

Subject:	<b>PNC Resolution Process</b>	Orig Date:	08/30/2012
Unit + init:	TS / DMCE: ks/jrc/kk/tf	Revised date:	
Purpose & Scope: to describe the process for state and county staff to follow to resolve a PNC (Priority Non-Complier).			

(Note: The general steps listed here are taken from the contract between County / Ag and DWP, with specifics added for clarification.)

Procedure/Process:

- 1) A water system is a priority non-complier (PNC) when it has a System Score greater than 10. A water system ceases to be a PNC when violations are returned to compliance (RTC) dropping the system score below 11 or are addressed through formal enforcement. Violations have the following point values for calculating a system score:
  - Acute maximum contaminant level (MCL) violations are ten (10) points (E. Coli, nitrate, turbidity);
  - MCLs for chronic contaminants, total coliform and treatment techniques violations are five (5) points;
  - Monitoring and reporting violations are one (1) point.
  
- 2) Technical staff (state, county, Ag.) should review the system scores of all their water systems at least monthly. The PNC list/system score web page is updated each time violations are validated.
  
- 3) When a water system becomes a PNC, technical staff should contact the system operator. Technical staff should discuss any unresolved violations with the operator/water supplier (with an emphasis on MCL and health-based violations), and should establish a plan and timeline with the system operator regarding how to resolve the violations.
  

The goal is to have all MCL violations resolved and reduce the system score to 10 points or less within eight (8) months of the water system becoming a PNC. If the violations cannot be resolved within eight (8) months see step 6.

  
- 4) After monitoring results are submitted, certain types of monitoring and reporting (M&R) violations are automatically RTC. The list of violations and how they were RTC is in Appendix A. Automatic RTC is generated monthly.
  
- 5) For MCL or treatment technique violations, corrective action is required. Once a water system has taken the appropriate corrective action, and water meets the applicable water quality standard(s) it can be RTC.

Technical staff should send an email to the Data Management, Compliance and Enforcement (DMCE) e-mail inbox ([DWP.DMCE@state.or.us](mailto:DWP.DMCE@state.or.us)) requesting the associated violations be RTC. Put "RTC" in the subject heading with the system name & number. List in the body of the e-mail the violation type(s) you want RTC. Also include in the e-mail a link to the contact report which documents the action(s) the system took to resolve the violation(s), and the date when the corrective action(s) was completed.

- 6) When a water system has been on the PNC list for five (5) months, technical staff must determine if the water system can be RTC within the next three (3) months.
  - a) If the water system can complete the necessary corrective actions within the next three (3) months, technical staff should send a letter to the water system with a compliance schedule listing the corrective actions required and a deadline for each action. Follow up with the system to ensure corrective actions are taken. Send a copy of the compliance schedule letter to DMCE via email inbox or hardcopy mail.
  - b) If it is determined the system's score will not be 10 points or less and have all MCL violations resolved within the next (3) months, technical staff should send a written request to the Enforcement Coordinator for formal enforcement action. The request should include a draft compliance schedule listing the corrective actions required, and a deadline for each action.

#### 7) County Billing

- a) When a PNC is resolved per the PNC resolution process, a contact report documenting the resolution may be submitted with an invoice. The report is subject to review prior to payment to assure appropriate contacts were taken to resolve the PNC.
- b) Use the latest version of the contact report and indicate "PNC Resolution" on the summary line along with the contaminant type resolved. Mark the assistance action type as "PNC – Priority Non-Complier (2J)."
- c) A maximum of one payment per year, per PNC water system, is allowed.

## Appendix A – List of violations and method needed to RTC

### Currently Auto RTC:

- Chemical Late/Nonreporting, Nitrate
- Chemical Late/Nonreporting
- DBP1 Late/Nonreporting (when on quarterly schedule)
- Routine Coliform - Did Not Report ANY
- Routine Coliform - Did Not Report Enough
- Monthly SW Report - Late/Nonreporting
- Repeat Coliform - Did Not Report ANY
- Repeat Coliform - Did Not Report Enough
- Total Coliform MCL

### Future Auto RTC:

- DBP1 Late/Nonreporting (not on quarterly schedule)
- LCR Late/Nonreporting
- Monthly GW Compliance Report - Late/Nonreporting
- Source Sample - Late/Nonreporting
- Source Assessment Sample - Late/Nonreporting
- DBP2 Late/Nonreporting
- Public Notice Late/Nonreporting

### Will add auto RTC if we start generating new violations:

- TOC Late/Nonreporting
- Consumer Notification of Results Late/Nonreporting
- Corrosion Control Late/Nonreporting

### No plans to add Auto RTC (Note: these are all health based violations worth 5 or 10 points in the system score):

- Acute MCL for Fecal Coliform or E. coli
- Chemical MCL based on 1 Sample, Nitrate
- Chemical MCL based on Average of Samples, Nitrate
- Failure to Maintain 4-log Treatment
- Failure to Maintain EP Disinfection
- Failure to Provide Adequate Contact Time, Swtr
- Turbidity Standards Not Met (95% NTU)
- Turbidity Standards Not Met (Max NTU)
- Chemical MCL based on 1 Sample
- Chemical MCL based on Average of Samples
- Corrosion Control Non-Compliance
- Failure to Submit CCT Recommendation
- No Qualified Treatment Plant Operator
- Public Education Late/Nonreporting