024	No sample results reported	N/A Unresolved

17. The Department has recently notified the Supplier of repeated violations for failing to monitor and/or report for distribution system residual disinfectant as shown in the following table.

Monitoring Period	Analyte	Date of Department’s Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
January 2024	Residual Disinfectant	February 12, 2024	No sample results reported	N/A Unresolved
February 2024	Residual Disinfectant	March 19, 2024	No sample results reported	N/A Unresolved

Monitoring Period	Analyte	Date of Department's Violation Letter	Reason for Violation	Date Supplier Returned to Compliance
March 2024	Residual Disinfectant	April 18, 2024	No sample results reported	N/A Unresolved
April 2024	Residual Disinfectant	May 13, 2024	No sample results reported	N/A Unresolved

18. The Department has recently notified the Supplier of a violation for failure to distribute consumer notices for lead tap sample results as shown in the following table.

Required Consumer Notification	Monitoring Period	Type of Violation	Date of Department's Violation Letter	Date Supplier Returned to Compliance
Lead Tap Results	July 1, 2023 to December 31, 2023	Failure to distribute notices	April 16, 2024	N/A Unresolved

19. The Department recently notified the Supplier of a violation for failing to distribute tier 2 public notice for the operator certification violation as shown in the following table.

Violation that Triggered Public Notice Requirement	Public Notice Deadline	Type of Violation	Date the Department Notified the Supplier of the Public Notice Violation
Failure to maintain a certified operator in responsible charge	March 3, 2024	Failure to distribute/certify initial public notice	April 17, 2024

20. On April 10, 2024, the Department notified the Supplier of the Department's authority and intent to develop an enforcement order and penalties for the Supplier's unresolved violations. The Department required the Supplier to respond by April 24, 2024 identifying its plan to return to full compliance for all unresolved violations. The Department's letter was sent by email to [thetownofhartman@gmail.com](mailto:thetownofhartman@gmail.com), [hartmantownhall@gmail.com](mailto:hartmantownhall@gmail.com), and by certified mail, number 9589 0710 5270 1318 3150 50, which is confirmed by the US Postal Service as available for pick up at the Hartman Post Office since April 13, 2024. To date, the Department has not received a response from the Supplier.

21. To date, the Supplier has not demonstrated to the Department's satisfaction that it is maintaining certified Operator(s) in Responsible Charge with the minimum classification levels for the System.
22. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance with the monitoring and reporting requirements for microbiological contaminants in the distribution system.
23. To date, the Supplier has not demonstrated to the Department's satisfaction that it has returned to compliance with the monitoring and reporting requirements for residual disinfectant in the distribution system.
24. To date, the Supplier has not demonstrated to the Department's satisfaction that it has distributed the consumer notices for lead tap sample results for July 1, 2023 to December 31, 2023 monitoring period.
25. To date, the Supplier has not demonstrated to the Department's satisfaction that it has distributed the tier 2 public notice for the operator certification violation.
26. The Department is issuing this Order, in part, to establish an enforceable schedule for the Supplier to return to compliance and to ensure long-term compliance with Regulation 11 and Regulation 100.

## VIOLATIONS

### I. Failure to Maintain a Certified Operator in Responsible Charge - 1 Violation

27. All preceding paragraphs are incorporated by reference herein.
28. Pursuant to section 11.16(1)(d), Regulation 11, the supplier must have the system operated by qualified personnel who meet the requirements of Regulation 100, the Water and Wastewater Facility Operators Certification Requirements.
29. Article 9 of Title 25, C.R.S., requires that every water treatment facility and water distribution system must be under the supervision of a certified operator, holding a certificate in a class equal to or higher than the class of the facility or system.

30. Pursuant to section 25-9-110(2)(a), C.R.S., and sections 100.10.1(a) and 100.10.5, Regulation 100, no owner of a public water system shall allow the facility to be operated without the direct supervision of an operator in responsible charge certified in a classification equivalent to or higher than the classification of the facility as specified in Regulation 100.
31. Pursuant to section 100.10.3, Regulation 100, “[e]ach owner of a water or wastewater facility shall ensure that a certified operator in responsible charge is available or ensure that operations are conducted in accordance with the facility’s written operating plan as described in section 100.12.6, Regulation 100, whenever the facility is in operation. ‘Available’ means either onsite or able to be contacted as needed to make decisions and to initiate appropriate actions in a timely manner.”
32. Pursuant to section 100.10.4, Regulation 100, each owner of a water or wastewater facility shall submit in writing to the Department, no later than 30 days after any changes, the full legal name and operator identification number of the certified operator in responsible charge employed by the owner.
33. Pursuant to section 100.4, Regulation 100, the Supplier is required to designate an Operator in Responsible Charge with a classification “C” treatment certification, or higher, for the System’s treatment facility “Chlorinator for Well 1” (Facility ID 01T).
34. Pursuant to section 100.8, Regulation 100, the Supplier is required to designate an Operator in Responsible Charge with a classification “1” distribution certification, or higher, for the System’s distribution system.
35. Based upon Department records, the Supplier has failed to comply with the certified operator requirements as described below:

Operator Certification Violation Period	Reason
December 26, 2023 - ongoing	The Operator in Responsible Charge resigned on December 26, 2023

36. The Supplier’s failure to ensure that the System is operated by qualified personnel who meet the requirements of Regulation 100 constitutes violations of sections 11.16(1)(d), Regulation 11, section 100.10, Regulation 100, and section 25-9-110(2)(a), C.R.S. Furthermore, if the Supplier failed to notify the Department of a change to the designated certified Operator in Responsible Charge, such failure constitutes a violation of section 100.10.4, Regulation 100.

**II. Failure to Monitor and/or Report for Microbiological Contaminants - 4 Violations**

- 37. All preceding paragraphs are incorporated by reference herein.
- 38. Pursuant to section 11.45(1), Regulation 11, the maximum contaminant levels (MCLs) specified in Table 11.45-I, Regulation 11, for microbiological contaminants, including *E. coli*, apply to all public water systems, regardless of size or type.
- 39. Pursuant to section 11.16(1)(a), all public water systems must comply with the requirements of the Revised Total Coliform Rule, section 11.16, Regulation 11, unless otherwise specified.
- 40. Pursuant to section 11.16(4)(a), Regulation 11, to determine compliance with the MCL for *E. coli* or to determine if a treatment technique is triggered as defined in section 11.16(8), Regulation 11, the supplier must collect total coliform samples as specified in the supplier’s sample plan in section 11.16(3), Regulation 11, and as specified in sections 11.16(4) and 11.16(5), Regulation 11.
- 41. Pursuant to section 11.16(4)(b)(i), Regulation 11, for all public water systems, the supplier must collect the number of routine total coliform samples specified in Table 11.16-I, Regulation 11, each month. Accordingly, for the System, which is classified as a community system and serves 93 people, the Supplier is required to collect one total coliform bacteria sample each calendar month.
- 42. Pursuant to Section 11.35(2)(a), Regulation 11, the supplier must submit to the Department all sample results or test measurements no later than the 10th of the month following the month when the sample result(s) or test measurement(s) was received; or the first 10 calendar days following the end of the monitoring period specified by the Department, whichever comes first.
- 43. Department records establish that the Supplier failed to provide the Department with the sample results of its total coliform and/or *E. coli* monitoring for the following monitoring periods:

Month	Year	Number of Samples Required	Number of Sample Results Received
January	2024	1	0
February	2024	1	0
March	2024	1	0
April	2024	1	0



44. The Supplier's failures to perform routine total coliform bacteria and/or *E. coli* monitoring constitute violations of section 11.16(4), Regulation 11, as defined in section 11.16(11)(c). Furthermore, the Supplier's failures to report sample results to the Department constitute violations of 11.35(2)(a), Regulation 11.

**III. Failure to Measure and/or Report Residual Disinfectant Concentration in the Distribution System - 4 Violations**

45. All preceding paragraphs are incorporated by reference herein.
46. Pursuant to section 11.11(1)(a), Regulation 11, for all groundwater systems, the Supplier must comply with the requirements specified in the Groundwater Rule, section 11.11, Regulation 11.
47. Pursuant to section 11.11(2)(c)(i), Regulation 11, to determine compliance with the minimum disinfection treatment technique requirements for groundwater sources, the supplier must monitor the residual disinfectant concentration. In the distribution system, the supplier must monitor the disinfectant residual concentration at the same time and at the same locations that total coliform samples are collected under sections 11.16(4) and 11.16(5), Regulation 11.
48. Pursuant to section 11.45(5), Regulation 11, the maximum residual disinfectant level (MRDL) for disinfectants apply to all community and non-transient, non-community water systems.
49. Pursuant to section 11.23(1)(a), Regulation 11, for all community and non-transient, non-community water systems that supply water treated with chlorine or chloramines, the Supplier must comply with the requirements specified in the Maximum Residual Disinfectant Levels Rule, Section 11.23, Regulation 11.
50. Pursuant to section 11.23(1)(c)(i), Regulation 11, to determine compliance with the maximum residual disinfectant level (MRDL) for chlorine and/or chloramines, the supplier must monitor the residual disinfectant concentration in the distribution system at the same time and at the same locations that total coliform samples are collected under sections 11.16, Regulation 11, as identified in the supplier's sample siting plan under section 11.16(3), Regulation 11.
51. Department records establish that the Supplier failed to provide the Department with the sample results of its total coliform and/or *E. coli* monitoring, and therefore, failed to provide the Department with the results of the corresponding residual disinfectant concentration in the distribution system for the following monitoring periods:

Month	Year	Number of Samples Required	Number of Sample Results Received
January	2024	1	0
February	2024	1	0
March	2024	1	0
April	2024	1	0

52. The Supplier’s failures to measure the residual disinfectant concentration in the distribution system, constitute violations of sections 11.11(2)(c)(i), and 11.23(1)(c), Regulation 11. Furthermore, the Supplier’s failures to report sample results to the Department constitute violations of 11.35(2)(a), Regulation 11.

**IV. Failure to Distribute and/or Certify Consumer Notification of Lead Tap Sample Results - 1 Violation**

53. All preceding paragraphs are incorporated by reference herein.
54. Pursuant to section 11.26(1), Regulation 11, all community and non-transient, non-community water systems are subject to requirements of the Lead and Copper Rule, section 11.26, Regulation 11.
55. Pursuant to section 11.26(2)(g), Regulation 11, for each sample site from which a sample was collected, the supplier must distribute a consumer notice to the people supplied at that sample site of the individual lead tap sample result (i.e., notification to the occupant of the residence where the tap sample was collected).
56. Section 11.26(2)(g)(iii)-(iv), Regulation 11, establish the minimum requirements for the content and delivery of the consumer notification. The consumer notices must contain the laboratory sample result for lead, an explanation of the result, health effects of lead, and steps that consumers can take to reduce exposure to lead in their drinking water.
57. Pursuant to section 11.26(2)(g)(ii), Regulation 11, the supplier must distribute the consumer notices as soon as possible but no later than 30 days after the supplier receives the tap sample results.
58. Pursuant to section 11.26(2)(g)(v), Regulation 11, no later than three months after the end of the monitoring period, the supplier must submit a sample copy of the consumer notice along with a certification that the notices have been distributed as specified in section 11.26(2)(g).



59. Department records establish that the Supplier collected five tap samples for lead and copper analysis in the July 1, 2023 to December 31, 2023 monitoring period.
60. Department records establish that the Supplier failed to provide the Department with a sample copy of the consumer notices and delivery certification by the March 31, 2024 deadline for the July 1, 2023 to December 31, 2023 monitoring period.
61. The Supplier's failure provide the Department with a sample copy of the consumer notices and the required certification constitutes a violation of section 11.26(2)(g)(v), Regulation 11. Furthermore, if the Supplier failed to distribute the consumer notices to the people supplied at that sample site of the individual lead tap sample result, such failure constitutes a violation of section 11.26(2)(g), Regulation 11.

**V. Failure to Distribute and/or Certify Tier 2 Public Notice - 1 Violation**

62. All preceding paragraphs are incorporated by reference herein.
63. Pursuant to section 11.33(1)(a), Regulation 11, for all public water systems, the supplier must comply with the Public Notification Rule, section 11.33, Regulation 11.
64. Pursuant to section 11.33(1)(a), Regulation 11, for all public water systems, the supplier must comply with the public notice requirements specified in section 11.33, Regulation 11, for the violations or situations specified in Table 11.33-I, Regulation 11, including violations of the maximum contaminant level, maximum residual disinfection level, treatment technique, monitoring requirements, and testing procedures.
65. Pursuant to section 11.33(6)(a), Regulation 11, the supplier must distribute public notice to consumers supplied by the public water system in accordance with section 11.33(6), and 11.33(3)(b), Regulation 11.
66. When the supplier has a violation as described in section 11.33(3)(a), the supplier is required to provide a tier 2 public notification as soon as possible but no later than 30 days of learning of the violation.
67. Pursuant to section 11.33(5), Regulation 11, the supplier must include all of the "ten elements" in all public notices, as described in section 11.33(5)(a)(i)-(x), Regulation 11, and must include the applicable information described in sections 11.33(5)(b)-(g), Regulation 11.
68. Pursuant to section 11.33(3)(b)(ii), Regulation 11, the supplier must repeat distribution of tier 2 public notice every three months for as long as the violation or situation persists.

- 69. Pursuant to section 11.33(7), Regulation 11, no later than 10 calendar days after completing initial or repeat public notice requirements, the supplier must submit a certification that states that the supplier has fully complied with the public notice requirements. Additionally, the supplier must include a representative copy of each public notice distributed, published, posted, and/or made available to consumers and the media.
- 70. On February 2, 2024, the Department notified the Supplier of a treatment technique violation for failing to maintain a certified operator in responsible charge. The Department’s February 2, 2024 letter notified the Supplier of the requirement to perform tier 2 public notification by March 3, 2024 for the operator certification violation.
- 71. Department records establish that the Supplier failed to submit a representative copy of the initial notice and failed to submit a delivery certification to the Department that states it has fully complied with the tier 2 public notice requirements as shown in the following table.

Violation that Triggered a Tier 2 Public Notice Requirement	Public Notice Deadline	Date Public Notice Performed	Deadline to Certify Delivery	Date Certificate of Delivery and Copy of Notice Submitted
Failure to Maintain an Operator in Responsible Charge	March 3, 2024	<i>Not Performed</i>	March 13, 2024	<i>Not Submitted</i>

- 72. The Supplier’s failure to provide the Department with a copy of the public notice and the required certification constitutes a violation of section 11.33(7), Regulation 11. Additionally, if the Supplier failed to distribute tier 2 public notices to consumers, such failure constitutes a violation of sections 11.33(3)(b) and 11.33(6), Regulation 11.

**COMPLIANCE REQUIREMENTS**

- 73. Pursuant to section 11.4(1)(b), Regulation 11, “[f]or all public water systems, the supplier must not begin construction of any new waterworks, make improvements to or modify existing waterworks, or begin using a new source until the supplier submits and receives Department approval of plans and specifications for such construction, improvements, modifications, or use.” A Professional Engineer registered in the State of Colorado must design all treatment systems serving a community water supply. The Department shall grant approval upon finding that the proposed facilities are in substantial conformance with the design criteria specified in Policy DW-005, *State of Colorado Design Criteria for*



*Potable Water Systems.* Information regarding design review requirements is available on the Department's web page at <https://www.colorado.gov/cdphe/design>.

74. Improvements or modifications to waterworks may impact the minimum required operator certification level for the supplier's system. Pursuant to sections 100.1.2 and 100.10.1(a), Regulation 100, the supplier's treatment and distribution systems must be under the supervision of a certified operator who holds a certification level in a class equal to or greater than the class of the facility or system. Pursuant to section 100.10.4, Regulation 100, within 30 calendar days of changes to information for its certified operator in responsible charge, the supplier is required to submit written notification to the Department.

**Based upon the foregoing factual and legal determinations and pursuant to section 11.1(6)(c), Regulation 11, the Supplier is hereby ordered to:**

75. Immediately comply with Regulation 11, 5 CCR 1002-11.

Further, the Department hereby orders the Supplier to comply with the following specific terms and conditions of this Enforcement Order.

76. **Immediately**, the Supplier must cease violations of the monitoring and reporting requirements of Regulation 11, including, but not limited to, taking action to complete the following monitoring and reporting in a timely manner:
- a. **By May 31, 2024**, the Supplier must collect a minimum of one routine sample to be analyzed for total coliform bacteria and measure residual disinfectant concentration in the distribution system for the May 2024 monitoring period according to the System's written sampling plan.
  - b. The Supplier must ensure that all samples meet the applicable testing requirements and analytical methods specified in section 11.46, Regulation 11.
  - c. The Supplier must measure the residual disinfectant concentration in the distribution system at the same time and at the same sampling locations as the total coliform sample collection.
  - d. The Supplier must submit the total coliform sample result and the corresponding disinfectant concentration measurement to the Department **no later than June 10, 2024**.
77. **By June 12, 2024**, within 30 calendar days of date of the Order, the Supplier must submit to the Department the results of any unreported sampling data cited as a monitoring violation in the Order. Alternatively, if no unreported sample results exist, the Supplier may submit a written statement that there are no unreported sample results.

