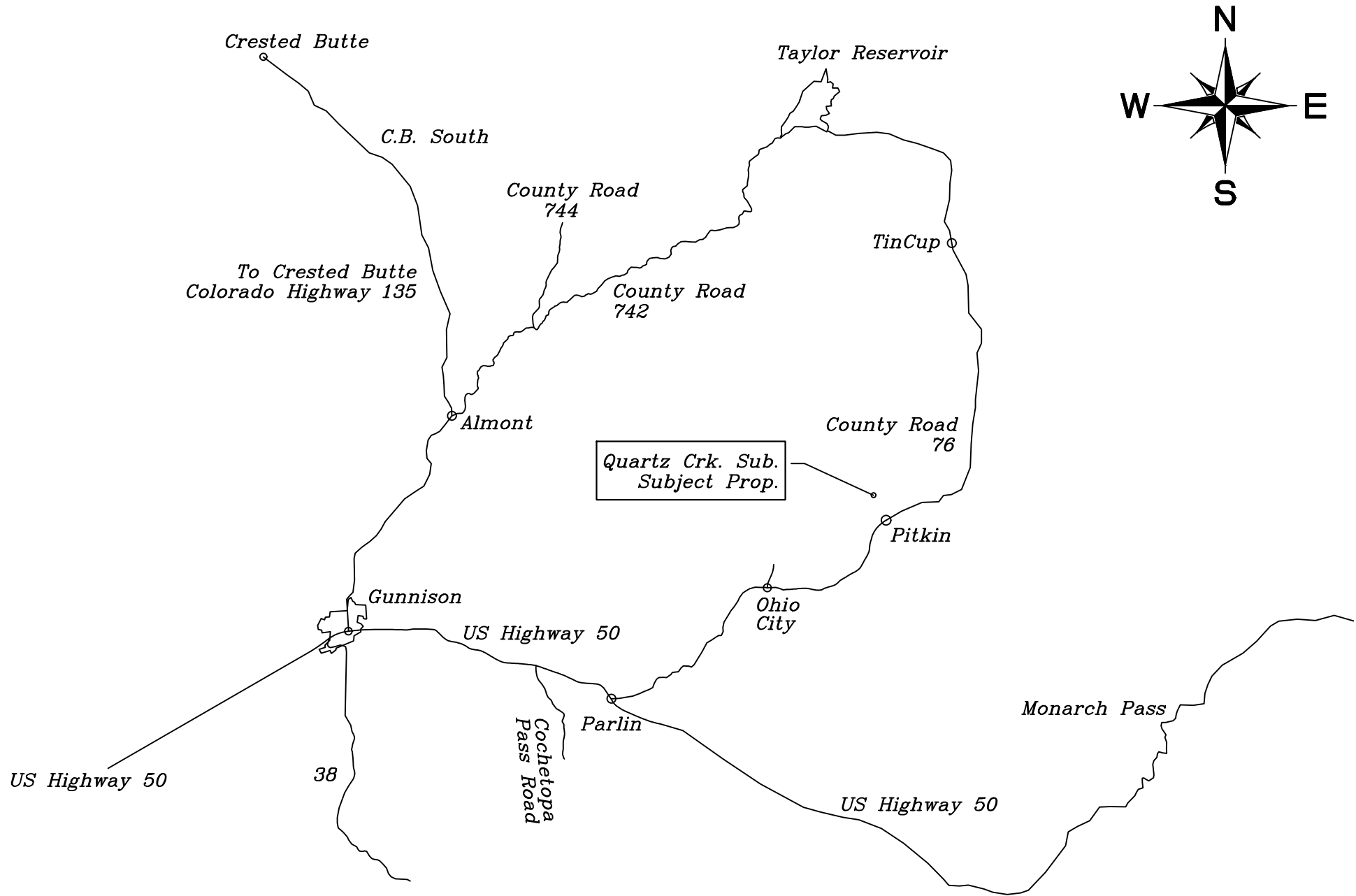


APPENDIX A
VICINITY MAP



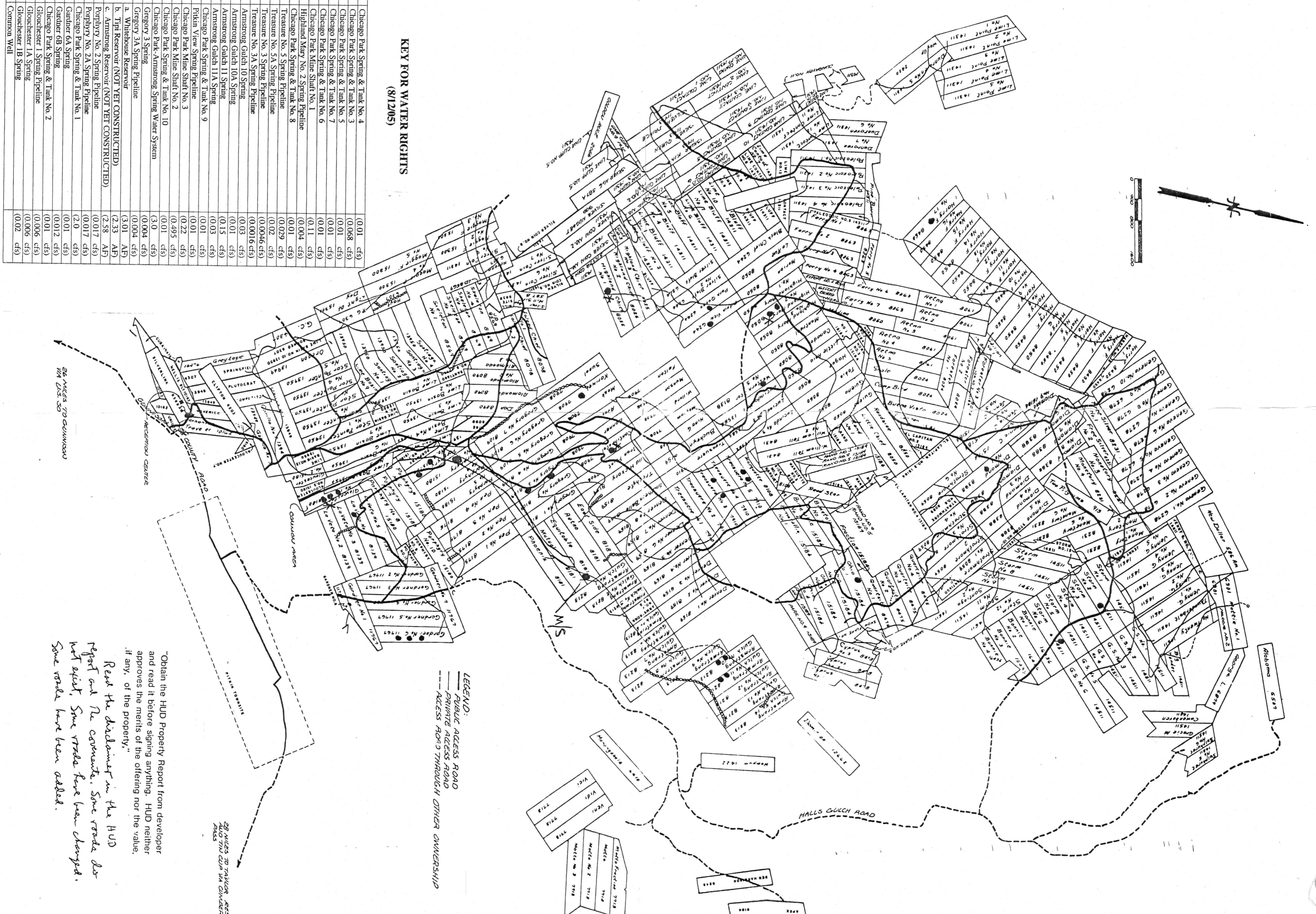
APPENDIX A
 QUARTZ CREEK SUBDIVISION - H.O.A.
 GUNNISON COUNTY, COLORADO 81230
 DATE: 3-14-17

