



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

WG-15J

SEP 28 2009

The Honorable Donald Merkes
Mayor, City of Waverly
377 Nassau Street
Menasha, Wisconsin 54952

Subject: Federal Administrative Order to Waverly Sanitary District
PWS Identification Number: WI4080076

Dear Mayor Merkes:

I am writing to provide you with notice that the U.S. Environmental Protection Agency (EPA) is planning to issue the above-referenced public water system an Administrative Order under Section 1414(g) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300g-3(g). EPA believes that the above-referenced drinking water system violated the Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR) at 40 Code of Federal Regulations (C.F.R.) Part 141, Subpart U and V, by failing to monitor according to its standard monitoring plan.

Under Section 1414(a)(2)(A) of the SDWA, 42 U.S.C. § 300g-3(a)(2)(A), EPA is authorized to issue an administrative order to a public water system which is found to be in violation of applicable requirements under the SDWA where the State does not have primary enforcement responsibility. While the State of Wisconsin administers the Public Water System Supervision Program pursuant to Section 1413 of the SDWA, EPA has retained primary responsibility for enforcing the Stage 2 DBPR.

This letter is intended to provide the required notice to you as an appropriate local elected official pursuant to SDWA Section 1414(a)(2)(B). The administrative order will require the above referenced public water system to take specified actions to remedy its SDWA violations.

If you or anyone on your staff has any questions, please call Denise Young at (312) 886-4241.

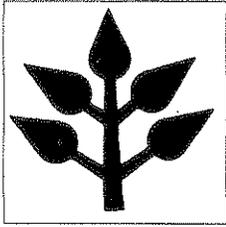
Sincerely,

A handwritten signature in black ink, appearing to read "Tinka G. Hyde". The signature is written in a cursive style with a long horizontal flourish extending to the right.

for Tinka G. Hyde
Director, Water Division

Enclosure

cc: (sent via e-mail)
Lee Boushon, WDNR
Carol A. McCurry, WDNR



Waverly Sanitary District

N8722 County Road LP

Menasha, WI 54952 • Phone: (920)731-0002 • Fax: (920)731-2955

October 23, 2009

OCT 28 2009

City of Menasha
Mayor Don Merkes
140 Main Street
Menasha, WI 54952

Re: Notice to Waverly Sanitary District Customers, Mail Date: October 26, 2009

Dear Mayor Merkes:

A copy of the notice that Bob Krueger, Waverly Sanitary District systems operator, discussed with you previously is enclosed for your information and reference. The notice will be mailed from Waverly Sanitary District to its customers on Monday, October 26, 2009.

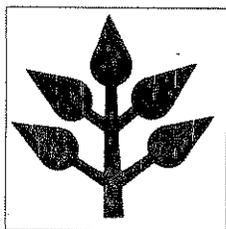
Bob requested a copy of the notice be provided to you before they are mailed to WSD's customers.

Any questions or concerns, please contact Bob Krueger at 585-6864 or 731-0002.

Sincerely,

Susan A. Hallock
Administrative Assistant

Enclosure



Waverly Sanitary District

N8722 County Road LP

Menasha, WI 54952 • Phone: (920)731-0002 • Fax: (920)731-2955

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring and Reporting Requirements Not Met for Waverly Sanitary District

Our water system is required to conduct a system evaluation to characterize disinfection by-products (DBPs) in our distribution system and identify the best places to monitor. We recently failed to collect the correct number of drinking water samples required for this evaluation. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

We routinely monitor for the presence of drinking water contaminants. During November 2008, our system failed to collect the required number of DBP samples for total trihalomethanes (TTHMs) in our drinking water distribution system.

What should I do?

You do not need to boil your water or take other corrective actions. You may continue to drink the water. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours.

What was done?

TTHMs and HAA5s are a group of chemicals that are formed when chlorine or other disinfectants used to control microbial contaminants in drinking water react with naturally occurring organic and inorganic matter in water. We are working to minimize the formation of TTHMs and HAA5s while ensuring an adequate level of disinfection to protect customers from exposure to bacteria.

We are revising our monitoring plan and will be taking these samples on November 16, 2009. For more information, please contact Robert Krueger of Waverly Sanitary District at (920) 585-6864.

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 Waverly Sanitary District
Water System ID#: WI4080076.

Sent: October 27, 2009

Dedicated to the Environment