78. The Supplier must demonstrate to the Department's satisfaction that it is ensuring the System is operated by qualified personnel who meet the requirements of Regulation 100.
- a. **By June 12, 2024**, within 30 calendar days of the date of the Order, the Supplier must submit notification to the Department that it has retained one or more certified Operator(s) in Responsible Charge with a level "C" treatment certification, or higher, and a level "1" distribution certification, or higher.
    - i. The Supplier must use the Department's online tool to create a contact update form, located at: <https://www.colorado.gov/cdphe/monitoringplans>.
  - b. **Upon designation and ongoing**, the Supplier must ensure that the Operator(s) in Responsible Charge is responsible for supervising the operation of the applicable facilities (distribution system and/or treatment facilities) and for supervising the operational activities and functions of other facility operators, certified or uncertified, in accordance with section 100.12, Regulation 100.
  - c. The Order will not be closed until the Supplier demonstrates six consecutive months of compliance with the operator certification requirements of Regulation 100.
79. **By June 12, 2024**, within 30 calendar days of the date of the Order, the Supplier must perform all overdue and pending public notifications for the violations cited in this Order. ***The schedule set forth in this paragraph supersedes the future public notification deadlines for these violations.*** The Supplier must directly deliver the attached **Public Notification Template**. Upon completion, the Supplier must submit a copy of the distributed public notice materials with a certificate of delivery form (included in the Public Notification Template) to the Department.
- a. The Supplier may not edit the language in the attached Public Notification Template, except where highlighted in yellow, unless approved by the Department in writing.
  - b. The Supplier must directly deliver the notice by printing the notice on paper and delivering the notice to each customer and to other service connections by US mail or door-to-door delivery.
  - c. The Supplier must complete at least one secondary delivery method designed to reach all consumers who are regularly supplied by the System but do not pay water bills and do not have service connection addresses. This secondary delivery method may be achieved as described in section 11.33(3)(b)(A)(II), Regulation 11. Acceptable methods include posting the notice in public places, posting the notice online, delivering multiple copies of the notice to apartment buildings or employers, or by another method approved by the Department. If posted, the

Supplier must continuously post the notice for as long as the violation(s) persist, or for seven calendar days, whichever is longer.

- d. **Every three months (by September 12, 2024, December 12, 2024, etc.)**, the Supplier must repeat delivery of public notices for any unresolved violations. To report to the Department, the Supplier must submit a copy of the distributed repeat public notice materials with a certificate of delivery form to the Department within 10 calendar days after completing the repeat delivery requirements.
80. **By June 12, 2024**, within 30 calendar days of receipt of the Order, the Supplier must distribute lead consumer notices to the people supplied at that sample site of the individual lead tap sample result collected in the July 1, 2023 to December 31, 2023 monitoring period. Upon completion of delivery, the Supplier must submit to the Department a sample copy of the lead consumer notice along with a certification of delivery. A template consumer notice and a certificate of delivery form are available at <https://cdphe.colorado.gov/lcr>.
  81. If the Department provides comments on the any of the Supplier's enforcement responses, the Supplier must provide a written response **within 30 calendar days** that resolves all comments.
  82. The Supplier must submit written progress reports to the Department in accordance with the following:
    - a. **By June 12, 2024**, within 30 calendar days of the date of the Order, the Supplier must submit an initial response to the Order describing the Supplier's plan for complying with the Order. This initial response serves as the Supplier's 2<sup>nd</sup> quarter 2024 progress report.
    - b. **By September 30, 2024**, and continuing quarterly for the duration of this Order, the Supplier must submit quarterly progress reports by the last day of each calendar quarter (March 31, June 30, September 30 and December 31).
      - i. Each report must clearly indicate the Supplier's compliance status with the Order and must include a description of activities that the Supplier will be undertaking in the upcoming quarter to meet the Order requirements.
      - ii. This is the minimum frequency requirement for progress reporting. The Department encourages the Supplier to submit more frequent progress reports.
  83. **No later than 14 calendar days** after full completion of all requirements of the Order, the Supplier must submit a written notice of completion to the Department.

- a. If the Department determines that the Supplier has not satisfactorily completed the requirements in the Order, the Department will reject the notice of completion in writing. If the Department rejects the notice of completion, it will include in its notice a statement identifying the requirements that the Department considers incomplete or not satisfactorily performed and a schedule for completion.
- b. If the Supplier wishes to dispute the Department's rejection of its notice of completion, it must, within 15 calendar days of receipt of the Department's rejection, submit a written statement as to its belief of full compliance, addressing in detail all outstanding requirements that were identified in the rejection letter issued by the Department.

#### ORDER FOR ADMINISTRATIVE PENALTY

84. Pursuant to section 25-1-114.1(2.5)(a), C.R.S. any person who violates the *Colorado Primary Drinking Water Regulations* or any final Enforcement Order issued by the Department, shall be subject to an administrative penalty as follows:
  - a. For systems that serve a population of more than ten thousand people, an amount not to exceed one thousand dollars per violation per day; or
  - b. For systems that serve a population of ten thousand people or less, an amount not to exceed one thousand dollars per violation per day, but only in an amount, as determined by the Department, that is necessary to ensure compliance.
85. Based upon the facts described in this action the Department has determined that an administrative penalty is appropriate in this matter and therefore assesses an administrative penalty of **\$2,268.00** for the specific violations identified in this action. The reasoning behind this penalty amount is detailed in the administrative penalty methodology/calculation worksheet, which is incorporated herein by reference and enclosed as **Exhibit A**.
86. **By July 12, 2024**, within 60 calendar days of the date of the Order, if the Supplier does not contest the findings and penalty assessment set out above, the Supplier must complete payment of the \$2,268.00 administrative penalty. ***In a separate correspondence, the Supplier will receive an invoice containing payment instructions. If the Supplier does not receive the invoice within 14 calendar days of the date of the Order, please contact Zeenath Khan by phone at 720.254.1393 or via e-mail at [zeenath.khan@state.co.us](mailto:zeenath.khan@state.co.us).***
87. Payment or appeal of the administrative penalty in this manner does not relieve the Supplier of its obligation to perform the activities required by this enforcement action.

**SUBMITTALS**

88. As an assistance, the Department is providing template enforcement order response forms to the Supplier as an enclosure with this Order. While the Supplier is not required to use these forms, and the Department's assistance of providing these forms does not replace the Supplier's responsibility to report to the Department, the Department encourages the Supplier to use the provided forms.
89. All documents, plans, records, reports and replies required to be submitted under this Order shall be submitted by the Supplier to the Department in accordance with one of the following:

**Electronically - via the Drinking Water Portal**

- The most efficient method of reporting is using the Department's Drinking Water Portal at <https://wqcdcompliance.com/login>.
- First-time users must create an account.
- Files submitted electronically must be in PDF format.
- The Department does not accept documents via email.

**By Fax**

Fax: (303) 758-1398

Please include a cover sheet addressed to the attention of Zeenath Khan.

**By Mail**

CDPHE Water Quality Control Division  
WQCD-B2-CAS Drinking Water Compliance Assurance Section  
Attention: Zeenath Khan  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530

90. All documents submitted under this Order must use the same titles as stated in the Order and must reference both the Order number and the paragraph number pursuant to which the document is required.
91. All reports, notices, summaries, and certifications required to be submitted to the Department by the public water system must bear the original signature of the owner or the owner's authorized representative.

**POTENTIAL ADDITIONAL ADMINISTRATIVE/CIVIL AND CRIMINAL PENALTIES**

92. You are advised that, as stated in section 11.1(6)(c)(iii), Regulation 11, a supplier that violates Regulation 11 or an enforcement order(s) may be subject to civil or criminal actions pursuant to the provisions of sections 25-1-114 and 25-1-114.1, C.R.S.

**REQUEST FOR HEARING OR APPEAL**

93. Pursuant to section 11.1(6)(c)(iv), Regulation 11, and section 21.4(A)(3)(e), Regulation 21, 5 CCR 1002-21, a recipient of an enforcement order may request a hearing with the Division to contest such order. Under these provisions, such requests must be filed in writing within 30 calendar days after service of the order via the instructions in the Submittals section of this Order. Such requests must contain, at a minimum, the information specified in section 11.1(6)(c)(iv)(A), Regulation 11, and section 21.4(B)(2), Regulation 21. Hearings on enforcement orders will be held in accordance with applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21. Hearings before the Division on enforcement orders will not address administrative penalty assessments.
94. You are further advised that, pursuant to section 25-1-114.1(2.5)(b), C.R.S., an administrative penalty assessment may be appealed to the Water Quality Control Commission. To appeal an administrative penalty assessment, you must submit a request for hearing in writing to the Water Quality Control Commission within 30 calendar days after issuance of the penalty assessment, as required by sections 21.4(A)(2)(h) and 21.12(B), Regulation 21. Such requests should be submitted by email to [cdphe.wqcc@state.co.us](mailto:cdphe.wqcc@state.co.us), and they must contain, at a minimum, the information specified in sections 21.4(B)(2) and 21.12(B), Regulation 21. Hearings on administrative penalty assessments will be held in accordance with applicable provisions of the State Administrative Procedure Act, Article 4 of Title 24, C.R.S., and the procedural rules promulgated in Regulation 21.

**ADDITIONAL ACTION**

95. Pursuant to section 25-1-114.1(3), C.R.S., the Department may request the Attorney General to seek a temporary restraining order or permanent injunction to prevent or abate any violation of a minimum general sanitary standard or regulation adopted pursuant to section 25-1.5-203, C.R.S.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Nicole Graziano

Nicole Graziano, P.E., Section Manager  
Drinking Water Compliance Assurance Section  
Water Quality Control Division

# DW.10.25.150500 EXHIBIT B

DW.05.24.150500 Exhibit A

## ADMINISTRATIVE PENALTY COMPUTATION SUMMARY

Enforcement Order Number: DW.05.24.150500

System Summary

Public Water System Name:	TOWN OF HARTMAN
Public Water System Identification Number:	CO0150500
Principal Colorado County Served:	PROWERS
Population Served:	93

Penalty Summary

**Violations**

	Violations	Base	Ag/Mit	Economic Benefit	Total
I	Failure to Maintain a Certified Operator in Responsible Charge	\$ 180.00	\$ 90.00	\$ 1,200.00	\$ 1,470.00
II	Failure to Monitor and/or Report for Microbiological Contaminants	\$ 160.00	\$ 80.00	\$ 148.00	\$ 388.00
III	Failure to Monitor and/or Report for Residual Disinfectant in the Distribution System	\$ 80.00	\$ 40.00	\$ 40.00	\$ 160.00
IV	Failure to Distribute and/or Certify Consumer Notices for Lead Tap Sample Results	\$ 100.00	-	-	\$ 100.00
V	Failure to Distribute and/or Certify Tier 2 Public Notice	\$ 100.00	\$ 50.00	-	\$ 150.00
<b>TOTAL # VIOLATIONS</b>		<span style="border: 1px solid black; padding: 2px;">11</span>			
<b>TOTAL PENALTY</b>		<span style="border: 1px solid black; padding: 2px;">\$ 2,268.00</span>			

*These calculations were completed in accordance with the WQCD's Public Water System Administrative Penalty Determination document, which is available upon request from the Colorado Department of Public Health & Environment, Water Quality Control Division.*

DW.10.25.150500 EXHIBIT B

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	I	
Violation Name	Failure to Maintain a Certified Operator in Responsible Charge	
Population Range	25-100	<b>Base penalty for one violation:</b> Failure to maintain a certified operator in responsible charge. <b>Monthly penalty:</b> Calculated from the previous certified operator's resignation, 12/26/2023, to the date of the Order, counted as four months. <b>Economic benefit:</b> A estimate of the minimum cost associated with maintaining a certified operator in responsible charge.
Base Penalty	\$ 100.00	
Monthly Penalty	\$ 20.00	
Instances of Violation	4	Months

SUBTOTAL UNADJUSTED BASE PENALTY \$ 180.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		
Factor C: Recalcitrance or Recidivism <i>Justification: The Supplier received a previous enforcement order (Enforcement Order Number DW.03.20.150500 issued on 3/23/2020) for failure to maintain a certified operator in responsible charge, multiple monitoring and reporting violations, and failure to perform public notice.</i>	50%	\$ 90.00
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	50%	\$ 90.00

TOTAL ADJUSTED BASE PENALTY \$ 270.00

Economic Benefit			
	Estimated cost	# of months	TOTAL
ORC Retainer/Fees	\$ 300.00	4	\$ 1,200.00
<b>TOTAL</b>			\$ 1,200.00

TOTAL ECONOMIC BENEFIT \$ 1,200.00

TOTAL PENALTY FOR VIOLATION I \$ 1,470.00

DW.10.25.150500 EXHIBIT B

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	II	
Violation Name	Failure to Monitor and/or Report for Microbiological Contaminants	
Population Range	25-100	<b>Base penalty for four violations:</b> Failure to monitor January, February, March and April 2024.  <b>Monthly penalty:</b> Not used in this penalty calculation. The Department considers these violations to be single instances.  <b>Economic benefit:</b> An estimated cost of the missed samples.
Base Penalty	\$ 40.00	
Monthly Penalty		
Instances of Violation	4	Instances

SUBTOTAL UNADJUSTED BASE PENALTY \$ 160.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		
Factor C: Recalcitrance or Recidivism <i>Justification: The Supplier received a previous enforcement order (Enforcement Order Number DW.03.20.150500 issued on 3/23/2020) for failure to maintain a certified operator in responsible charge, multiple monitoring and reporting violations, and failure to perform public notice.</i>	50%	\$ 80.00
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	50%	\$ 80.00

TOTAL ADJUSTED BASE PENALTY \$ 240.00

Economic Benefit			
	per sample	# of samples	TOTAL
Laboratory Cost for Analysis	\$ 22.00	4	\$ 88.00
Sampling and Handling Costs	\$ 15.00	4	\$ 60.00
<b>TOTAL</b>			\$ 148.00

TOTAL ECONOMIC BENEFIT \$ 148.00

TOTAL PENALTY FOR VIOLATION II \$ 388.00

DW.10.25.150500 EXHIBIT B

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	III	
Violation Name	Failure to Monitor and/or Report for Residual Disinfectant in the Distribution System	
Population Range	25-100	<p><b>Base penalty for four violations:</b> Failure to monitor January, February, March and April 2024.</p> <p><b>Monthly penalty:</b> Not used in this penalty calculation. The Department considers these violations to be single instances.</p> <p><b>Economic benefit:</b> An estimated cost of the missed samples.</p>
Base Penalty	\$ 20.00	
Monthly Penalty		
Instances of Violation	4	Instances

SUBTOTAL UNADJUSTED BASE PENALTY \$ 80.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		
Factor C: Recalcitrance or Recidivism <i>Justification: The Supplier received a previous enforcement order (Enforcement Order Number DW.03.20.150500 issued on 3/23/2020) for failure to maintain a certified operator in responsible charge, multiple monitoring and reporting violations, and failure to perform public notice.</i>	50%	\$ 40.00
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	50%	\$ 40.00

TOTAL ADJUSTED BASE PENALTY \$ 120.00

Economic Benefit			
	per sample	# of samples	TOTAL
Laboratory Cost for Analysis			
Sampling and Handling Costs	\$ 10.00	4	\$ 40.00
<b>TOTAL</b>			\$ 40.00

TOTAL ECONOMIC BENEFIT \$ 40.00

**TOTAL PENALTY FOR VIOLATION III** **\$ 160.00**

DW.10.25.150500 EXHIBIT B

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	IV	
Violation Name	Failure to Distribute and/or Certify Consumer Notices for Lead Tap Sample Results	
Population Range	25-100	<b>Base penalty for one violation:</b> Failure to notify consumers of the sample results for the 1/1/2023 to 12/31/2023 monitoring period.  <b>Monthly penalty:</b> Not used in this penalty calculation. The Department considers this violation to be a single instance.
Base Penalty	\$ 100.00	
Monthly Penalty		
Instances of Violation	1	Instance

SUBTOTAL UNADJUSTED BASE PENALTY \$ 100.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare		
<i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions		
<i>Justification:</i>		
Factor C: Recalcitrance or Recidivism		
<i>Justification:</i>		
Factor D: Full and Prompt Cooperation		
<i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances		
<i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 100.00

Economic Benefit			
<b>TOTAL</b>			\$ -

TOTAL ECONOMIC BENEFIT \$ -

TOTAL PENALTY FOR VIOLATION IV \$ 100.00

DW.10.25.150500 EXHIBIT B

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	V	
Violation Name	Failure to Distribute and/or Certify Tier 2 Public Notice	
Population Range	25-100	<p><b>Base penalty for one violation:</b> Failure to notify the public of the operator certification violation.</p> <p><b>Monthly penalty:</b> Not used in this penalty calculation. The Department considers this violation to be a single instance.</p>
Base Penalty	\$ 100.00	
Monthly Penalty		
Instances of Violation	1	

SUBTOTAL UNADJUSTED BASE PENALTY \$ 100.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		
Factor C: Recalcitrance or Recidivism <i>Justification: The Supplier received a previous enforcement order (Enforcement Order Number DW.03.20.150500 issued on 3/23/2020) for failure to maintain a certified operator in responsible charge, multiple monitoring and reporting violations, and failure to perform public notice.</i>	50%	\$ 50.00
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	<b>50%</b>	<b>\$ 50.00</b>

TOTAL ADJUSTED BASE PENALTY \$ 150.00

Economic Benefit			
<b>TOTAL</b>			\$ -

TOTAL ECONOMIC BENEFIT \$ -

TOTAL PENALTY FOR VIOLATION V \$ 150.00



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Requirements Summary

System Name: Town of Hartman		PWS ID: CO0150500
Enforcement Order Number: DW.05.24.150500		Order Issue Date: 5/13/2024
This requirements summary is provided by the Department to the Supplier to assist the Supplier. Please refer to the Order for the complete requirement language.		
<p><b>How to Report to the Department:</b> As an assistance, the Department will provide template reports and forms to the Supplier. While the Supplier is not required to use these forms, and the Department's assistance of providing these forms does not replace the Supplier's responsibility to report to the Department, the Department encourages the Supplier to use the provided forms.</p> <p><b>Submit responses to the Portal:</b> <a href="http://wqcdcompliance.com/login">wqcdcompliance.com/login</a> (preferred) or by fax: (303) 758-1398.</p>		
Paragraph	Requirement	Deadline
75	Immediately comply with Regulation 11, 5 CCR 1002-11.	Immediately & ongoing
76	<p><b>Perform Sampling and Reporting:</b> Complete the total coliform bacteria and residual disinfectant sampling in the distribution system for the May 2024 monitoring period. Report sample results no later than the June 10, 2024.</p>	5/31/2024
82(a)	<p><b>Progress Report - Initial Response:</b> Submit an initial response to the Order, describing the Supplier's plan for complying with the Order. The initial response serves as the 2<sup>nd</sup> quarter 2024 progress report.</p>	6/12/2024
77	<p><b>Report Missing Sampling Results:</b> Submit the results of any unreported sampling data cited as a monitoring violation in the Order. Alternatively, if no unreported sample results exist, the Supplier may submit a written statement that there are no unreported sample results.</p>	6/12/2024
78	<p><b>Retain a Certified Operator:</b> Submit notification to the Department that the Supplier has retained a certified operator in responsible charge for treatment with a minimum classification "C" treatment certification and a minimum classification "1" distribution certification level, or higher.</p>	6/12/2024
79	<p><b>Public Notification:</b> Distribute all overdue and pending public notifications. The Supplier must use the template attached to the Order.</p> <p><b>Certify Delivery:</b> Submit a copy of the public notice materials with a certificate of delivery form to the Department.</p> <p><b>Repeat Public Notification:</b> For as long as violations persist, repeat public notifications every three months.</p>	6/12/2024, 9/12/2024, etc. Every 3 months
80	<p><b>Consumer Notification - Lead Tap Results:</b> Distribute lead consumer notices for tap sample results collected in the July 1, 2023 - December 31, 2023 monitoring period.</p> <ul style="list-style-type: none"> <li>The template notice and certificate of delivery form are located at: <a href="https://cdphe.colorado.gov/lcr">https://cdphe.colorado.gov/lcr</a></li> <li>Submit to the Department a representative copy and a certificate of delivery within 10 days of completion.</li> </ul>	6/12/2024