VICINITY MAP

APPENDIX B
QUARTZ CREEK PROPERTIES SUBDIVISION

Code	Description	Value
H-21	Chicago Park Spring & Tank No. 4	(0.01 cfs)
J-22	Chicago Park Spring & Tank No. 3	(0.068 cfs)
L-17	Chicago Park Spring & Tank No. 5	(0.01 cfs)
N-9	Chicago Park Spring & Tank No. 7	(0.01 cfs)
P-20	Chicago Park Spring & Tank No. 6	(0.01 cfs)
S-12	Chicago Park Mine Shaft No. 1	(0.11 cfs)
S-14	Chicago Park Spring & Tank No. 8	(0.004 cfs)
T-17	Treasure No. 5A Spring Pipeline	(0.029 cfs)
T-17	Treasure No. 5A Spring Pipeline	(0.02 cfs)
T-17	Treasure No. 3A Spring Pipeline	(0.0046 cfs)
U-17	Treasure No. 3A Spring Pipeline	(0.0016 cfs)
U-23	Armstrong Gulch 10 Spring	(0.03 cfs)
U-23	Armstrong Gulch 10A Spring	(0.01 cfs)
U-24	Armstrong Gulch 10A Spring	(0.15 cfs)
U-24	Armstrong Gulch 11A Spring	(0.03 cfs)
U-12	Chicago Park Spring & Tank No. 9	(0.01 cfs)
X-11	Pekin View Spring Pipeline	(0.22 cfs)
X-16	Chicago Park Mine Shaft No. 2	(0.495 cfs)
Y-15	Chicago Park Spring & Tank No. 10	(0.01 cfs)
Y-20	Chicago Park Spring & Tank No. 10	(0.01 cfs)
AA-17	Gregory 3 Spring	(3.0 cfs)
AA-17	Gregory 3A Spring Pipeline	(0.004 cfs)
AA-17	Whitehouse Reservoir	(3.01 AP)
CC-16	Tip Reservoir (NOT YET CONSTRUCTED)	(2.33 AP)
DD-17	Armstrong Reservoir (NOT YET CONSTRUCTED)	(2.38 AP)
DD-17	Porphyry No. 2 Spring Pipeline	(0.017 cfs)
DD-17	Porphyry No. 2A Spring Pipeline	(0.017 cfs)
EE-22	Chicago Park Spring & Tank No. 1	(2.0 cfs)
EE-22	Gardner 6A Spring	(0.01 cfs)
EE-22	Gardner 6B Spring	(0.012 cfs)
FF-19	Chicago Park Spring & Tank No. 2	(0.01 cfs)
HH-18	Gloucester 1A Spring Pipeline	(0.006 cfs)
HH-18	Gloucester 1A Spring	(0.006 cfs)
HH-18	Gloucester 1B Spring	(0.006 cfs)
LL-15	Common Well	(0.02 cfs)

KEY FOR WATER RIGHTS (8/12/05)



* ALL LOCATIONS ARE TO LODE CLAIM, THE POSITION OF THE DOT ON THE LODE CLAIM DOES NOT INDICATE THE POSITION OF THE SPRING ON THE LODE CLAIM, USE THE LEGAL DESCRIPTION.