DW.10.25.150500 EXHIBIT B

86	<p><b>Penalty Payment:</b> Pay the \$2,268.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.</p>	7/12/2024
81	<p><b>Response to Department Comments:</b> If the Department provides comments on any enforcement responses, the Supplier must provide a written response that resolves all comments.</p>	Within 30 days of Department comments
82(b)	<p><b>Progress Report - Quarterly:</b> Submit written progress reports to the Department for the duration of the Order.</p>	<p>9/30/2024 And by the last day of each calendar quarter (March 31, June 30, Sep 30, Dec 31)</p>
<b>Completion</b>		
83	<p><b>Notice of Completion:</b> Submit a written notice of completion to the Department.</p>	Within 14 days of completion of all requirements of the Order



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Response

### Initial Response: Plan for Complying with the Order

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.05.24.150500	Order Issue Date: 5/13/2024

**How to use this form:** The Supplier must clearly indicate the Supplier’s plan to comply with the Order.

**Due date:** This initial response is due within 30 days of the Order issue date.

**What type of assistance does the Supplier need to comply with the Enforcement Order?  
Check all that apply:**

<input type="checkbox"/>	<b>Asset management and/or capital improvement planning</b> Describe in detail:
<input type="checkbox"/>	<b>Board roles and responsibilities</b> Describe in detail:
<input type="checkbox"/>	<b>Budgeting, financial audits and/or raising rates</b> Describe in detail:
<input type="checkbox"/>	<b>Creating standard operating procedures (SOPs) for sampling/reporting/administrative duties</b> Describe in detail:
<input type="checkbox"/>	<b>Creating standard operating procedures (SOPs) for optimization/operational duties</b> Describe in detail:
<input type="checkbox"/>	<b>Identifying funding partners (grants or loans)</b> Describe in detail:
<input type="checkbox"/>	<b>Hiring a Professional Engineer, Certified Operator, or other contractors</b> Describe in detail:
<input type="checkbox"/>	<b>Other coaching/assistance</b> Describe in detail:

**Is the Supplier already working with assistance organizations/contractors?**

Yes  No

Please name the organization(s) and describe the scope of the coaching/assistance:

Paragraph	Requirement	Deadline
76	<b>Perform Sampling and Reporting:</b> Complete the total coliform bacteria and residual disinfectant sampling in the distribution system for the May 2024 monitoring period. Report sample results no later than the June 10, 2024.	5/31/2024
Completed actions and any updates:		
77	<b>Report Missing Sampling Results:</b> Submit the results of any unreported sampling data cited as a monitoring violation in the Order. Alternatively, if no unreported sample results exist, the Supplier may submit a written statement that there are no unreported sample results.	6/12/2024
We have unreported sample results to report: Yes / No  If yes, the sample results must be submitted with this report.  Additional information/comments:		
78	<b>Retain a Certified Operator:</b> Submit notification to the Department that the Supplier has retained a certified operator in responsible charge for treatment with a minimum classification "C" treatment certification and a minimum classification "1" distribution certification level, or higher.	6/12/2024
Completed actions and any updates:		
79	<b>Public Notification:</b> Distribute all overdue and pending public notifications. The Supplier must use the template attached to the Order. <b>Certify Delivery:</b> Submit a copy of the public notice materials with a certificate of delivery form to the Department. <b>Repeat Public Notification:</b> For as long as violations persist, repeat public notifications every three months.	6/12/2024, 9/12/2024, etc. Every 3 months
Completed actions and plan to perform repeat notices:		

**DW 10.25.150500 EXHIBIT B**

80	<p><b>Consumer Notification - Lead Tap Results:</b>                  Distribute lead consumer notices for tap sample results collected in the July 1, 2023 - December 31, 2023 monitoring period.</p> <ul style="list-style-type: none"> <li>The template notice and certificate of delivery form are located at: <a href="https://cdphe.colorado.gov/lcr">https://cdphe.colorado.gov/lcr</a></li> <li>Submit to the Department a representative copy and a certificate of delivery within 10 days of completion.</li> </ul>	6/12/2024
Completed actions and any updates:		
86	<p><b>Penalty Payment:</b>                  Pay the \$2,268.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.</p>	7/12/2024
Plan for Compliance:		
81	<p><b>Response to Department Comments:</b>                  If the Department provides comments on any enforcement responses, the Supplier must provide a written response that resolves all comments.</p>	Within 30 days of Department comments
Plan for Compliance:		
21(b)	<p><b>Progress Report - Quarterly:</b>                  Submit written progress reports to the Department for the duration of the Order.</p>	9/30/2024 And by the last day of each calendar quarter (March 31, June 30, Sep 30, Dec 31)
Plan for Compliance:		
Name of Person Completing this Form:		Phone:
Signature (if submitted to the Portal, no signature required):		Date:



**COLORADO**  
Department of Public  
Health & Environment

## Drinking Water Enforcement Response Quarterly Progress Report

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.05.24.150500	Order Issue Date: 5/13/2024

**How to use this form:** The Supplier must describe its compliance status with each requirement of the Order including a description of activities that the Supplier will be undertaking in the upcoming quarter to meet the Order requirements.

**Due date:** This progress report is due by the last day of each calendar quarter (March 31, June 30, September 30 and December 31).

Paragraph	Requirement	Deadline
76	<b>Perform Sampling and Reporting:</b> Complete the total coliform bacteria and residual disinfectant sampling in the distribution system for the May 2024 monitoring period. Report sample results no later than the June 10, 2024.	5/31/2024

Completed actions and any updates:

77	<b>Report Missing Sampling Results:</b> Submit the results of any unreported sampling data cited as a monitoring violation in the Order. Alternatively, if no unreported sample results exist, the Supplier may submit a written statement that there are no unreported sample results.	6/12/2024
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We have unreported sample results to report: Yes  No   
If yes, the sample results must be submitted with this report.

Additional information/comments:

78	<b>Retain a Certified Operator:</b> Submit notification to the Department that the Supplier has retained a certified operator in responsible charge for treatment with a minimum classification "C" treatment certification and a minimum classification "1" distribution certification level, or higher.	6/12/2024
----	--	-----------

Completed actions and any updates:

**DW 10.25.150500 EXHIBIT B**

79	<p><b><u>Public Notification:</u></b> Distribute all overdue and pending public notifications. The Supplier must use the template attached to the Order.</p> <p><b><u>Certify Delivery:</u></b> Submit a copy of the public notice materials with a certificate of delivery form to the Department.</p> <p><b><u>Repeat Public Notification:</u></b> For as long as violations persist, repeat public notifications every three months.</p>	<p align="center">6/12/2024, 9/12/2024, etc. Every 3 months</p>
<p>Completed actions and plan to perform repeat notices:</p>		
80	<p><b><u>Consumer Notification - Lead Tap Results:</u></b> Distribute lead consumer notices for tap sample results collected in the July 1, 2023 - December 31, 2023 monitoring period.</p> <ul style="list-style-type: none"> <li>• The template notice and certificate of delivery form are located at: <a href="https://cdphe.colorado.gov/lcr">https://cdphe.colorado.gov/lcr</a></li> <li>• Submit to the Department a representative copy and a certificate of delivery within 10 days of completion.</li> </ul>	<p align="center">6/12/2024</p>
<p>Completed actions and any updates:</p>		
86	<p><b><u>Penalty Payment:</u></b> Pay the \$2,268.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.</p>	<p align="center">7/12/2024</p>
<p>Completed actions and any updates:</p>		
81	<p><b><u>Response to Department Comments:</u></b> If the Department provides comments on any enforcement responses, the Supplier must provide a written response that resolves all comments.</p>	<p align="center">Within 30 days of Department comments</p>
<p>Status/Progress Report:</p>		
<p>Name of Person Completing this Form:</p>		<p>Phone:</p>
<p>Signature (if submitted to the Portal, no signature required):</p>		<p>Date:</p>



**COLORADO**  
 Department of Public  
 Health & Environment

## Drinking Water Enforcement Response Notice of Completion

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.05.24.150500	Order Issue Date: 5/13/2024

Date that the Supplier completed all requirements of the Order: \_\_\_\_\_

<b>Date that the Supplier completed all requirements of the Order:</b>	Date: _____
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### Completion Details

**OPERATIONS:** If the Supplier improved operational procedures, describe the improvements.

Supplier's Response:

**PERFORMANCE:** If the Supplier upgraded/added/improved a source, treatment, storage or distribution system, describe if it is performing as expected.

Supplier's Response:

**MANAGEMENT:** If the Supplier made improvements to administration/management/training, describe the improvements.

Supplier's Response:

**PLAN FOR CONTINUING COMPLIANCE:** Describe the Supplier's plan to comply with Regulation 11 and Regulation 100.

Supplier's Response:

Name of Person Completing this Form:	Phone:
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Signature (if submitted to the Portal, no signature is required):	Date:
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# **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER TOWN OF HARTMAN Has Multiple Violations**

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Our water system recently violated multiple drinking water requirements. Although this situation is not an emergency, as our customers you have a right to know what happened, what you should do, and what we are doing to correct this situation. The Colorado Department of Public Health and Environment issued an Enforcement Order and Penalty Assessment (Order Number DW.05.24.150500) to our drinking water system on May 13, 2024. The Order requires us to complete corrective actions according to a specific schedule and to notify you of our progress.

### **FAILURE TO MAINTAIN A CERTIFIED OPERATOR**

The state drinking water program requires that all public drinking water systems must be under the direct supervision of a certified operator at the appropriate certification level. We have received a violation because our water system has not been operated or supervised by a state certified operator since December 26, 2023. We also failed to notify you of the violation/situation in a timely manner. This notice was required to have been distributed by March 3, 2024 and repeated every three months. To resolve this violation, we are required to retain a properly certified operator immediately and provide evidence to the state by no later than June 12, 2023.

### **FAILURE TO MONITOR FOR CONTAMINANTS**

We did not perform or report the following water quality monitoring shown in the table below. Results of regular monitoring are an indicator of whether or not our disinfection treatment is operating correctly and if our drinking water meets health standards. We are required to complete the following sampling in May 2024 and every month going forward.

<b>Monitoring Period</b>	<b>Monitoring Not Performed in the Distribution System</b>
January 2024	Total coliform bacteria & residual disinfectant concentration
February 2024	Total coliform bacteria & residual disinfectant concentration
March 2024	Total coliform bacteria & residual disinfectant concentration
April 2024	Total coliform bacteria & residual disinfectant concentration

### **FAILURE TO NOTIFY RESIDENTS OF LEAD TEST RESULTS**

We routinely sample water at consumers' taps in their homes for lead. After the sample is tested by a laboratory, we must notify the consumer of their lead sample results (collected at their home) within 30 days. We are also required to certify to the state drinking water program that we notified the consumers using the required language. We failed to complete these requirements for the five sample results that we collected in the July 1, 2023 to December 31, 2023 sampling period. The Enforcement Order requires that we deliver these notices by June 12, 2024.

#### **What does this mean?**

- Not having a certified operator in responsible charge of the drinking water system may pose a health risk.
- Not completing all sampling/testing means that we cannot be sure of the water quality during that time.

## DW.10.25.150500 EXHIBIT B

- *Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.*

### What should I do?

- **You do not need to boil your water or take other actions. However, if you have specific health concerns, consult your doctor.** If you have an infant, severely compromised immune system, are pregnant, or are elderly, you may be at increased risk and should seek advice from your doctor about drinking this water. General guidelines on ways to lessen the risk of infection by bacteria and other disease-causing organisms are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.
- Typically, lead enters water supplies by leaching from lead or brass pipes and plumbing components. New lead pipes and plumbing components containing lead are no longer allowed for this reason. **However**, many older homes may contain lead pipes. Your water is more likely to contain high lead levels if water pipes in or leading to your home are made of lead or contain lead solder. Visit [epa.gov/lead](http://epa.gov/lead) for more information.

For more information, please contact **Please enter a name** at **Please enter an email** or **Please enter contact information**.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by: TOWN OF HARTMAN – PWSID CO0150500

Date distributed: **Please enter a date**



### Public Notice Certificate of Delivery

**\*Submit With a Copy of the Delivered PN No Later than 10 Days After Distribution.\***

Submit Online at [wgcdcompliance.com/login](http://wgcdcompliance.com/login) use "Certifications - PN or CCR..." category

Fax: 303-758-1398; Mail: WQCD-B2-Drinking Water CAS; 4300 Cherry Creek Drive South; Denver, CO 80246-1530

PWS ID: CO0150500		System Name: TOWN OF HARTMAN	
<b>Contact Person:</b>		<b>Phone:</b>	<b>Email:</b>
<b>Comments:</b>			
<p>Certification of Accuracy: The water system and agent hereby affirm the Public Notification for the violation or situation identified above has been provided to consumers and any consecutive water systems in accordance with the delivery, content, and format requirements of the Colorado Primary Drinking Water Regulations (CPDWR). I affirm that future requirements for notifying new billing units will be met. I also understand this notice may need to be repeated in accordance with the CPDWR and I must submit this form again with each repeated notice.</p>			
<b>Printed Name</b>		<b>Date</b>	
<b>*System Authorized Signature</b>		<b>SIGNATURE</b>	<b>Date</b>
<b>*Signature not required if submitted online.</b>			
<b>Date Public Notice Distributed:</b>			<b>Date</b>
<b>Distribution Methods Used to Reach All Consumers</b>			
<p>Check to affirm the required delivery methods were completed:</p> <p><input type="checkbox"/> Direct Delivery Method (Includes Hand Delivery and U.S. Mail) - Required for Community Water Systems,</p> <p>AND</p> <p><input type="checkbox"/> At least one secondary delivery method: [describe delivery method]</p>			
<b>Date of Violation Letter or Public Notice Requirement Letter:</b>			5/13/2024
<b>Violation Tier Level:</b>			Tier 2 & 3
<b>Reason for Notice (Description of Violation or Situation)</b>			
All violations cited in Enforcement Order DW.05.24.150500			
<b>List All Consecutive Water Systems (Systems that Purchase Water From Your System) the Notice was Delivered to</b>			

# Emergency Response Plan

## System Information

System name	Town of Hartman	Identification #	CO 0150500
Population served	96 people	Service connections	45 connections

\*\* Attach treatment schematic and distribution system map

## Emergency Contact Information

	Name	Contact information (phone, cell, email)
System owner	Tammy Swisher	719-940-1480, hartmantownhall@gmail.com
System operator	Randy Holland	719-691-4757, administrator@townofholly.com
System emergency contact	Randy Holland	719-691-4757, administrator@townofholly.com
CDPHE emergency hotline	CDPHE	1-877-518-5608 (24-hour)
Request aid from other utilities	CoWARN	<a href="http://www.cowarn.org">www.cowarn.org</a> emergency cell: 719-339-9224
Priority customers	N/A	N/A
Alternate water supply	Granada Water Association CO0150400	<i>Emergency interconnect</i> 719-734-5411
Critical equipment and chemical suppliers	Pueblo Chemical Depot Town of Holly Town of Kit Carson	719-549-4111 719-537-6622 719-962-3428
Emergency power	Generator Rental - Lamar Bldg. Material Supply	719-336-7793 (Lamar, CO)
Electrician	Larry's Electric Service	719-940-4470 (Lamar, CO)
Plumber	Brody's Plumbing Service	719-633-4120 (Lamar, CO)
Water testing lab	CDPHE Laboratory Services Division  Colorado Analytical Laboratories, Inc.	303-692-3090 - 8100 Lowry Blvd Denver, CO 80217  303-659-2313 - 10411 Heinz Way Commerce City, CO 80640
Neighboring utilities	Lamar Grenada Holly	719-336-2002 719-734-5411 719-537-6622
<i>Other</i>	Prowers County Sheriff's Office	719-336-8050

## Emergency Plan (Actions to take if the “Elevated Storage Tank” Fails)

### Supplier Notification to Department

In the event, that the water storage tank roof was to fail, the vent falls off, or the storage tank collapses the supplier must immediately notify the Department’s 24hr incident reporting hotline at 1-877-518-5608.

### Actions to take to protect water from contamination.

Actions the supplier should take to protect the finished water from contamination after a tank failure incident:

If the tank cannot be temporarily repaired in a short period of time to avoid contamination:

- Isolate the tank from feeding the distribution system:
  1. Follow the “System shut-down” procedures (below) for the chlorine system.
  2. Turn off all wells supplying water to the storage tank.
  3. Close the tank supply valve to the distribution system.
  4. Begin Tier 1 Notification Process
  5. Before supplying water from the emergency “Granada” connection, blow off (flush) the water surrounding the stagnant lines using hydrants or blow off hydrants. Make sure that a consistent chlorine residual of 0.2 or greater is achieved before supplying the Hartman Water System with “Granada” water. See distribution system map for blow off and hydrant locations.
- If the connection to Granada Water Association is unable to be used for water:
  1. Contact Maguire Iron as soon as possible to request assistance with emergency repairs and to request a temporary holding tank.
  2. The temporary holding tank can be fed from the well while the elevated tank is being repaired by Maguire. Residents can then use this tank to fill containers for emergency water.
  3. Walmart, in Lamar, about 30 minutes west of town can also be used for emergency drinking water.
- If the tank damage is not severe and can be repaired without the risk of contamination, then follow the steps outlined in the next section.

### Timeline of Actions to repair and/or isolate the tank.

Actions that the supplier will take to repair and/or isolate the Elevated Storage Tank.

Note: If isolated, the storage tank will be considered a cross-connection and must be controlled with an appropriate device or method or physically disconnected.

- If the tank is not severely damaged and can be repaired quickly. The tank may be able to stay in operation while the repair is made if there is no risk of tank contamination.
  1. If only the vent falls off and the supplier can safely repair the hole with a replacement vent or similar without contaminating the tank in the process, then the supplier may not need to isolate the tank.
  2. It is recommended that the supplier come up with a plan for this repair in case it was to occur.
  
- If the tank is severely damaged (ie, roof collapse or tank collapse) then the tank should be isolated.
  1. Follow “System shut-down” procedures (below) for the chlorine system.
  2. Turn off the well pump.
  3. Close the tank discharge valve and supply valve.
  4. Begin the procedure of supplying water from Granada through the cross connect.
  5. Once the tank has been isolated and emergency water is being supplied from the emergency crossover or from the current well to a temporary storage tank. The supplier can take steps to repair or replace the tank.

### Disinfection and Flushing Procedures to Tank

Use the steps below as a guide to disinfecting and flushing the tank after it has been repaired or isolated.

1. Water Storage tanks should be disinfected in accordance with AWWA Standard C652 and Section 2.15 as noted in the CDPHE Design Criteria Manual. See section 7.0.18 of the Design Criteria Manual.
2. Refer to AWWA Standard C652 for specific tank disinfection procedures before bringing back into service.

### Plan for Tier 1 Public Notice to Customers within 24 hours of tank failure

If there is a tank failure, perform a tier 1 public notice within 24 hours. The steps below outline the procedure that is defined in the CDPHE “Tier 1 Public Notice Instructions”.

1. Refer to the attached “Tier 1 Public Notice Instructions” for directions on how to perform a Tier 1 Public Notification.
2. Answer the 10 required elements in the Tier 1 Public notice.
3. Include Corrective Actions. See examples in attached instructions. If Granada water is being used through the interconnect, make note of this.
4. Tier 1 Public notification Methods: Door to door, board meetings, postings at post office annex. Prowers County Sheriff’s Department. Other options according to the tier 1 instructions: use emergency reverse 911, television, radio, newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation or situation is resolved.
5. Send WQCD copies of the Tier 1 certificate within 10 days of issuing the notice to the public.

### System shut-down

The Town of Hartman's Potable Water System is comprised of one well, gas chlorination, and elevated tank. The Standard Operating Procedure (SOP) listed below is prepared to identify the overall shutdown procedure of the well and chlorine dosing system.

1. Close outlet valve on the chlorine dosing unit completely
2. Check that all withdrawn chlorine has been sucked into the injector
3. Close the inlet valve of the chlorine dosing unit
4. Close the booster pump discharge valve
5. Stop pump operation

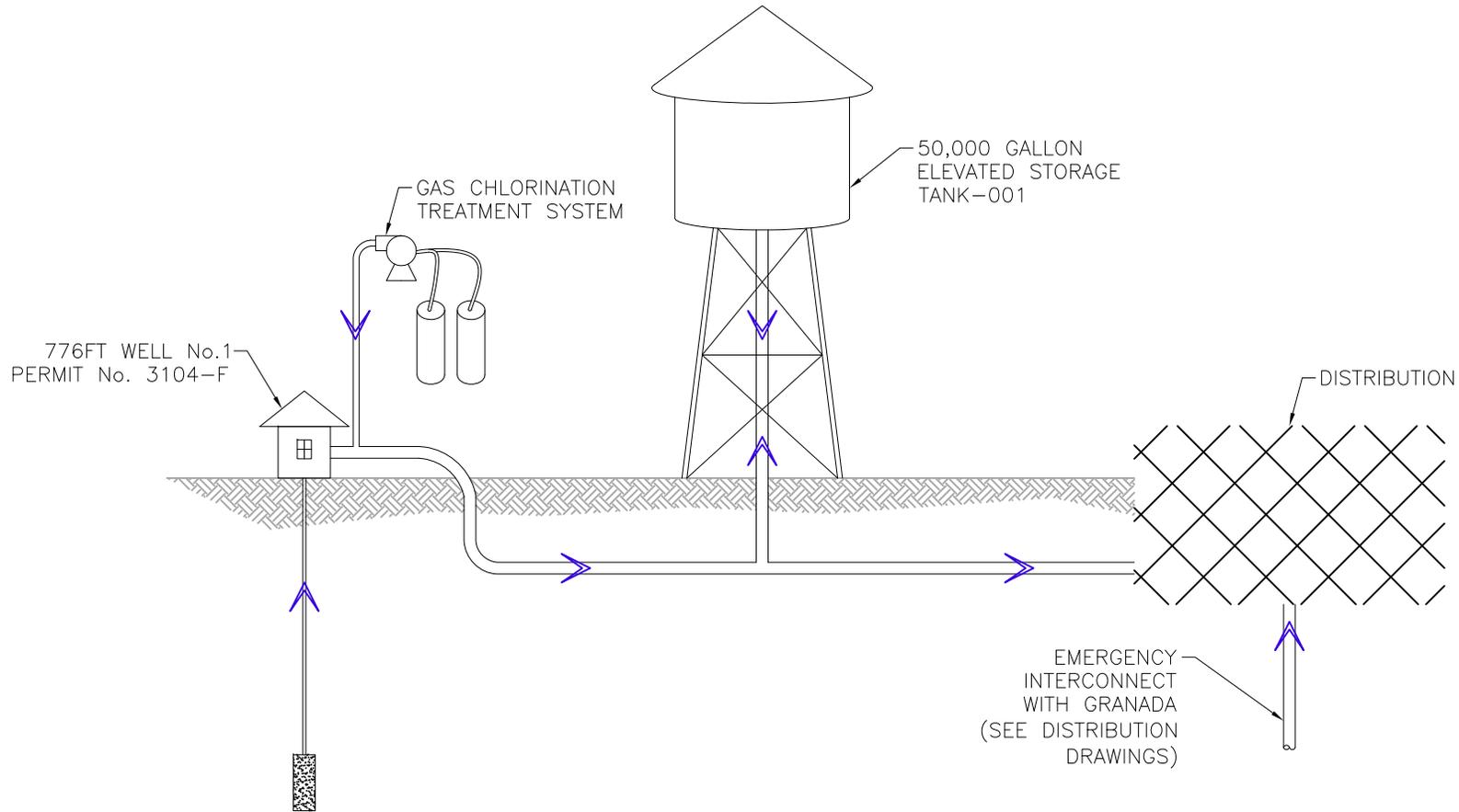
### System start-up

The Town of Hartman's Potable Water System is comprised of one well, gas chlorination, and elevated tank. The Standard Operating Procedure (SOP) listed below is prepared to identify the overall start-up procedure of the well and chlorine dosing system.

1. Check and activate chlorine dosing
2. Activate the well pump
3. Check operation condition of the pump and valves
4. Partially open chlorine dosing inlet valve
5. Partially open chlorine dosing outlet valve, check for leakage, then open fully
6. Check that chlorine is being properly fed
7. Adjust draw rate by adjusting the chlorine gas inlet valve

### *System identified events that cause emergencies*

1. No water measured in elevated tank / problems with elevated tank
2. Low chlorine residual
3. Well pump failure / well collapse
4. Contamination of well
5. Out of treatment supplies (chlorine)
6. Total coliform / E.coli hit
7. Substantial leak in distribution system piping



**TOWN OF HARTMAN – TREATMENT SCHEMATIC**

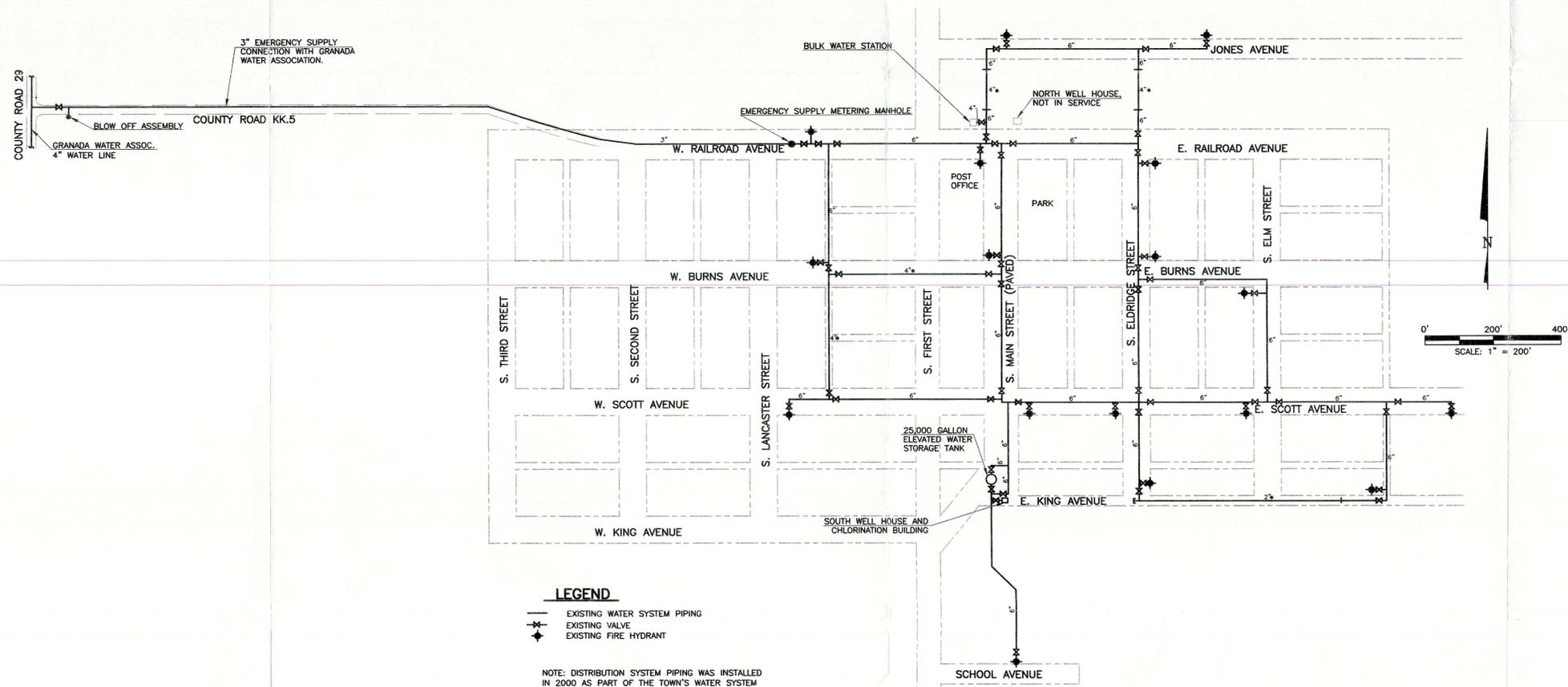
**JDS-HYDRO** CONSULTANTS, INC.  
 5540 TECH CENTER DR., SUITE 100  
 COLORADO SPRINGS, COLORADO 80919  
 (719) 227-0072

DESIGNER: THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO JDS-HYDRO CONSULTANTS, INC. JDS-HYDRO ASSUMES NO LIABILITY FOR UNAUTHORIZED CHANGES AND/OR REVISIONS MADE TO PLANS.

**TOWN OF HARTMAN  
 EMERGENCY RESPONSE PLAN  
 TREATMENT SCHEMATIC**

**EXHIBIT**

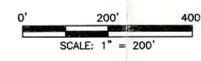
Project No.: 314.01
Date: 12/29/20
Design: DES
Drawn: ACH
Check: DES
Revised:
Revised:
Revised:



**LEGEND**

- EXISTING WATER SYSTEM PIPING
- ✕ EXISTING VALVE
- ◆ EXISTING FIRE HYDRANT

NOTE: DISTRIBUTION SYSTEM PIPING WAS INSTALLED IN 2000 AS PART OF THE TOWN'S WATER SYSTEM IMPROVEMENTS PROJECT. ALL PIPING IS POLYVINYLCHLORIDE (PVC) PIPE. THE 5 PVC PIPELINE SEGMENTS NOT REPLACED IN 2000 ARE NOTED WITH AN ASTERISK "\*".



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PLOT STYLE FILE: 10500.CTb  
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<p><b>EXISTING WATER SYSTEM MAP</b>                  FIGURE 3                  TOWN OF HARTMAN</p>		<p><b>GMS, INC.</b>                  CONSULTING ENGINEERS                  611 N. WEBER, SUITE 300                  COLORADO SPRINGS, COLORADO 80903</p>	<p>SHEET  <b>1</b>                  OF  <b>1</b></p>										
<p>THIS DRAWING IS THE PROPERTY OF GMS, INC., AND IS NOT TO BE REPRODUCED, MODIFIED OR USED FOR ANY OTHER PROJECT OR EXTENSION OF THIS PROJECT EXCEPT BY AGREEMENT WITH THIS COMPANY.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>DRAWN</td> <td>JAT</td> </tr> <tr> <td>DESIGNED</td> <td>TAM</td> </tr> <tr> <td>CHECKED</td> <td>EDM</td> </tr> <tr> <td>DATE</td> <td>MAY 2006</td> </tr> <tr> <td>PROJECT NO.</td> <td>20559.100</td> </tr> <tr> <td>GMS FILE NO.</td> <td>2444</td> </tr> </table>			DRAWN	JAT	DESIGNED	TAM	CHECKED	EDM	DATE	MAY 2006	PROJECT NO.	20559.100
DRAWN	JAT												
DESIGNED	TAM												
CHECKED	EDM												
DATE	MAY 2006												
PROJECT NO.	20559.100												
GMS FILE NO.	2444												

**ADMINISTRATIVE PENALTY COMPUTATION SUMMARY**

Enforcement Order Number: DW.10.25.150500

**System Summary**

Public Water System Name:	TOWN OF HARTMAN
Public Water System Identification Number:	CO0150500
Principal Colorado County Served:	Prowers
Population Served:	61

**Penalty Summary**

**Violations**

Violations	Base	Ag/Mit	Economic Benefit	Total
I Failure to Maintain a Certified Operator in Responsible Charge	\$ 340.00	\$ 340.00	\$ 3,600.00	\$ 4,280.00
II Failure to Complete and/or Report a Lead Service Line Inventory	\$ 256.00	\$ -	\$ -	\$ 256.00
III Failure to Monitor and/or Report for Microbiological Contaminants at the Raw Water Source	\$ 70.00	\$ -	\$ 35.00	\$ 105.00
IV Failure to Monitor and/or Report for Microbiological Contaminants in the Distribution System	\$ 400.00	\$ -	\$ 350.00	\$ 750.00
V Failure to Monitor and/or Report for Residual Disinfectant in the Distribution System	\$ 200.00	\$ -	\$ 100.00	\$ 300.00
VI Failure to Distribute and/or Certify Tier 2 Public Notice	\$ 1,300.00	\$ -	\$ -	\$ 1,300.00
VII Failure to Distribute and/or Certify Tier 1 Public Notice	\$ 1,050.00	\$ 1,995.00	\$ -	\$ 3,045.00
VIII Failure to Distribute and/or Certify an Annual Consumer Confidence Report	\$ 350.00	\$ -	\$ -	\$ 350.00
IX Failure to Comply with a Formal Enforcement Order (2023 Order)	\$ 69,800.00	\$ -	\$ 2,160.00	\$ 71,960.00
X Failure to Comply with a Formal Enforcement Order (2024 Order)	\$ 50,400.00	\$ -	\$ -	\$ 50,400.00
<b>TOTAL # VIOLATIONS</b>	<b>110</b>			
<b>TOTAL PENALTY</b>	<b>\$ 132,746.00</b>			

*These calculations were completed in accordance with the WQCD's Public Water System Administrative Penalty Determination document, which is available upon request from the Colorado Department of Public Health & Environment, Water Quality Control Division.*

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	I
Violation Name	Failure to Maintain a Certified Operator in Responsible Charge
Population Range	25-100
Base Penalty	\$ 100.00
Monthly Penalty	\$ 20.00
Instances of Violation	12 Months

**Base penalty for one violation:** Failure to maintain a certified operator from 12/26/2023 to 2/1/2025 and again from 6/30/2025 to the date of this Order.

**Monthly Penalty:** The 2024 Order assessed a penalty for the period of 12/26/2023 to 5/13/2024. For this penalty, months are counted from 5/14/2024 to 2/1/2025 (eight months, 18 days) and from 6/30/2025 to the date of this Order (three months, 13 days), for a total of 12 months.

**Economic benefit:** An estimate of the minimum cost associated with contracting with a certified operator.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 340.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification: The Supplier has repeatedly failed to maintain a certified operator for extended periods.</i>	100%	\$ 340.00
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	100%	\$ 340.00

TOTAL ADJUSTED BASE PENALTY \$ 680.00

Economic Benefit			
Contract Operator Costs	per month	# of months	TOTAL
<b>Monthly Retainer and Fees</b>	\$ 300.00	12	\$ 3,600.00
			\$ -
<b>TOTAL</b>			\$ 3,600.00

TOTAL ECONOMIC BENEFIT \$ 3,600.00

TOTAL PENALTY FOR VIOLATION I \$ 4,280.00

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	II
Violation Name	Failure to Complete and/or Report a Lead Service Line Inventory
Population Range	25-100
Base Penalty	\$ 80.00
Monthly Penalty	\$ 16.00
Instances of Violation	11 Months

**Base penalty for one violation:** Failure to develop and submit a lead service line inventory.

**Monthly penalty:** Calculated from the 10/17/2024 deadline to the date of the Order, 11 months.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 256.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 256.00

Economic Benefit		
0		
		<i>TOTAL</i>
		\$ -
		\$ -
<b>TOTAL</b>		\$ -

TOTAL ECONOMIC BENEFIT \$ -

**TOTAL PENALTY FOR VIOLATION II** **\$ 256.00**

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	III
Violation Name	Failure to Monitor and/or Report for Microbiological Contaminants at the Raw Water Source
Population Range	25-100
Base Penalty	\$ 70.00
Monthly Penalty	\$ -
Instances of Violation	1 Instance

**Base penalty for one violation:** Failure to perform raw water sampling in January 2025.

**Monthly penalty:** Not used in this penalty calculation. The Department considers this violation to be a single instance.