APPENDIX C

**COLORADO DEPARTMENT OF HEALTH
IMMEDIATE RESPONSE LETTER TO ASSOCIATION**



COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

May 22, 2015

Terry Davis, President
QUARTZ CREEK PROPERTY OWNERS ASSOCIATION - PWSID CO0226620
P. O. Box 513
Gunnison, CO 81230

Immediate Response Required - Public Water System Information

Dear Terry Davis:

According to the Colorado Department of Public Health and Environment ("Department") records, QUARTZ CREEK PROPERTY OWNERS ASSOCIATION ("Supplier") meets the definition of a Public Water System as stated in the Colorado Primary Drinking Water Regulations ("Regulation 11"), 5 CCR 1002-11. The Supplier is classified as a Transient, Non-Community, Surface Water Public Water System serving an estimated 400 people per day from May to October. Regulation 11 defines Transient, Non-Community as a water system that serves a population of at least 25 people per day for at least 60 days per year, and is not a non-transient, non-community water system or a community water system.

The Public Water System Identification (PWSID) assigned to the Supplier is CO0226620. This is used to identify the Supplier and should be used on all samples, forms, and correspondence pertaining to the Supplier.

Immediate Response Required

The Supplier is required to submit contact, population and inventory information to the Department to allow the Department to properly assign requirements for the water system.

- Please complete and return an Inventory Update Form to the Department by Friday May 29, 2015 at 5:00 PM. The Inventory Update Form is enclosed and is available at wqcdcompliance.com/forms.

Additional Requirements

For your information, the Department has identified the following requirements that require your response or corrective action.

Surface Water Treatment: The Supplier must comply with the surface water treatment requirements, outlined in Sections 11.8, 11.9, and 11.10 of Regulation 11, including chemical disinfection and filtration. The Supplier must use chemical disinfection and filtration methods approved by the Department. Failure to operate or install a Department-approved chemical disinfection and filtration constitutes a violation of Regulation 11. Observations from a Department site visit on August 6, 2008 indicate that the Supplier did not operate approved



chemical disinfection or filtration. Please use the Inventory Update Form to inform the Department of the current treatment in use.

Waterworks Plan and Specification Approval: The waterworks of the public water system, including sources and treatment processes, require Department approval.

- If the design and construction of the Supplier's existing waterworks have not previously been approved, please submit plans and specifications to the Engineering Section for review and approval within 30 days of the date of this letter
- If the Supplier's design and construction have previously been approved, by the Department, please provide copies of the approval letter(s).
- A copy of the design criteria and information regarding plan reviews, including all forms and guidance, can be obtained from the Department's website at wqcdcompliance.com/eng. If you have questions about the approval process, please contact the Engineering Section at 303.692.6298.

Monitoring Schedule: The Department will develop a monitoring schedule for the Supplier after reviewing the Inventory Update Form. This will be communicated in a separate correspondence.

Public Notification: Section 11.33 of Regulation 11 requires all public water systems to comply with public notice requirements for violation or situations with potential to have serious adverse effects on public health. The Department may require the Supplier to issue public notice to consumers. This will be communicated in a separate correspondence.

Entry and Inspection: Sections 11.1(6) and 11.38 of Regulation 11 allows the Department to enter and inspect, at a reasonable time and in a reasonable manner, a public water system for the purpose of investigating any actual, suspected, or potential violations. An inspection includes but is not limited to the following components and the related operation and maintenance of each: sources, treatment, distribution system, finished water storage, pumps, pump facilities and controls, monitoring, reporting and data verification, system management and operation, compliance with all requirements of Regulation 100 and any other Department-mandated requirements. The Department will contact the Supplier to schedule an inspection in the near future.

Certified Operator: The Supplier is subject to the laws set forth by Water and Wastewater Facility Operators Certification Requirements, ("Regulation 100") 5 CCR 1003-2. Section 100.21.1 of Regulation 100 stipulates that no owner of a water or wastewater facility shall allow the facility to be operated without the direct supervision of a certified operator in responsible charge. The Department will designate a minimum certification level for the water system and the Supplier must obtain treatment and/or distribution operators at or above the minimum certification levels. This will be communicated in a separate correspondence.

Again, please submit the Inventory Update Form to my attention by Friday May 29, 2015 at 5:00 PM. If you would like assistance completing the form or if there are any questions regarding the contents of this letter and/or requirements for the Supplier, please contact me by phone at 303.692.3535 or by email at emily.clark@state.co.us.