**Economic benefit:** The estimated cost for the missed sample.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 70.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare		\$ -
<i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions		\$ -
<i>Justification:</i>		
Factor C: Recalcitrance or Recidivism		\$ -
<i>Justification:</i>		
Factor D: Full and Prompt Cooperation		
<i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances		
<i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 70.00

Economic Benefit			
<i>#REF!</i>			
	<i>per sample</i>	<i># of samples</i>	<i>TOTAL</i>
<i>Laboratory Fee</i>	\$ 20.00	1	\$ 20.00
<i>Sampling and Handling</i>	\$ 15.00	1	\$ 15.00
<b>TOTAL</b>			\$ 35.00

TOTAL ECONOMIC BENEFIT \$ 35.00

TOTAL PENALTY FOR VIOLATION III \$ 105.00

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	IV	
Violation Name	Failure to Monitor and/or Report for Microbiological Contaminants in the Distribution System	
Population Range	25-100	<b>Base penalty for 10 violations:</b> Failure to perform sampling in May, June, July, August, September, November 2024, and in March, July, August and September 2025.  <b>Monthly penalty:</b> Not used in this penalty calculation. The Department considers these violations to be single instances.  <b>Economic benefit:</b> The estimated cost for the missed samples.
Base Penalty	\$ 40.00	
Monthly Penalty	\$ -	
Instances of Violation	10	instances

SUBTOTAL UNADJUSTED BASE PENALTY \$ 400.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare		\$ -
<i>Justification:</i>		
Factor B: Intentional, Reckless, or Negligent Actions		\$ -
<i>Justification:</i>		
Factor C: Recalcitrance or Recidivism		\$ -
<i>Justification:</i>		
Factor D: Full and Prompt Cooperation		
<i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances		
<i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 400.00

Economic Benefit			
	<i>per sample</i>	<i># of samples</i>	<i>TOTAL</i>
<i>Laboratory Analysis Cost</i>	\$ 20.00	10	\$ 200.00
<i>Sampling and Handling</i>	\$ 15.00	10	\$ 150.00
<b>TOTAL</b>			\$ 350.00

TOTAL ECONOMIC BENEFIT \$ 350.00

TOTAL PENALTY FOR VIOLATION IV \$ 750.00

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	V
Violation Name	Failure to Monitor and/or Report for Residual Disinfectant in the Distribution System
Population Range	25-100 <b>Base penalty for 10 violations:</b> Failure to perform sampling in May, June, July, August, September, November 2024, and in March, July, August and September 2025.
Base Penalty	\$ 20.00 <b>Monthly penalty:</b> Not used in this penalty calculation. The Department considers these violations to be single instances.
Monthly Penalty	\$ - <b>Economic benefit:</b> The estimated cost for the missed samples.
Instances of Violation	10 Instances

SUBTOTAL UNADJUSTED BASE PENALTY \$ 200.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 200.00

Economic Benefit			
	<i>per sample</i>	<i># of samples</i>	<i>TOTAL</i>
			\$ -
<b>Sampling/Analysis (in-house)</b>	\$ 10.00	10	\$ 100.00
<b>TOTAL</b>			\$ 100.00

TOTAL ECONOMIC BENEFIT \$ 100.00

**TOTAL PENALTY FOR VIOLATION V** **\$ 300.00**

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	VI
Violation Name	Failure to Distribute and/or Certify Tier 2 Public Notice
Population Range	25-100
Base Penalty	\$ 100.00
Monthly Penalty	\$ -
Instances of Violation	13 Instances

**Base penalty for 13 violations:** Failure to perform multiple public notices. This penalty calculation does not include the failure to perform public notice for the 2024 Order.

**Monthly penalty:** Not used in this penalty calculation. The Department considers these violations to be single instances.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 1,300.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 1,300.00

Economic Benefit			
			<i>TOTAL</i>
		\$	-
		\$	-
<b>TOTAL</b>		\$	-

TOTAL ECONOMIC BENEFIT \$ -

TOTAL PENALTY FOR VIOLATION VI \$ 1,300.00

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	VII
Violation Name	Failure to Distribute and/or Certify Tier 1 Public Notice
Population Range	25-100
Base Penalty	\$ 175.00
Monthly Penalty	\$ -
Instances of Violation	6 Instances

**Base penalty for six violations:** Failure to perform or timely report multiple public notices for two Department-issued boil water advisory.  
**Monthly penalty:** Not used in this penalty calculation. The Department considers these violations to be single instances.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 1,050.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification: The Supplier failed to notify consumers of acute health risks that could make them sick. Consumers were potentially unaware of how to protect their health for an extended period on two occasions.</i>	100%	\$ 1,050.00
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification: The Supplier has failed to comply with repeated boil water advisories.</i>	100%	\$ 1,050.00
Factor D: Full and Prompt Cooperation <i>Justification: The Supplier distributed boil water advisories to residents on September 17, 2025, but submitted evidence to the Department after the reporting deadline.</i>	-10%	\$ (105.00)
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	<b>190%</b>	<b>\$ 1,995.00</b>

TOTAL ADJUSTED BASE PENALTY \$ 3,045.00

Economic Benefit			
			TOTAL
		\$	-
		\$	-
<b>TOTAL</b>		\$	-

TOTAL ECONOMIC BENEFIT \$ -

TOTAL PENALTY FOR VIOLATION VII \$ 3,045.00

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	VIII
Violation Name	Failure to Distribute and/or Certify an Annual Consumer Confidence Report
Population Range	25-100
Base Penalty	\$ 175.00
Monthly Penalty	
Instances of Violation	2 Instances

**Base penalty for two violations:** Failure to distribute or certify the report in 2024 and 2025.

**Monthly penalty:** Not used in this penalty calculation. The Department considers these violations to be single instances.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 350.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 350.00

Economic Benefit		
		<i>TOTAL</i>
		\$ -
		\$ -
<b>TOTAL</b>		\$ -

TOTAL ECONOMIC BENEFIT \$ -

**TOTAL PENALTY FOR VIOLATION VIII** **\$ 350.00**

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	IX
Violation Name	Failure to Comply with a Formal Enforcement Order (2023 Order)
Population Range	25-100
Base Penalty	\$ 4,600.00
Daily Penalty	\$ 100.00
Instances of Violation	652 days

**Base penalty for 46 violations:** \$100 penalty multiplied by each instance of violation of the 2023 Order.

**Daily penalty:** Calculated from the oldest missed deadline that is unresolved, to date. Paragraph 40(b) (interim measure #2) has been out of compliance since 12/31/2023, counted as 652 days.

**Economic benefit:** The estimated cost for the missed samples required every two weeks per paragraph 40(a) (interim measure #1). Weeks calculated from the date of the last report (12/10/2023) to the date of this Order, counted as 96 weeks; equivalent to 48 two-week periods.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 69,800.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 69,800.00

Economic Benefit			
			TOTAL
<i>Laboratory Analysis Cost</i>	\$ 20.00	48	\$ 960.00
<i>Sampling and Handling</i>	\$ 15.00	48	\$ 720.00
<i>Sampling/Analysis (in-house)</i>	\$ 10.00	48	\$ 480.00
<b>TOTAL</b>			\$ 2,160.00

TOTAL ECONOMIC BENEFIT \$ 2,160.00

TOTAL PENALTY FOR VIOLATION IX \$ 71,960.00

**ADMINISTRATIVE PENALTY COMPUTATION DETAILS**

Violation Number	X
Violation Name	Failure to Comply with a Formal Enforcement Order (2024 Order)
Population Range	25-100
Base Penalty	\$ 1,600.00
Daily Penalty	\$ 100.00
Instances of Violation	488 Days

**Base penalty for 16 violations:** \$100 penalty multiplied by each instance of a violation of the 2024 Order.

**Daily penalty:** Calculated from the oldest missed deadline that is unresolved, to date. Paragraph 80 (lead consumer notice) has been out of compliance since 6/12/2024 counted as 488 days.

SUBTOTAL UNADJUSTED BASE PENALTY \$ 50,400.00

Aggravating / Mitigating Factors	% Base Penalty Increase or Decrease	Base Penalty Increase/Decrease (\$)
Factor A: Threat to Public Health and Welfare <i>Justification:</i>		\$ -
Factor B: Intentional, Reckless, or Negligent Actions <i>Justification:</i>		\$ -
Factor C: Recalcitrance or Recidivism <i>Justification:</i>		\$ -
Factor D: Full and Prompt Cooperation <i>Justification:</i>		
Factor E: Other Aggravating or Mitigating Circumstances <i>Justification:</i>		
<b>TOTAL Aggravating or Mitigating Circumstances (%)</b>	0%	\$ -

TOTAL ADJUSTED BASE PENALTY \$ 50,400.00

Economic Benefit			
	<i>per sample</i>	<i># of samples</i>	<i>TOTAL</i>
			\$ -
			\$ -
<b>TOTAL</b>			\$ -

TOTAL ECONOMIC BENEFIT \$ -

TOTAL PENALTY FOR VIOLATION X \$ 50,400.00



## Drinking Water Enforcement Requirements Summary

System Name: Town of Hartman	PWS ID: CO0150500
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Enforcement Order Number: DW.10.25.150500	Order Issue Date: 10/13/2025
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This requirements summary is provided by the Department to the Supplier to assist the Supplier. Please refer to the Order for the complete requirement language.

**How to Report to the Department:** As an assistance, the Department will provide template reports and forms to the Supplier. While the Supplier is not required to use these forms, and the Department’s assistance of providing these forms does not replace the Supplier’s responsibility to report to the Department, the Department encourages the Supplier to use the provided forms.

**Submit responses to the Portal:** [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398.

Paragraph	General Requirements	Deadline
135	Immediately comply with Regulation 11, 5 CCR 1002-11.	Immediately & ongoing
136	Immediately comply with Regulation 100, 5 CCR 1003-2.	Immediately & ongoing
150(a)	<b>Progress Report - Initial Response:</b> Submit an initial response to the Order, describing the Supplier’s plan for complying with the Order. The initial response serves as the fourth quarter 2025 progress report.	11/12/2025
139	<b>Retain a Certified Operator:</b> Submit notification to the Department that the Supplier has retained one or more certified operator(s) in responsible charge for treatment with a minimum classification “C” treatment certification and a minimum classification “1” distribution certification level, or higher.	11/12/2025 & Ongoing
139	<b>Supervision by Operator in Responsible Charge:</b> Ensure that the Operator(s) in Responsible Charge is responsible for supervising the operation of the treatment and distribution systems and the operational activities and functions of other facility operators.	Immediately & ongoing
154	<b>Penalty Payment:</b> Pay the \$132,746.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.	12/12/2025
149	<b>Response to Department Comments:</b> If the Department provides comments on any enforcement responses, the Supplier must provide a written response that resolves all comments.	Within 30 days of Department comments
150(b)	<b>Progress Report - Quarterly:</b> Submit written progress reports to the Department for the duration of the Order.	3/31/2026 And by the last day of each calendar quarter (March 31, June 30, Sep 30, Dec 31)

Paragraph	Public Notification Requirements	Deadline
137	<p><b><u>Boil Water Advisory:</u></b> Distribute the tier 1 boil water advisory notice. The Supplier must use the template and certificate of delivery form attached to the Order.</p> <p><b><u>Certify Delivery:</u></b> Within 10 days of completion, submit a copy of the public notice materials with a certificate of delivery form to the Department.</p> <p><b><u>Repeat Public Notification:</u></b> Until the Department rescinded the advisory, in writing, repeat the notification every two weeks.</p>	10/15/2025, 10/29/2025, 11/12/2025, etc. Every two weeks
143	<p><b><u>Public Notification:</u></b> Distribute all overdue and pending public notifications. The Supplier must use the template and certificate of delivery form attached to the Order.</p> <p><b><u>Certify Delivery:</u></b> Within 10 days of completion, submit a copy of the public notice materials with a certificate of delivery form to the Department.</p> <p><b><u>Repeat Public Notification:</u></b> For as long as violations persist, repeat public notifications every three months.</p>	11/12/2025, 2/12/2026, 5/12/2026, etc. Every 3 months
141	<p><b><u>Consumer Confidence Report:</u></b> Distribute the 2025 consumer confidence report to customers. The Supplier must use the template and certificate of delivery form attached to the Order.</p> <p><b><u>Certify Delivery:</u></b> Within 10 days of completion, submit a copy of the report with a certificate of delivery form to the Department.</p>	11/12/2025
142	<p><b><u>Consumer Notification - Lead Tap Results:</u></b> Distribute lead consumer notices for tap sample results collected in the July 1, 2023 - December 31, 2023 monitoring period and the January 1, 2025 - June 30, 2025 monitoring period. The Supplier must use the Department's <a href="#">template notice and certificate of delivery form</a>.</p> <p><b><u>Certify Delivery:</u></b> Within 10 days of completion, submit a copy of the notice with a certificate of delivery form to the Department.</p>	11/12/2025
Paragraph	Sampling Requirements	Deadline
140(d)	<p><b><u>Perform Sampling and Reporting:</u></b> Complete the routine total coliform bacteria and residual disinfectant sampling in the distribution system for the October 2025 monitoring period. Report sample results no later than the November 10, 2025.</p>	Sample by 10/31/2025  Report by 11/10/2025
140(c)	<p><b><u>Perform Sampling and Reporting:</u></b> Complete the total coliform bacteria sampling at the <u>raw</u> water source. Report sample results no later than the December 10, 2025.</p>	Sample by 11/12/2025  Report by 12/10/2025
140(b)	<p><b><u>Report Missing Sampling Results:</u></b> Submit the results of any unreported sampling data cited as a monitoring violation in the Order. Alternatively, if no unreported sample results exist, the Supplier may submit a written statement that there are no unreported sample results.</p>	11/12/2025

138(a)(v)	<b>Sampling Plan Update:</b> Submit an updated Revised Total Coliform Rule sampling plan to identify the interim measures #1 sample site and the corresponding upstream and downstream repeat sample sites.	11/12/2025
144	<b>Lead Service Line Inventory:</b> <ul style="list-style-type: none"> <li>• Develop a lead service line inventory.</li> <li>• Submit the inventory to the Department and make it available to the public.</li> </ul>	1/13/2026
<b>Paragraph</b>	<b>Interim Measures</b>	<b>Deadline</b>
138(a)	<b>Maintain Interim Measure #1:</b> Perform additional monitoring of total coliform bacteria after “Elevated Storage Tank” (Facility ID 002), <u>every two weeks</u> . Refer to the Order for a full description of the requirement.	Immediately & Ongoing  Report by the 10 <sup>th</sup> of the following month
138(b)	<b>Maintain Interim Measure #2:</b> Begin performing visual inspections of the roof of “Elevated Storage Tank” (Facility ID 002) from ground level, <u>every two weeks</u> . Refer to the Order for a full description of the requirement.	Immediately & Ongoing  Report with the quarterly progress report
138(c)	<b>Maintain Interim Measure #3:</b> Begin maintaining a minimum entry point residual concentration of 2.0 mg/L. Measure and record entry point residual concentration at least <u>once per week</u> . Refer to the Order for a full description of the requirement.	Immediately & Ongoing  Report with the quarterly progress report
138(d)	<b>Maintain Interim Measure #4:</b> Ehen performed, submit all storage tank inspection summary reports of “Elevated Storage Tank” (Facility ID 002) with photographic evidence of the condition of the roof.	Within 60 days of completing a periodic or comprehensive inspection
138(e)	<b>Maintain Interim Measure #5:</b> Adhere to the emergency response plan. Refer to the Order for the required elements of the plan. If the Supplier makes any changes to the emergency response, plan, submit the revised plan within 30 days of the change.	Immediately & Ongoing
<b>Paragraph</b>	<b>Design and Construct a New Storage Tank</b>	<b>Deadline</b>
146	<b>Propose a Schedule:</b> Propose an implementation schedule. Refer to the Order for the required elements of the implementation schedule. The Supplier must use the <u>forms provided with the Order</u> : <ul style="list-style-type: none"> <li>• Funding Plan</li> <li>• Grant/Loan Plan</li> <li>• Construction Completion Schedule</li> </ul>	Submit proposal by 2/13/2026
147	Upon the Department’s written approval of the Supplier’s implementation schedule, all associated activities and schedule milestones will become conditions of this Order	To be Determined
<b>Completion</b>		
151	<b>Notice of Completion:</b> Submit a written notice of completion to the Department.	Within 14 days of completion of all requirements of the Order



## Drinking Water Enforcement Response

### Initial Response: Plan for Complying with the Order

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.10.25.150500	Order Issue Date: 10/13/2025

**How to use this form:** The Supplier must clearly indicate the Supplier’s plan to comply with the Order.

**Due date:** This initial response is due within 30 days of the Order issue date.

**What type of assistance does the Supplier need to comply with the Enforcement Order?  
Check all that apply:**

<input type="checkbox"/>	<b>Asset management and/or capital improvement planning</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Board roles and responsibilities</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Budgeting, financial audits and/or raising rates</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Creating standard operating procedures (SOPs) for sampling/reporting/administrative duties</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Creating standard operating procedures (SOPs) for optimization/operational duties</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Identifying funding partners (grants or loans)</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Hiring a Professional Engineer, Certified Operator, or other contractors</b> Describe the assistance needed:
<input type="checkbox"/>	<b>Other coaching/assistance</b> Describe the assistance needed:

**Is the Supplier already working with assistance organizations?**

Yes  No

Please name the organization(s) and describe the scope of the coaching/assistance:

Paragraph	General Requirements	Deadline
139	<b>Retain a Certified Operator:</b> Submit notification to the Department that the Supplier has retained one or more certified operator(s) in responsible charge for treatment with a minimum classification "C" treatment certification and a minimum classification "1" distribution certification level, or higher.	11/12/2025 & Ongoing
<p>Does the Supplier have a designated Operator in Responsible Charge? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If no, the Supplier will retain certified operator(s) with the appropriate certification levels by _____</p> <p>Who at the Town is responsible for signing the contract with the operator(s)?</p> <p>Additional information/comments:</p>		
139	<b>Supervision by Operator in Responsible Charge:</b> Ensure that the Operator(s) in Responsible Charge is responsible for supervising the operation of the treatment and distribution systems and the operational activities and functions of other facility operators.	Immediately & ongoing
<p>Please describe how the Supplier will ensure that a certified operator in responsible charge is in responsible control and supervising appropriately at all times:</p>		
154	<b>Penalty Payment:</b> Pay the \$132,746.00 administrative penalty. An invoice will be sent to the Supplier in a separate correspondence.	12/12/2025
<p>Please describe how the Supplier will pay the penalty by the deadline:</p>		
149	<b>Response to Department Comments:</b> If the Department provides comments on any enforcement responses, the Supplier must provide a written response that resolves all comments.	Within 30 days of Department comments
<p>Please describe how the Supplier will respond to Department comments within 30 days, if applicable:</p>		

150(b)	<p><b>Progress Report - Quarterly:</b> Submit written progress reports to the Department for the duration of the Order.</p>	<p>3/31/2026 And by the last day of each calendar quarter (March 31, June 30, Sep 30, Dec 31)</p>
<p>Please describe how the Supplier will complete quarterly progress reports each quarter by the deadlines:</p>		
Paragraph	Public Notification Requirements	Deadline
137	<p><b>Boil Water Advisory:</b> Distribute the tier 1 boil water advisory notice. The Supplier must use the template and certificate of delivery form attached to the Order.</p> <p><b>Certify Delivery:</b> Within 10 days of completion, submit a copy of the public notice materials with a certificate of delivery form to the Department.</p> <p><b>Repeat Public Notification:</b> Until the Department rescinded the advisory, in writing, repeat the notification every two weeks.</p>	<p>10/15/2025, 10/29/2025, 11/12/2025, etc. Every two weeks</p>
<p>Please describe the completed delivery and a plan for the next repeat delivery (for example, when did the Supplier complete this requirement last? When will it complete the next requirement to meet the next deadline?):</p>		
143	<p><b>Public Notification:</b> Distribute all overdue and pending public notifications. The Supplier must use the template and certificate of delivery form attached to the Order.</p> <p><b>Certify Delivery:</b> Within 10 days of completion, submit a copy of the public notice materials with a certificate of delivery form to the Department.</p> <p><b>Repeat Public Notification:</b> For as long as violations persist, repeat public notifications every three months.</p>	<p>11/12/2025, 2/12/2026, 5/12/2026, etc. Every 3 months</p>
<p>Please describe the completed delivery and a plan for the next repeat delivery (for example, when did the Supplier complete this requirement last? When will it complete the next requirement to meet the next deadline?):</p>		
141	<p><b>Consumer Confidence Report:</b> Distribute the 2025 consumer confidence report to customers. The Supplier must use the template and certificate of delivery form attached to the Order.</p> <p><b>Certify Delivery:</b> Within 10 days of completion, submit a copy of the report with a certificate of delivery form to the Department.</p>	<p>11/12/2025</p>

Please describe how the Supplier will complete the delivery of the report:

142	<p><b>Consumer Notification - Lead Tap Results:</b>          Distribute lead consumer notices for tap sample results collected in the July 1, 2023 - December 31, 2023 monitoring period and the January 1, 2025 - June 30, 2025 monitoring period. The Supplier must use the Department's <a href="#">template notice and certificate of delivery form</a>.</p> <p><b>Certify Delivery:</b>          Within 10 days of completion, submit a copy of the notice with a certificate of delivery form to the Department.</p>	11/12/2025
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Please describe how the Supplier will complete the delivery of the notices:

Paragraph	Sampling Requirements	Deadline
140(d)	<p><b>Perform Sampling and Reporting:</b>            Complete the routine total coliform bacteria and residual disinfectant sampling in the distribution system for the October 2025 monitoring period. Report sample results no later than the November 10, 2025.</p>	Sample by 10/31/2025  Report by 11/10/2025

Name of the person(s) who will collect the sample and measure the disinfectant residual:  
 \_\_\_\_\_

Please describe how the person(s) is qualified/trained to collect the samples:

Please describe the days/frequencies that will they collect the samples:

Please verify the sample tap location and ID that the sampler will use: \_\_\_\_\_

Name of the person who will deliver the samples to the laboratory: \_\_\_\_\_

Name of the person who will order bottles to prepare for the next sampling: \_\_\_\_\_

Please describe additional corrective actions that the Supplier will complete in order to maintain long-term compliance with all sampling and reporting requirements.



Paragraph	Interim Measures	Deadline
138(a)	<b>Maintain Interim Measure #1:</b> Perform additional monitoring of total coliform bacteria after “Elevated Storage Tank” (Facility ID 002), <u>every two weeks</u> . Refer to the Order for a full description of the requirement.	Immediately & Ongoing  Report by the 10 <sup>th</sup> of the following month

Name of the person(s) who will collect the samples at the tank: \_\_\_\_\_

Please describe how the person(s) is qualified/trained to collect the samples:

Please describe the days/frequencies that will they collect the samples:

Please verify the sample tap location and ID that the sampler will use: \_\_\_\_\_

Name of the person who will deliver the samples to the laboratory: \_\_\_\_\_

Name of the person who will order bottles to prepare for the next sampling: \_\_\_\_\_

Additional information/comments:

138(b)	<b>Maintain Interim Measure #2:</b> Begin performing visual inspections of the roof of “Elevated Storage Tank” (Facility ID 002) from ground level, <u>every two weeks</u> . Refer to the Order for a full description of the requirement.	Immediately & Ongoing  Report with the quarterly progress report
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The Supplier must perform the inspections on the same day that the Supplier collects the additional total coliform bacteria samples for Interim Measure #1. Please acknowledge that the Supplier understands this requirement.

Suppliers’ acknowledgement: Yes

The inspector must visually inspect (from the ground level) the condition of the air vent on the roof (is it intact?) and look for any additional damage to the tank. Please acknowledge that the Supplier understands this requirement.

Suppliers’ acknowledgement: Yes

Name of the person(s) who will perform the visual inspections: \_\_\_\_\_

If the Supplier has completed any inspections, please record them here:

Inspection date	Inspector full name	Observation notes

Additional information/comments:

138(c)	<b>Maintain Interim Measure #3:</b> Begin maintaining a minimum entry point residual concentration of 2.0 mg/L. Measure and record entry point residual concentration at least <u>once per week</u> . Refer to the Order for a full description of the requirement.	Immediately & Ongoing  Report with the quarterly progress report
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The Supplier must use the [groundwater entry point chlorine residual disinfectant monitoring log template](#) available on the Department's webpage. Please acknowledge that the Supplier understands this requirement.

Suppliers' acknowledgement: Yes

If the residual disinfectant concentration is measured below 2.0 mg/L at the entry point, the Supplier must take corrective action to restore the minimum 2.0 mg/L concentration **within 72 hours of discovery**. The Supplier must increase the residual disinfectant concentration monitoring frequency to at least **once every 24 hours** from the time of discovery until the residual disinfectant concentration is greater than or equal to 2.0 mg/L. Please acknowledge that the Supplier understands this requirement.

Suppliers' acknowledgement: Yes

Name of the person(s) who will operate and maintain the chlorine treatment: \_\_\_\_\_

Please describe how the person(s) is qualified/trained to perform this work:

Name of the person(s) who will measure and record the disinfectant residual concentration weekly:

\_\_\_\_\_

Please describe how the person(s) is qualified/trained to perform this work:

Name of the person who will submit the monitoring log within 10 days of the end of every calendar month:

\_\_\_\_\_

Additional information/comments:

138(d)	<b>Maintain Interim Measure #4:</b> Ehen performed, submit all storage tank inspection summary reports of “Elevated Storage Tank” (Facility ID 002) with photographic evidence of the condition of the roof.	Within 60 days of completing a periodic or comprehensive inspection
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Date of the Supplier’s last periodic inspection: \_\_\_\_\_

Date of the Supplier’s last comprehensive inspection: \_\_\_\_\_

Describe the Supplier’s schedule for performing periodic inspections (at a minimum of twice per year; the periodic inspections must be separated by at least two calendar months and must not be separated by more than eight calendar months) and comprehensive inspections (at a minimum of every 5 years) going forward:

Name of the person who will submit all inspection summary reports to the Department within 60 days of completion: \_\_\_\_\_

Additional information/comments:

138(e)	<b>Maintain Interim Measure #5:</b> Adhere to the emergency response plan. Refer to the Order for the required elements of the plan. If the Supplier makes any changes to the emergency response, plan, submit the revised plan within 30 days of the change.	Immediately & Ongoing
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The Supplier’s current Emergency Response Plan is enclosed with the Order. Supplier’s acknowledgement that it has a copy of the Emergency Response Plan: Yes

Please describe the Supplier’s plan for ensuring the responsible people are trained on how to perform their duties described in the plan:

Please describe how the Supplier will update the plan, if needed:

Additional information/comments:

Paragraph	Design and Construct a New Storage Tank	Deadline
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146	<p><b>Propose a Schedule:</b>  Propose an implementation schedule. Refer to the Order for the required elements of the implementation schedule.  The Supplier must use the <u>forms provided with the Order</u>:</p> <ul style="list-style-type: none"> <li>• Funding Plan</li> <li>• Grant/Loan Plan</li> <li>• Construction Completion Schedule</li> </ul>	Submit proposal by 2/13/2026
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The Supplier must use the three forms provided with the Order. Please acknowledge that the Supplier understands this requirement. Supplier's acknowledgement: Yes

Please describe how the Supplier will create a proposal by the deadline:

Who will sign the proposal for the Town?  
Name(s):

How are these people qualified to sign the proposal for the Town?

Additional information/comments:

147	Upon the Department's written approval of the Supplier's implementation schedule, all associated activities and schedule milestones will become conditions of this Order	To be Determined
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Please acknowledge that the Supplier understands this requirement. Supplier's acknowledgement: Yes

Name of Person Completing this Form:	Phone:
Signature (if submitted to the Portal, no signature required):	Date:



**Proposed Implementation Schedule: FUNDING PLAN**

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.10.25.150500	Order Issue Date: 10/13/2025

**How to use this form:** The Supplier must submit this funding plan for the System improvement project. The funding plan must meet the requirements described in the enforcement order.

**System Improvement Project**

1. Design and construct a new finished water storage tank
2. Remove the old storage tank, "Elevated Storage Tank" (Facility ID 002) from the System

**Total Cost for the System Improvement Project**

Use the rows below to list the cost of the project. This list must include all applicable costs (not already paid for) necessary to fully complete the selected alternative such as: preparing reports for funding applications, design, engineering, easement/land acquisition, equipment, materials, labor, construction, implementation, contingencies, and any other costs.

	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
TOTAL PROJECT COST	\$

<u>Preferred</u> Funding Strategy	Dollar Amount
	\$
	\$
	\$
TOTAL PROPOSED FUNDING (This number must match the total project cost)	\$

<u>Back-Up</u> Funding Strategy	Dollar Amount
	\$

	\$
	\$
TOTAL PROPOSED FUNDING (This number must match the total project cost)	\$
<b>Date that the Supplier expects to have adequate funding to begin the project:</b>	
Other information/comments (optional):	
<b>SIGNATURE AND STATEMENT OF SUPPORT</b> The owner(s)/board member(s) hereby support and approve this funding plan	
Owner/Board Member Name:	Phone:
Signature:	Date:
Owner/Board Member Name:	Phone:
Signature:	Date:
Owner/Board Member Name:	Phone:
Signature:	Date:
Owner/Board Member Name:	Phone:
Signature:	Date:



## Drinking Water Enforcement Response

### Proposed Implementation Schedule: GRANT/LOAN PLAN

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.10.25.150500	Order Issue Date: 10/13/2025

**How to use this form:** If the Supplier intends to submit applications for grants and/or loan funding assistance, the Supplier must prepare a grant/loan plan. The grant/loan plan must meet the requirements described in the enforcement order.

#### System Improvement Project

1. Design and construct a new finished water storage tank
2. Remove the old storage tank, "Elevated Storage Tank" (Facility ID 002) from the System

#### GRANT/LOAN 1

Name of funding program:	
Name of the specific grant or loan:	
Dollar amount to be requested:	\$
Contact information of a person at the funding program that can verify the Supplier's application status:	Name: Phone: Email:
Describe how the Supplier meets the eligibility requirements of the grant/loan:	
Date that the Supplier will complete the pre-application work required by the funding program:	
Date that the Supplier will complete the application:	
Expected award/approval date:	

Other information/comments (optional):

<b>GRANT/LOAN 2</b>	
<b>Name of funding program:</b>	
<b>Name of the specific grant or loan:</b>	
<b>Dollar amount to be requested:</b>	\$
<b>Contact information of a person at the funding program that can verify the Supplier's application status:</b>	Name: Phone: Email:
<b>Describe how the Supplier meets the eligibility requirements of the grant/loan:</b>	
<b>Date that the Supplier will complete the pre-application work required by the funding program:</b>	
<b>Date that the Supplier will complete the application:</b>	
<b>Expected award/approval date:</b>	
Other information/comments (optional):	
<b>GRANT/LOAN 3</b>	
<b>Name of funding program:</b>	
<b>Name of the specific grant or loan:</b>	
<b>Dollar amount to be requested:</b>	\$
<b>Contact information of a person at the funding program that can verify the Supplier's application status:</b>	Name: Phone: Email:

Describe how the Supplier meets the eligibility requirements of the grant/loan:	
Date that the Supplier will complete the pre-application work required by the funding program:	
Date that the Supplier will complete the application:	
Expected award/approval date:	

Other information/comments (optional):

**SIGNATURE AND STATEMENT OF SUPPORT**  
**The owner(s)/board member(s) hereby support and approve this grant/loan plan**

Owner/ Board Member Name:	Phone:
Signature:	Date:
Owner/ Board Member Name:	Phone:
Signature:	Date:
Owner/ Board Member Name:	Phone:
Signature:	Date:
Owner/ Board Member Name:	Phone:
Signature:	Date:



## Drinking Water Enforcement Response

### Proposed Implementation Schedule: CONSTRUCTION COMPLETION SCHEDULE

Submit through Portal: [wqcdcompliance.com/login](http://wqcdcompliance.com/login) (preferred) or by fax: (303) 758-1398

System Name: Town of Hartman	PWS ID: CO0150500
Enforcement Order Number: DW.10.25.150500	Order Issue Date: 10/13/2025

**How to use this form:** The Supplier must propose a construction completion schedule. The construction completion schedule must meet the requirements described in the enforcement order.

#### System Improvement Project

1. Design and construct a new finished water storage tank
2. Remove the old storage tank, "Elevated Storage Tank" (Facility ID 002) from the System

#### Pre-Construction Activities

This includes engineering, architectural, legal, fiscal and economic investigations, pilot studies, easement/land acquisition, development of design plans and specifications, Department review of the design application, etc.  
*Please do not describe the funding timeline in this section.*

#### Schedule or Deadline


#### Construction Activities

This includes the physical effort to construct the project including, but not limited to: site clearance, excavation, construction, or the establishment of an office or construction building on site.

#### Schedule or Deadline


**Date that the Supplier expects construction to be complete:**

<b>Construction Certification Requirement:</b>	<p>Within 14 calendar days of construction completion, the Supplier must submit a completed <i>Construction As Approved Certification</i> Form certifying that the project was constructed/installed as approved by the Department.</p> <p><input type="checkbox"/> Check to acknowledge this</p>
--	---

	requirement
<b>The date that the Supplier will ensure that the constructed improvements are fully operational and staff have received adequate training on the operation, maintenance and monitoring of the improvements:</b>	Check one: <input type="checkbox"/> Within 30 calendar days of construction completion, or <input type="checkbox"/> Other date/timeline: _____
<b>Date that the Supplier expects to remove “Elevated Storage Tank” (Facility ID 002) from the System:</b>	
Other information/comments (optional):	
<b>SIGNATURE AND STATEMENT OF SUPPORT</b>	
<b>The owner(s)/board member(s) hereby support and approve this construction completion schedule</b>	
Owner/Board Member Name:	Phone:
Signature:	Date:
Owner/Board Member Name:	Phone:
Signature:	Date:
Owner/Board Member Name:	Phone:
Signature:	Date:
Owner/Board Member Name:	Phone:
Signature:	Date:



**DRINKING WATER WARNING**  
Town of Hartman  
**BOIL YOUR WATER BEFORE USING**  
**HIERVAN EL AGUA ANTES USARLA**



Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

**JANUARY 2025 (RESOLVED):** In January 2025, we advised you “Do not drink the water without boiling it first” because of a lack of disinfection treatment. We failed to repeat this notification every two weeks to let you know that you needed to continue boiling your water or using bottled water until the issue was resolved on March 19, 2025. While no contamination was detected, the lack of disinfection, especially with the unresolved storage tank deficiency, may have allowed disease-causing organisms to enter the water system. The boil water advisory was not required from March 19, 2025 to September 16, 2025.

**SEPTEMBER 2025 & ONGOING:** On September 17, 2025, we were required to advise you “Do not drink the water without boiling it first” because of a lack of operational control, lack of a certified operator, lack of maintenance of the treatment, and recent failures to monitor for bacteria. We failed to repeat this notification every two weeks to let you know that you needed to continue boiling your water or using bottled water until the issue is resolved. **THIS IS NOT RESOLVED, TO DATE.** While no contamination was detected, the lack of disinfection and lack of operational control, especially with the unresolved storage tank deficiency, may have allowed disease-causing organisms to enter the water system. These disease-causing organisms (viruses, parasites, bacteria) can cause symptoms such as diarrhea, nausea, cramps, and associated headaches. These symptoms are not only caused only by organisms in drinking water, but also by other factors. If you experienced any of these symptoms and they persist, you may want to consult your doctor.