Sincerely,



Emily Clark
Senior Compliance Specialist
Drinking Water Compliance Assurance Section - Water Quality Control Division

Enclosure: Inventory Update Form

ec: Terry Davis - President - Quartz Creek Property Owners Association
(via: QCPOA@comcast.net)
Jennifer Robinett - Drinking Water Compliance Assurance Section WQCD - CDPHE
Margaret Talbott - Drinking Water Compliance Assurance Section WQCD - CDPHE
Amy Zimmerman - Engineering Section WQCD - CDPHE
Heather Drissel - Field Services Section WQCD - CDPHE
Tyson Ingels - Engineering Section WQCD - CDPHE
David Dani - Local Assistance Unit WQCD - CDPHE
Nicole Noble - Engineering Section WQCD - CDPHE
Carol Worrall - Public Health Director - Gunnison County Public Health (via:
cworrall@gunnisoncounty.org)
Crystal Lambert - Gunnison County Community Development (via:
clambert@gunnisoncounty.org)

File: CO0226620, GUNNISON COUNTY, Transient, Non-Community - Surface Water

APPENDIX D
LETTER TO ASSOCIATION
FROM
STATE OF COLORADO DEPARTMENT OF LAW

CYNTHIA H. COFFMAN
Attorney General

DAVID C. BLAKE
Chief Deputy Attorney General

MELANIE J. SNYDER
Chief of Staff

FREDERICK R. YARGER
Solicitor General



**STATE OF COLORADO
DEPARTMENT OF LAW**

RALPH L. CARR
COLORADO JUDICIAL CENTER
1300 Broadway, 7th Floor
Denver, Colorado 80203
Phone (720) 508-6000

**Natural Resources and
Environment Section**

June 11, 2015

Bradley N. Switzer
400 South 3rd Street
Montrose, CO 81401

RE: Legal Basis for Treating QCPOA as a PWS

Dear Mr. Switzer,

The Quartz Creek Property Owners' Association (QCPOA) has requested that the Colorado Department of Public Health and Environment (Department) explain why, based on the information currently available to the Department, the springs and other water-related facilities operated by QCPOA or used in connection with QCPOA's supply of water to Quartz Creek residents and visitors, including but not limited to Armstrong Spring, Armstrong Augmentation Pond, Armstrong Spring Water Station, Pitkin View Spring, No Name Water Station, Pitkin View Water Station, Chicago Park-3 Spring, Chicago Park-3 Water Station, Western Star/Chicago Park-8 Spring, Western Star Water Station, Gilmore Spring, and Gilmore Water Station ("the QCPOA drinking water system"), meet the definition of a public water system found in the Colorado Primary Drinking Water Regulations (5 CCR 1002-11, Regulation 11). This letter constitutes the requested explanation. In this letter I also respond to the points made and questions asked by Mr. Terry Davis, the QCPOA President, in his September 25, 2008 letter to the Department and his Thursday, June 4, 2015 email to Emily Clark of the Department (Subject: QCP water).

1. Definition of a Public Water System

Pursuant to the federal Safe Drinking Water Act, 42 U.S.C. 300f *et seq.*, and the Colorado Drinking Water Quality Act, C.R.S. § 25-1.5-201 to 25-1.5-209, Regulation 11 defines a PWS as "a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least 25

individuals daily at least 60 days per year.” Reg. 11.3(60).¹ In order to calculate the number of persons regularly served by the water system, Regulation 11 defines the “population supplied” as “the average daily population that occurs during the busiest month of the year or normal operating period(s),” and notes it is further defined as the sum of resident, non-transient, and transient populations. Reg. 11(58). The most relevant of these populations, the “transient population,” is defined as “the average number of individuals served per day during the year or annual operating period(s), who have an opportunity to consume water from the system, but who do not meet the definition of either resident population or non-transient population.” Reg. 11(84). Thus, a PWS must have least fifteen service connections or provide at least an average of 25 individuals an opportunity to consume water from the system for at least 60 days per year. Reg. 11.3(60), 11.3(84).

A PWS includes “[a]ny collection, treatment, storage, and distribution facilities under control of the supplier of such system and used primarily in connection with such system” and “[a]ny collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system.” Reg. 11.3(60). As such, a PWS can include separate water facilities that are not connected to one another. If the same entity operates each water facility and uses it primarily in connection with the same water system, that water facility is part of the PWS. See Reg. 11.3(60)(a) (PWS includes “[a]ny collection, treatment, storage, and distribution facilities under control of the supplier of such system and used primarily in connection with such system”). Nor is there an exception for systems that may not extend directly into homes. Reg. 11.3(60). For instance, using the similar Safe Drinking Water Act definition of a PWS, a federal district court in New York recently rejected an argument that a PWS does not include a system that serves individuals only indirectly. *United States v. County of Westchester*, Unpublished, 2014 U.S. Dist. LEXIS 58761, 12-14 (S.D.N.Y. Apr. 28, 2014).

Regulation 11 does exempt from public water system regulations any PWS that meets all of the following conditions: “(i) Consists only of distribution facilities and/or storage facilities; (ii) Does not have any collection facilities; (iii) Does not have any treatment facilities; (iv) Obtains all of its water from a public water

¹ C.R.S. § 25-1.5-201(1) similarly defines a PWS to mean a system “for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals.” The Safe Drinking Water Act defines a “public water system” as “a system for the provision to the public of water for human consumption through pipes or other constructed conveyances [that] regularly serves at least twenty-five individuals. . . .” 42 U.S.C. § 300f(4)(A).

system to which these regulations apply; (v) Is not owned or operated by a public water system to which these regulations apply; (vi) Does not sell water to any person; [and] (vii) Is not a carrier which conveys passengers in interstate commerce.” Reg. 11.1(5)(a); *see also* 42 U.S.C. § 300g (same).

2. Application of the PWS Definition to the QCPOA System

The Department considers the QCPOA system to be a PWS under Regulation 11(60) because: A) QCPOA operates “a system for the provision to the public of water for human consumption through pipes or other constructed conveyances”; and B) the QCPOA system regularly serves an average of at least 25 individuals daily at least 60 days per year.

A. QCPOA operates “a system for the provision to the public of water for human consumption through pipes or other constructed conveyances.” Reg. 11.3(60).

QCPOA operates and maintains the following water supply facilities:

1. Armstrong Spring, Armstrong augmentation pond, and Armstrong Water Station.
2. Pitkin View Spring, which feeds No Name Water Station and Pitkin View Loading Station.
3. Chicago Park-3 Spring and Chicago Park-3 Water Station.
4. Western Star/Chicago Park-8 Spring and Western Star Water Station.
5. Gilmore Spring and Gilmore Water Station.²

Evidence of QCPOA operation and maintenance (including cleaning and monitoring) can be found in QCPOA’s publicly available newsletters, as well as from internal records of the August 6, 2008 site visit by Department engineer Christine Lukasik. For instance, the 2014 newsletter detailed some of QCPOA’s maintenance work to the QCPOA membership:

In the Fall, we drain the storage tanks and allow the springs to run free to keep the pipes and storage tanks from freezing. Most of the time we are successful, but sometimes some of the lines freeze or get broken by cattle or wildlife walking over the exposed pipes ...

² This list is not intended to be a comprehensive description of all of the components of the QCPOA water system. Rather, it describes some of the system’s most prominent elements.

We test the water each Spring and periodically during the Summer to make sure the water is free of coliforms or *E. Coli*. ...