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for three (3) minutes, and let it cool before using, **or USE BOTTLED WATER.** DO NOT BOIL for an extensive period of time. MORE IS NOT BETTER. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice. Boiling kills bacteria and other organisms in the water.
- Certain microbes can cause symptoms such as diarrhea, cramps, nausea, and associated headaches. They may pose a special health risk for infants, young children, some of the elderly and people with severely compromised immune systems. The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice from your health care provider. People at increased risk should seek advice about drinking water from their health care providers.
- **NO BEBA EL AGUA SIN HERVIRLA PRIMERO.** Lleve toda el agua a ebullición, déjela hervir durante tres (3) minutos y déjela enfriar antes de usarla **o UTILICE AGUA EMBOTELLADA.** Se debe utilizar agua hervida o embotellada para beber, hacer hielo, lavarse los dientes, lavar los trastes y preparar alimentos hasta nuevo aviso. Hervir el agua mata las bacterias y otros organismos que están presentes.
- La pérdida de presión en el sistema puede introducir organismos causantes de enfermedades en el sistema de agua. Estos organismos incluyen bacterias, virus y parásitos, que pueden causar efectos a corto plazo, como náuseas, calambres, diarrea y dolores de cabeza asociados. Los síntomas mencionados no son causados únicamente por los organismos presentes en el agua potable. Si experimenta alguno de estos síntomas de manera persistente, es posible que deba buscar atención médica. Si tiene un bebé, un sistema inmunitario gravemente deficiente, está embarazada o es una persona mayor, puede correr un riesgo más alto y debe pedir consejo a su médico sobre el consumo de esta agua.

# IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

## TOWN OF HARTMAN

### Has Multiple Violations

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Our water system recently violated multiple drinking water requirements. As our customers you have a right to know what happened, what you should do, and what we are doing to correct these violations. The Colorado Department of Public Health and Environment has issued three enforcement orders and penalties to our drinking water system since 2023. Enforcement Order DW.06.23.150500 was issued on June 28, 2023 with a \$336.00 penalty, Enforcement Order DW.05.24.150500 was issued on May 13, 2024 with a \$2,268.00 penalty, and Enforcement Order DW.10.25.150500 was issued on October 13, 2025 with a \$132,746.00 penalty. The Orders require us to complete corrective actions according to a specific schedule and to notify you of our progress every three months.

#### FAILURE TO MAINTAIN A CERTIFIED OPERATOR

The state drinking water program requires that all public drinking water systems must be under the direct supervision of a certified operator at the appropriate certification level. We have received multiple violations because our water system was not operated or supervised by a state certified operator from December 26, 2023 to February 1, 2025 and again since June 30, 2025 and ongoing. We also failed to notify you of the violations in a timely manner. To resolve this violation, we were required to retain a properly certified operator immediately and provide evidence to the state by no later than November 12, 2025.

#### FAILURE TO MAINTAIN DISINFECTANT TREATMENT

In January and February 2025, we failed to maintain the minimum disinfection level. This was a treatment violation. We also failed to notify you of the violation in a timely manner. This notice was required to be distributed by March 7, 2025.

#### VIOLATIONS IDENTIFIED DURING AN INSPECTION

A drinking water inspection performed by the Colorado Department of Public Health and Environment on August 3, 2021 identified a significant deficiency that may pose a risk to public health. We were required to take action to correct these significant deficiency; however, we failed to take action by the required deadlines as shown in the following table. We also failed to notify you about this violation every three months.

Description of Significant Deficiency	Missed Resolution Date	Steps We Are Taking	Estimated Completion Date
<p><b>Storage Tank Condition:</b> We failed to correct sanitary defects identified at the finished water storage tank. The tank has corrosion and holes that may allow contamination such as insects, birds, or small animals to enter the tank. This was identified as Significant Deficiency F310 during the inspection.</p>	December 29, 2021	<p>The Enforcement Order requires us to visually monitor the tank roof, maintain a higher disinfection level, and sample for bacteria every two weeks. We are also required to follow an emergency response plan if the tank collapses.</p>	<p>The full completion timeline is unknown at this time. The first step that we must complete is to hire an engineer to design a new tank. Then, we must identify additional funding assistance and propose a construction schedule to the state for approval. We will continue to update you every three months.</p>

### **FAILURE TO INVENTORY SERVICE LINE MATERIALS**

We were required to complete and submit a lead service line inventory. We were also required to make this inventory available to the public. This inventory requires the identification of the materials of each service line in our service area. A service line is the pipe that runs from the water main, usually in the street, to each home or building. Service lines typically are made of non-lead materials, such as copper or plastic. Some service lines contain lead which can leach into the water. The inventory is intended to identify lead-containing service lines so consumers are aware of the risks and can take measures to reduce their exposure to lead in drinking water. We did not complete and/or submit this inventory by October 16, 2024 deadline. We also failed to notify you of the violation in a timely manner. This notice was required to be distributed by December 7, 2024 and repeated every three months. The enforcement order requires that we complete this inventory by January 13, 2026.

Typically, lead enters water supplies by leaching from lead or brass pipes and plumbing components. Lead-containing pipes and plumbing components have been banned since 1988 for this reason. However, older homes may contain lead pipes or lead solder. Your water is more likely to contain high lead levels if your service line is made of lead. Visit [epa.gov/lead](http://epa.gov/lead) for more information.

### **FAILURE TO NOTIFY RESIDENTS OF WATER QUALITY**

We did not distribute notices to residents about water quality as shown in the table below.

<b>Required Notice</b>	<b>Recipients</b>	<b>Missed Deadline</b>	<b>Resolved?</b>
Lead sample results in July – December 2023	Residences where samples were collected	Within 10 days of receiving laboratory results	The Enforcement Order requires us to deliver the notices by November 12, 2025
Boil Water Advisory	All residents	January 31, 2025 and repeated every two weeks	Yes, with the delivery of this notice
Notice of violations (this notice)	All residents	Multiple deadlines in 2024 and 2025	Yes, with the delivery of this notice
Annual Consumer Confidence Report	All residents	July 1, 2024	The Enforcement Order requires us to distribute the 2025 report by November 12, 2025
Annual Consumer Confidence Report	All residents	July 1, 2025	The Enforcement Order requires us to distribute the 2025 report by November 12, 2025
Boil Water Advisory	All residents	September 27, 2025 and repeated every two weeks	Yes, with the delivery of this notice

### **FAILURE TO MONITOR WATER QUALITY**

We did not perform or report the following water quality monitoring shown in the table below. Results of regular monitoring are an indicator of whether or not our disinfection treatment is operating correctly and if our drinking water meets health standards. We are required to complete the following sampling in November 2025 and every month going forward.

<b>Monitoring Period</b>	<b>Monitoring Not Performed at the Raw Water Source</b>
January 2025	Total coliform bacteria
<b>Monitoring Period</b>	<b>Monitoring Not Performed in the Distribution System</b>
March 2025	Total coliform bacteria & residual disinfectant concentration
July 2025	Total coliform bacteria & residual disinfectant concentration
August 2025	Total coliform bacteria & residual disinfectant concentration
September 2025	Total coliform bacteria & residual disinfectant concentration

## What does this mean?

- Not having a certified operator in responsible charge of the drinking water system may pose a health risk.
- Uncorrected significant deficiencies may allow contamination or disease-causing organisms to enter the drinking water.
- Inadequately treated water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches.
- Not completing all sampling/testing means that we cannot be sure of the water quality during that time.
- Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems

**This notice does not replace the current boil water advisory that is in effect.  
DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.**

**Bring all water to a boil, let it boil for at least three minutes, and let it cool before using, or USE BOTTLED WATER. Do not boil for an extensive period of time. MORE IS NOT BETTER. Boiled or bottled water should be used until further notice. Boiling kills bacteria and other organisms in the water.**

## What should I do?

- **If you have specific health concerns, consult your doctor.** If you have an infant, severely compromised immune system, are pregnant, or are elderly, you may be at increased risk and should seek advice from your doctor about drinking this water. General guidelines on ways to lessen the risk of infection by bacteria and other disease-causing organisms are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.
- We may need to determine the material of your water service line to ensure safe drinking water. Please confirm the material of your service line upon our request. It is important and easy to do. If you are unsure how to locate your service line entering your home or how to identify the material, we can assist you.
- If your water service line contains lead, we will contact you to discuss replacement options. Water systems are required to replace all system-owned lead service lines. Property owners are encouraged to replace their portion of the service line if it is made of lead. We are required to replace our portion of lead service line when the property owner notifies us they are replacing their portion of lead service line. If you are planning to replace your lead service line, contact us prior to replacement so that we can coordinate our efforts.
- How to Reduce Your Exposure to Lead in Your Water
  - Run your water to flush out lead. If it hasn't been used for several hours, run the cold water tap until the temperature is noticeably colder. This flushes lead-containing water from the pipes. To conserve water, remember to catch the flushed tap water for plants or some other household use (e.g. cleaning).
  - Always use cold water for drinking, cooking, and preparing baby formula. Never cook with or drink water from the hot water tap. Never use water from the hot water tap to make formula.
  - Do not boil water to remove lead. Boiling water will not reduce lead.
  - Test your water for lead. Call us at the number below to find out how to get your water tested for lead.
  - Get your child's blood tested. Contact your local health department or healthcare provider to find out how you can get your child tested for lead if you are concerned about exposure.

For more information, please contact **Contact name** at **email** or **phone**.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is sent to you by: TOWN OF HARTMAN – PWSID CO0150500 Date distributed: **date**



## Public Notice Certificate of Delivery

**\*Submit With a Copy of the Delivered PN No Later than 10 Days After Distribution.\***

Submit Online at [wgcdcompliance.com/login](http://wgcdcompliance.com/login) use "Certifications - PN or CCR..." category

Fax: 303-758-1398; Mail: WQCD-B2-Drinking Water CAS; 4300 Cherry Creek Drive South; Denver, CO 80246-1530

PWS ID: CO0150500	System Name: TOWN OF HARTMAN	
<b>Contact Person:</b>	<b>Phone:</b>	<b>Email:</b>
<b>Comments:</b>		
<p>Certification of Accuracy: The water system and agent hereby affirm the Public Notification for the violation or situation identified above has been provided to consumers and any consecutive water systems in accordance with the delivery, content, and format requirements of the Colorado Primary Drinking Water Regulations (CPDWR). I affirm that future requirements for notifying new billing units will be met. I also understand this notice may need to be repeated in accordance with the CPDWR and I must submit this form again with each repeated notice.</p>		
<b>Printed Name</b>	<b>Date</b>	
<b>*System Authorized Signature</b>	<b>SIGNATURE</b>	<b>Date</b>
<b>*Signature not required if submitted online.</b>		
<b>Date Public Notice Distributed:</b>	<b>Date</b>	
<b>Distribution Methods Used to Reach All Consumers</b>		
<p>Check to affirm that both of the required delivery methods were completed:</p> <p><input type="checkbox"/> Hand delivery or U.S. mail delivery to residents and other service connections</p> <p style="padding-left: 20px;">AND</p> <p><input type="checkbox"/> At least one secondary delivery method: [describe delivery method]</p>		
<b>Date of Violation Letter or Public Notice Requirement Letter:</b>	10/13/2025	
<b>Violation Tier Level:</b>	Tier 1, 2 & 3	
<b>Reason for Notice (Description of Violation or Situation)</b>		
<ul style="list-style-type: none"> <li>All violations cited in Enforcement Order DW.10.25.150500</li> <li>Overdue public notices for the January 2025 and September 2025 Boil Water Advisories</li> </ul>		
<b>List All Consecutive Water Systems (Systems that Purchase Water From Your System) the Notice was Delivered to</b>		



**DRINKING WATER WARNING**  
Town of Hartman  
**BOIL YOUR WATER BEFORE USING**  
**HIERVAN EL AGUA ANTES USARLA**



Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for three (3) minutes, and let it cool before using, **or USE BOTTLED WATER.** DO NOT BOIL for an extensive period of time. MORE IS NOT BETTER. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice. Boiling kills bacteria and other organisms in the water.
- Disease-causing organisms (viruses, parasites, bacteria) can cause symptoms such as diarrhea, cramps, nausea, and associated headaches. They may pose a special health risk for infants, young children, some of the elderly and people with severely compromised immune systems. The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice from your health care provider. People at increased risk should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by bacteria and other disease-causing organisms are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791
- **NO BEBA EL AGUA SIN HERVIRLA PRIMERO.** Lleve toda el agua a ebullición, déjela hervir durante tres (3) minutos y déjela enfriar antes de usarla **o UTILICE AGUA EMBOTELLADA.** Se debe utilizar agua hervida o embotellada para beber, hacer hielo, lavarse los dientes, lavar los trastes y preparar alimentos hasta nuevo aviso. Hervir el agua mata las bacterias y otros organismos que están presentes.
- La pérdida de presión en el sistema puede introducir organismos causantes de enfermedades en el sistema de agua. Estos organismos incluyen bacterias, virus y parásitos, que pueden causar efectos a corto plazo, como náuseas, calambres, diarrea y dolores de cabeza asociados. Los síntomas mencionados no son causados únicamente por los organismos presentes en el agua potable. Si experimenta alguno de estos síntomas de manera persistente, es posible que deba buscar atención médica. Si tiene un bebé, un sistema inmunitario gravemente deficiente, está embarazada o es una persona mayor, puede correr un riesgo más alto y debe pedir consejo a su médico sobre el consumo de esta agua. En la línea directa de agua potable segura de la EPA, 1(800) 426-4791, se pueden consultar las directrices generales sobre las formas de reducir el riesgo de infección por microbios.

### **What happened?**

Our water system is not being operated correctly. We don't have a certified operator and have not been maintaining the disinfection treatment. We also have recent failures to monitor for bacteria and an unresolved significant deficiency at our storage tank. While no contamination was detected, the lack of disinfection and lack of operational control, especially with the unresolved storage tank deficiency, may have allowed disease-causing organisms to enter the water system. We anticipate resolving this situation by **date**.

For more information, please contact **Please enter a name** at **Please enter an email** or **Please enter contact information**.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is sent to you by: TOWN OF HARTMAN – PWSID CO0150500 Date distributed: **date**



## Public Notice Certificate of Delivery

**\*Submit With a Copy of the Delivered PN No Later than 10 Days After Distribution.\***

Submit Online at [wqcdcompliance.com/login](http://wqcdcompliance.com/login) use "Certifications - PN or CCR..." category

Fax: 303-758-1398; Mail: WQCD-B2-Drinking Water CAS; 4300 Cherry Creek Drive South; Denver, CO 80246-1530

PWS ID: CO0150500	System Name: TOWN OF HARTMAN	
<b>Contact Person:</b>	<b>Phone:</b>	<b>Email:</b>
<b>Comments:</b>		
<p>Certification of Accuracy: The water system and agent hereby affirm the Public Notification for the violation or situation identified above has been provided to consumers and any consecutive water systems in accordance with the delivery, content, and format requirements of the Colorado Primary Drinking Water Regulations (CPDWR). I affirm that future requirements for notifying new billing units will be met. I also understand this notice may need to be repeated in accordance with the CPDWR and I must submit this form again with each repeated notice.</p>		
<b>Printed Name</b>	<b>Date</b>	
<b>*System Authorized Signature</b>	<b>SIGNATURE</b>	<b>Date</b>
<b>*Signature not required if submitted online.</b>		
<b>Date Public Notice Distributed:</b>	<b>Date</b>	
<b>Distribution Methods Used to Reach All Consumers</b>		
<p>Check to affirm that both of the required delivery methods were completed:</p> <p><input type="checkbox"/> Hand delivery or U.S. mail delivery to residents and other service connections</p> <p style="padding-left: 20px;">AND</p> <p><input type="checkbox"/> At least one secondary delivery method: [describe delivery method]</p>		
<b>Date of Violation Letter or Public Notice Requirement Letter:</b>	9/16/2025	
<b>Violation Tier Level:</b>	Tier 1	
<b>Reason for Notice (Description of Violation or Situation)</b>		
<ul style="list-style-type: none"> <li>• September 2025 Boil Water Advisory</li> </ul>		
<b>List All Consecutive Water Systems (Systems that Purchase Water From Your System) the Notice was Delivered to</b>		

TOWN OF HARTMAN 2025 Drinking Water Quality Report  
Covering Data For Calendar Year 2024  
**Public Water System ID: CO0150500**

**Esta es información importante. Si no la pueden leer, necesitan que alguien se la traduzca.**

We are pleased to present to you this year's water quality report. Our constant goal is to provide you with a safe and dependable supply of drinking water. Please contact **CONTACT NAME** at **PHONE** with any questions or for public participation opportunities that may affect water quality.

### General Information

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (1-800-426-4791) or by visiting [epa.gov/ground-water-and-drinking-water](https://epa.gov/ground-water-and-drinking-water).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immunocompromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV-AIDS or other immune system disorders, some elderly, and infants can be particularly at risk of infections. These people should seek advice about drinking water from their health care providers. For more information about contaminants and potential health effects, or to receive a copy of the U.S. Environmental Protection Agency (EPA) and the U.S. Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and microbiological contaminants call the EPA Safe Drinking Water Hotline at (1-800-426-4791).

### Contaminant Information

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- **Microbial contaminants:** viruses and bacteria that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- **Inorganic contaminants:** salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- **Pesticides and herbicides:** may come from a variety of sources, such as agriculture, urban storm water runoff, and residential uses.
- **Radioactive contaminants:** can be naturally occurring or be the result of oil and gas production and mining activities.
- **Organic chemical contaminants:** including synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and also may come from gas stations, urban storm water runoff, and septic systems.