Both Pitkin View and CP-3 [Springs] have white polyethylene storage tanks and if any of you have water haul tanks made of this material, you probably have experienced the growth of green algae in the water if the tank is exposed to sunlight. Last spring, both Pitkin View and CP-3 were full of algae requiring both to be power washed and the algae pumped out. Most of the algae was removed, but it was impossible to remove all of the algae and it didn't take long before the stored water was again covered with the green stuff ...

This summer we plan to purchase and replace the storage tanks at both Pitkin View and CP-3 with 1,500 gallon tanks made of black or green polyethylene which will keep the algae from growing in the tank. And the interconnecting piping and valves will be replaced in the process. The collection box at CP-3 is very near the surface and subject to surface water infiltration. We also plan to replace the collection box and replace the interconnecting piping and valves to the storage tank.³

This update provides evidence of collective QCPOA operation and maintenance, including draining storage tanks, testing the water, power washing tanks, and future QCPOA planned maintenance, including the replacement of storage tanks, a collection box, and piping.

Similarly, Henry Kahanek, the 2014 QCPOA Springs Chairman, gave the update below to the QCPOA Board about the water system in June 2014. This update provides evidence of collective decision-making regarding maintenance at QCPOA and the expenditure of QCPOA funds for maintenance of the QCPOA system.

Started 3rd week of May.

Armstrong – Green slime at first with first and second samples having bacteria. Sample from the small faucet passed. Loosened pipes & cleaned. Fill hose seems to be the place where the algae are coming from. Replaced with fire hose. Water retested & passed.

Gilmore – Drain line on tank broke and is not supposed to drip and may need new fittings. Water test passed on the first try. Fill station small hose connection leaks & may need replacement.

Western Star – The tank is not sealed which allows smaller spring to infiltrate. Work needs to be done on the tank and shouldn't cost more

³ Springs Report, *Quartzite* (May 2014), <http://www.qcpoa.org/wp-content/uploads/2014/11/Quartzite-SpringSummerMay2014Final-Copy.pdf>.

than \$200 but it's not in this year's budget. Work to be done approved by Terry [presumably Davis, QCPOA president]. Discussion if an uphill septic tank will be/is a factor. The tank distance was approved by the County – shouldn't be an issue.

Pitkin View – Has algae in the tank. Water tested fine and the tank will be replaced this year. Holders and Ives will be notified prior to work being done.

CP3 – Good flow. Last year's work may have fixed the problem. The spring box appears to be working. The pond may need to be filled in. The valve at the bottom of the tank is broken. Water tested fine. The spring box at Roundabout Loop is not adequate & should be moved then developed for use. Water is currently not potable. Discussion concerning owners not wanting additional spring construction.

Work to be done on springs in 2014:

CP3 and Pitkin View – Tanks will be replaced. Six to eight weeks to get new tanks. We would need to pick up in Canyon City. Price \$977 + \$45 freight for a black 1500 gal tank. Price is not known at this time if ordered out of Grand Junction. Will wait to replace CP3 collection box until later and wait on work to be done on Western Star. All collection systems on all the springs will need to be redone in the future.⁴

At the July 3, 2014 Annual Meeting, QCPOA President Terry Davis gave the following report to QCPOA members:

4 out of the 5 developed springs tested good this year.

Western Star developed a new spring above the collection tank and is seeping into the tank. The water being collected in the holding tank has not been tested as it is most likely contaminated. A new riser will be installed and sealed later this summer to prevent surface water from entering and contaminating the spring water collected in the holding tank.

Pitkin View and CP3 are getting new black tanks this year – the clear tanks allow algae to grow and contaminate the water in the holding tank.⁵

This report presents additional evidence of QCPOA maintenance and operation, as well as some of the public health concerns presented by the QCPOA

⁴ QCPOA Board Meeting Minutes (June 20, 2014), <http://www.qcpoa.org/wp-content/uploads/2014/09/QCPOA-Board-meeting-July-6-2014.pdf>.