In order to ensure that tap water is safe to drink, the Colorado Department of Public Health and Environment prescribes regulations limiting the amount of certain contaminants in water provided by

public water systems. The Food and Drug Administration regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

### Lead in Drinking Water

Lead can cause serious health effects in people of all ages, especially pregnant people, infants (both formula-fed and breastfed), and young children. Lead in drinking water is primarily from materials and parts used in service lines and in home plumbing. We are responsible for providing high quality drinking water and removing lead pipes but cannot control the variety of materials used in the plumbing in your home. Because lead levels may vary over time, lead exposure is possible even when your tap sampling results do not detect lead at one point in time.

You can help protect yourself and your family by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Using a filter, certified by an American National Standards Institute accredited certifier to reduce lead, is effective in reducing lead exposures. Follow the instructions provided with the filter to ensure the filter is used properly.

Use only cold water for drinking, cooking, and making baby formula. Boiling water does not remove lead from water. Before using tap water for drinking, cooking, or making baby formula, flush your pipes for several minutes. You can do this by running your tap, taking a shower, doing laundry or a load of dishes. If you have a lead service line or galvanized requiring replacement service line, you may need to flush your pipes for a longer period. If you are concerned about lead in your water and wish to have your water tested, contact JUANNA MCDOWELL HERNANDEZ at 719-688-7033. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at [epa.gov/safewater/lead](https://epa.gov/safewater/lead).

### Service Line Inventory

New state and federal laws require us to inventory all water service lines in our service area to classify the material. A service line is the underground pipe that carries water from the water main, likely in the street, into your home or building. If you would like to view a copy of our service line inventory or have questions about the material of your service line, contact **CONTACT NAME** at **PHONE**.

### Source Water Assessment and Protection (SWAP)

The Colorado Department of Public Health and Environment may have provided us with a Source Water Assessment Report for our water supply. For general information or to obtain a copy of the report please visit [wqcdcompliance.com/ccr](https://wqcdcompliance.com/ccr). The report is located under "Guidance: Source Water Assessment Reports". Search the table using our system name or ID, or by contacting **CONTACT NAME** at **PHONE**. The Source Water Assessment Report provides a screening-level evaluation of potential contamination that *could* occur. It *does not* mean that the contamination *has or will* occur. We can use this information to evaluate the need to improve our current water treatment capabilities and prepare for future contamination threats. This can help us ensure that quality finished water is delivered to your homes. In addition, the source water assessment results provide a starting point for developing a source water protection plan. Potential sources of contamination in our source water area are listed below. Please contact us to learn more about what you can do to help protect your drinking water sources, any questions about the Drinking Water Quality Report, to learn more about our system, or to attend scheduled public meetings. We want you, our valued customers, to be informed about the services we provide and the quality water we deliver to you every day.

## Our Water Sources

Sources	Potential Source(s) of Contamination
<ul style="list-style-type: none"> <li>• EMERGENCY INTERCONNECT TO GRANADA WA CO0150400 (Groundwater)</li> <li>• NO 1 WELL (Groundwater)</li> </ul>	High Intensity Residential, Low Intensity Residential, Small Grains, Road Miles

### Terms and Abbreviations

- **Maximum Contaminant Level (MCL)** – The highest level of a contaminant allowed in drinking water.
- **Treatment Technique (TT)** – A required process intended to reduce the level of a contaminant in drinking water.
- **Health-Based** – A violation of either a MCL or TT.
- **Non-Health-Based** – A violation that is not a MCL or TT.
- **Action Level (AL)** – The concentration of a contaminant which, if exceeded, triggers treatment and other regulatory requirements.
- **Maximum Residual Disinfectant Level (MRDL)** – The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.
- **Maximum Contaminant Level Goal (MCLG)** – The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
- **Maximum Residual Disinfectant Level Goal (MRDLG)** – The level of a drinking water disinfectant, below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
- **Violation (No Abbreviation)** – Failure to meet a Colorado Primary Drinking Water Regulation.
- **Formal Enforcement Action (No Abbreviation)** – Escalated action taken by the State (due to the risk to public health, or number or severity of violations) to bring a non-compliant water system back into compliance.
- **Variance and Exemptions (V/E)** – Department permission not to meet a MCL or treatment technique under certain conditions.
- **Gross Alpha (No Abbreviation)** – Gross alpha particle activity compliance value. It includes radium-226, but excludes radon 222, and uranium.
- **Picocuries per liter (pCi/L)** – Measure of the radioactivity in water.
- **Nephelometric Turbidity Unit (NTU)** – Measure of the clarity or cloudiness of water. Turbidity in excess of 5 NTU is just noticeable to the typical person.
- **Compliance Value (No Abbreviation)** – Single or calculated value used to determine if regulatory contaminant level (e.g. MCL) is met. Examples of calculated values are the 90<sup>th</sup> Percentile, Running Annual Average (RAA) and Locational Running Annual Average (LRAA).
- **Average (x-bar)** – Typical value.
- **Range (R)** – Lowest value to the highest value.
- **Sample Size (n)** – Number or count of values (i.e. number of water samples collected).
- **Parts per million = Milligrams per liter (ppm = mg/L)** – One part per million corresponds to one minute in two years or a single penny in \$10,000.
- **Parts per billion = Micrograms per liter (ppb = ug/L)** – One part per billion corresponds to one minute in 2,000 years, or a single penny in \$10,000,000.

- **Not Applicable (N/A)** - Does not apply or not available.
- **Level 1 Assessment** - A study of the water system to identify potential problems and determine (if possible) why total coliform bacteria have been found in our water system.
- **Level 2 Assessment** - A very detailed study of the water system to identify potential problems and determine (if possible) why an E. coli MCL violation has occurred and/or why total coliform bacteria have been found in our water system on multiple occasions.

### Detected Contaminants

TOWN OF HARTMAN routinely monitors for contaminants in your drinking water according to Federal and State laws. The following table(s) show all detections found in the period of January 1 to December 31, 2024 unless otherwise noted. The State of Colorado requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year, or the system is not considered vulnerable to this type of contamination. Therefore, some of our data, though representative, may be more than one-year-old. **Note:** Only detected contaminants sampled within the last 5 years appear in this report.

<b>Disinfectants Sampled in the Distribution System</b> TT Requirement: No more than 1 sample below 0.2 ppm Typical Sources: Water additive used to control microbes										
Disinfectant Name	Time Period	Results				Number of Samples Below Level	Sample Size	TT Violation	MRDL	
Chlorine	December, 2024	Percentage of samples meeting TT requirement: 100%				0	1	No	4.0 ppm	
<b>Lead and Copper Sampled in the Distribution System</b> <a href="#">Lead and Copper Individual Sample Results</a>										
Contaminant Name	Time Period	Tap Sample Range Low - High	90 <sup>th</sup> Percentile	Sample Size	Unit of Measure	90 <sup>th</sup> Percentile AL	Sample Sites Above AL	90 <sup>th</sup> Percentile AL Exceedance	Typical Sources	
Copper	08/28/2023 to 08/28/2023	0.017 to 0.074	0.06	5	ppm	1.3	0	No	Corrosion of household plumbing systems; Erosion of natural deposits	
Copper	06/25/2023 to 06/25/2023		0.05	5	ppm	1.3	0	No	Corrosion of household plumbing systems; Erosion of natural deposits	

Radionuclides Sampled at the Entry Point to the Distribution System									
Contaminant Name	Year	Average	Range Low - High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Gross Alpha	2020	2.3	2.3 to 2.3	1	pCi/L	15	0	No	Erosion of natural deposits
Combined Radium	2020	3.1	3.1 to 3.1	1	pCi/L	5	0	No	Erosion of natural deposits
Inorganic Contaminants Sampled at the Entry Point to the Distribution System									
Contaminant Name	Year	Average	Range Low - High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Arsenic	2020	2	2 to 2	1	ppb	10	0	No	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
Barium	2020	0.03	0.03 to 0.03	1	ppm	2	2	No	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Chromium	2020	2	2 to 2	1	ppb	100	100	No	Discharge from steel and pulp mills; erosion of natural deposits

Fluoride	2020	1.91	1.91 to 1.91	1	ppm	4	4	No	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
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**Secondary Contaminants**

Secondary standards are non-enforceable guidelines for contaminants that may cause cosmetic effects (such as skin, or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water

Contaminant Name	Year	Average	Range Low - High	Sample Size	Unit of Measure	Secondary Standard
Sodium	2020	200.5	200.5 to 200.5	1	ppm	N/A

## Violations, Significant Deficiencies, and Formal Enforcement Actions

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

If you have specific health concerns, consult your doctor. If you have an infant, severely compromised immune system, are pregnant, or are elderly, you may be at increased risk and should seek advice from your doctor about drinking this water. General guidelines on ways to lessen the risk of infection by bacteria and other disease-causing organisms are available from EPA’s Safe Drinking Water Hotline at 1-800-426-4791.

<b>Formal Enforcement Actions</b>					
The Colorado Department of Public Health and Environment has issued three enforcement orders and penalties to our drinking water system since 2023. Enforcement Order DW.06.23.150500 was issued on June 28, 2023 with a \$336.00 penalty, Enforcement Order DW.05.24.150500 was issued on May 13, 2024 with a \$2,268.00 penalty, and Enforcement Order DW.10.25.150500 was issued on October 13, 2025 with a \$132,746.00 penalty. The Orders require us to complete corrective actions according to a specific schedule and to notify you of our progress every three months.					
<b>Health-Based Violations</b>					
<b>Treatment technique (TT) violations:</b> We failed to complete an action that could affect water quality. Please read the information shown below about potential health effects for vulnerable populations. This is likely the same violation that we told you about in a past notice. We were required to meet a minimum operation/treatment standard, we were required to make upgrades to our system, or we were required to evaluate our system for potential sanitary defects, and we failed to do so in the time period shown below. If the solution will take an extended period of time, we will keep you updated with quarterly notices.					
Name	Description	Time Period	Health Effects	Compliance Value	TT Level or MCL
STATE HEALTH DEPT INSPECTION	FAILURE TO CORRECT A SIGNIFICANT DEFICIENCY - F310 (TT violation)	12/30/2021 - Open	Uncorrected significant deficiencies may allow contamination or disease-causing organisms to enter the drinking water.	N/A	N/A
<b>Additional Violation Information</b> - We failed to correct sanitary defects identified at the finished water storage tank. The tank has corrosion and holes that may allow contamination such as insects, birds, or small animals to enter the tank. This was identified as Significant Deficiency F310 during the inspection. The full completion timeline is unknown at this time. The first step that we must complete is to hire an engineer to design a new tank. Then, we must identify additional funding assistance and propose a construction schedule to the state for approval. We will					

continue to update you every three months. The Enforcement Order requires us to visually monitor the tank roof, maintain a higher disinfection level, and sample for bacteria every two weeks. We are also required to follow an emergency response plan if the tank collapses.					
NO CERTIFIED OPERATOR	FAILURE HAVE A CERTIFIED OPERATOR (TT violation)	12/26/2023 - 2/1/2025 & 6/30/2025 - Open	Not being operated by a state certified operator at the appropriate level and may pose a risk to public health.	N/A	N/A
<b>Additional Violation Information</b> - We have received multiple violations because our water system was not operated or supervised by a state certified operator from December 26, 2023 to February 1, 2025 and again since June 30, 2025 and ongoing. To resolve this violation, we were required to retain a properly certified operator immediately and provide evidence to the state by no later than November 12, 2025.					
LEAD AND COPPER RULE REVISIONS	LSL INVENTORY-INITIAL (TT violation)	10/17/2024 - Open	Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems	N/A	N/A
<b>Additional Violation Information</b> - We were required to complete and submit a lead service line inventory. We were also required to make this inventory available to the public. This inventory requires the identification of the materials of each service line in our service area. A service line is the pipe that runs from the water main, usually in the street, to each home or building. Service lines typically are made of non-lead materials, such as copper or plastic. Some service lines contain lead which can leach into the water. The inventory is intended to identify lead-containing service lines so consumers are aware of the risks and can take measures to reduce their exposure to lead in drinking water. We did not complete and/or submit this inventory by October 16, 2024 deadline. We also failed to notify you of the violation in a timely manner. The enforcement order requires that we complete this inventory by January 13, 2026.					
<b>Non-Health-Based Violations</b>					
These violations do not usually mean that there was a problem with the water quality. If there had been, we would have notified you immediately. We missed collecting a sample (water quality is unknown), we reported the sample result after the due date, or we did not complete a report/notice by the required date.					
<b>Name</b>		<b>Description</b>		<b>Time Period</b>	

TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	05/01/2024 - 05/31/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	11/01/2024 - 11/30/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	09/01/2024 - 09/30/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	08/01/2024 - 08/31/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	07/01/2024 - 07/31/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	06/01/2024 - 06/30/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	04/01/2024 - 04/30/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	03/01/2024 - 03/31/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	02/01/2024 - 02/29/2024
TOTAL COLIFORM BACTERIA	FAILURE TO MONITOR AND/OR REPORT	01/01/2024 - 01/31/2024
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	12/13/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	12/08/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	10/31/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	09/13/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	07/31/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	06/13/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	05/01/2024 - Open
PUBLIC NOTICE	FAILURE TO NOTIFY THE PUBLIC/CONSUMERS	03/04/2024 - Open
NITRATE	FAILURE TO MONITOR AND/OR REPORT	01/01/2024 - 12/31/2024
LEAD AND COPPER RULE REVISIONS	LSL REPORTING-INITIAL	10/17/2024 - Open
LEAD & COPPER RULE	FAILURE TO MONITOR AND/OR REPORT	07/01/2024 - 01/20/2025
LEAD & COPPER RULE	FAILURE TO INFORM HOMEOWNER OF LEAD RESULTS	04/01/2024 - Open
CONSUMER CONFIDENCE RULE	FAILURE TO DELIVER AN ANNUAL CONSUMER CONFIDENCE (WATER QUALITY) REPORT TO THE PUBLIC/CONSUMERS	07/01/2024 - Open
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	11/01/2024 - 11/30/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	09/01/2024 - 09/30/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	08/01/2024 - 08/31/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	07/01/2024 - 07/31/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	06/01/2024 - 06/30/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	05/01/2024 - 05/31/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	04/01/2024 - 04/30/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	03/01/2024 - 03/31/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	02/01/2024 - 02/29/2024

CHLORINE	FAILURE TO MONITOR AND/OR REPORT	01/01/2024 - 01/31/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	10/01/2024 - 12/31/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	07/01/2024 - 09/30/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	04/01/2024 - 06/30/2024
CHLORINE	FAILURE TO MONITOR AND/OR REPORT	01/01/2024 - 03/31/2024

**Additional Violation Information** - We did not perform or report the water quality monitoring shown in the table above. Results of regular monitoring are an indicator of whether or not our disinfection treatment is operating correctly and if our drinking water meets health standards. Not completing all sampling/testing means that we cannot be sure of the water quality during that time. We are required to complete the overdue sampling in November 2025 and every month going forward. The Enforcement Order requires us to deliver the overdue notices by November 12, 2025

**Significant Deficiencies**

A situation, practice, or condition that may potentially result in drinking water quality that poses an unacceptable risk to public health and welfare and/or may potentially introduce contamination into the drinking water.

Date Identified	Deficiency Description	Interim Measures to Protect Public Health	Steps to Correct the Violation & Estimated Completion Date
8/3/2021	<p><b>Storage Tank Condition:</b> We failed to correct sanitary defects identified at the finished water storage tank. The tank has corrosion and holes that may allow contamination such as insects, birds, or small animals to enter the tank. This was identified as Significant Deficiency F310 during the inspection</p>	<p>The Enforcement Order requires us to visually monitor the tank roof, maintain a higher disinfection level, and sample for bacteria every two weeks. We are also required to follow an emergency response plan if the tank collapses.</p>	<p>The full completion timeline is unknown at this time. The first step that we must complete is to hire an engineer to design a new tank. Then, we must identify additional funding assistance and propose a construction schedule to the state for approval. We will continue to update you every three months.</p>



# Consumer Confidence Report (CCR) Certificate of Delivery

**\*Submit this certification and a copy of the delivered CCR no later than June 30.\***

Submit Online at [wqcdcompliance.com/login](http://wqcdcompliance.com/login) use “Certifications - PN or CCR...” category

Fax: 303-758-1398; Mail: WQCD-B2-Drinking Water CAS; 4300 Cherry Creek Drive South; Denver, CO 80246-1530

<b>PWS ID:</b> CO0150500 <b>System Name:</b> Town of Hartman		
<b>Contact Person:</b>	<b>Phone:</b>	<b>Email:</b>
<b>Comments:</b>		
<p>Certification of Accuracy: The water system and agent hereby confirms the consumer confidence report has been distributed to customers (or appropriate notices of availability have been given). The system certifies the information contained in the report is correct and consistent with the compliance monitoring data previously submitted to CDPHE.</p>		
<b>*System Authorized Signature</b>	<b>Printed Name</b>	<b>Date</b>
*Signature not required if submitted online.		
<b>Date all CCR delivery methods and good faith efforts were completed:</b>	<b>DATE:</b>	
<b>Direct delivery of CCR to customers using the methods below</b>		
<p><u>Check boxes</u> to affirm that both of the required delivery methods were completed:</p> <p><input type="checkbox"/> Hand delivery or U.S. mail delivery to customers</p> <p><input type="checkbox"/> The CCR is available to the public upon request.</p>		
<b>Good Faith Efforts. You must complete at least one of the following:</b>		
<p><u>Check boxes</u> to affirm all of the additional delivery methods you used:</p> <p><input type="checkbox"/> Posted CCR on website (list link in additional information section below)</p> <p><input type="checkbox"/> Mailed CCR to postal patrons (list zip codes in additional information section below),</p> <p><input type="checkbox"/> Advertised the availability of the CCR in the news media (list media in additional information section below)</p> <p><input type="checkbox"/> Published the CCR in local newspaper (list newspapers in additional information section below)</p>		
<i>continued on next page</i>		

- Delivered multiple CCR copies to single bill addresses serving several persons (list bill addresses in additional information section below)
- Posted the CCR in public places (list places in additional information section below)
- Delivered multiple CCR copies to single bill addresses serving several persons (list places such as apartments, businesses, etc. in additional information section below)
- Delivered CCR to community organizations (list places in additional information section below)

**Additional Information about Good Faith Efforts:**

**Violations and Exceedances Reported in the CCR:**

Multiple violations