⁵ Annual Meeting Minutes (July 3, 2014), <http://www.qcpoa.org/wp-content/uploads/2014/09/2014-QCPOA-ANNUAL-MTG-July-3.pdf>.

drinking water system. Finally, we note that in 2013, QCPOA President Terry Davis reported to QCPOA members that “Springs and water loading stations have been improved. A new water source was added for the use of all members at the Gilmore Spring.”⁶

QCPOA has used HOA fees for the QCPOA drinking water system. In 2014, QCPOA recorded spending \$2,703 on “Springs.”⁷ In 2013, QCPOA recorded spending \$20,396 on “Springs.”⁸

In the September 2008 letter, Mr. Davis wrote that QCPOA “is not in the water business.” However, this documented evidence of systematic operation and maintenance, QCPOA expenditures, and delegation to particular people for responsibility and maintenance (the “Springs Chairman” and the QCPOA President) is evidence that QCPOA is knowingly operating a “system for the provision to the public of water for human consumption.” Reg. 11.3(60). This finding is also consistent with federal Environmental Protection Agency (EPA) guidance on this issue, which states that the Department can find that an organization is a water supplier if that organization “knows or should know that the water is being taken” and “has consented to it being taken.”⁹ Here, QCPOA knows that the water is being taken and has consented to it being taken by QCPOA members.

Moreover, QCPOA appears to not only operate but to own at least some of these water system facilities. On its most recent balance sheet, QCPOA lists the “Chicago PK-Armstrong Spg System” as a fixed asset valued at \$64,176.87.¹⁰

Finally, in the September 2008 letter, Mr. Davis states that “[a]ll water used is individually deeded water obtained from private springs, not association owned water. Over the years, some of these springs have been developed to allow the water to be accessed more easily by the deeded water holders.” Even if each property

⁶ QCPOA President’s Corner, *Quartzite* (May 2013), <http://www.qcpoa.org/wp-content/uploads/2014/11/Quartzite-SpringSummerMay2013Final-Draft.pdf>

⁷ Quartz Creek Property Owners Assoc. Profit & Loss, January through December 2014, <http://www.qcpoa.org/wp-content/uploads/2015/03/YDT-PL-2014.pdf>

⁸ Quartz Creek Property Owners Assoc. Profit & Loss, January through December 2013, http://www.qcpoa.org/wp-content/uploads/2014/09/2013_QCPOA-3-income-loss-123114.pdf

⁹ WSG 11, *Environmental Protection Agency, SDWA Section 1401(4) Public Water System Definition as Amended by 1996 SDWA Amendments*, 63 Fed. Reg. 41939-41946 (Aug. 5, 1998).

¹⁰ *Quartz Creek Property Owners Assoc. Balance Sheet As of December 31, 2014*, <http://www.qcpoa.org/wp-content/uploads/2015/03/balance-sheet-123114.pdf>

owner does hold a water right in the “Chicago Park-Armstrong Spring Water System,” the QCPOA system remains a PWS. First, as discussed above, the QCPOA acts as an active water supplier, maintaining and operating the QCPOA system and providing members of the public with water. On this basis alone QCPOA meets the definition of a PWS under Regulation 11. Second, QCPOA itself owns rights to the QCPOA system. QCPOA owns absolute water rights in at least three of the five developed springs in the QCPOA drinking water system: Armstrong Spring, Pitkin View Spring, and the Chicago Park-3 Spring.¹¹ In 1991, QCPOA announced to its members that QCPOA had “completed its purchase of all the water rights owned by Jasper Properties, which is the successor corporation to Quartz Creek Properties, Inc.”¹² Such ownership of water rights is consistent with QCPOA’s most recent bylaws, which state that QCPOA “shall own, hold and regulate for the benefit of the owners of all of the Property such ... *water rights*, water wells, well equipment, and well easements located within the Property as may be conveyed to it by any owner or owners of said properties and rights.”¹³

To make its water rights in these springs absolute by showing beneficial use, QCPOA has provided Colorado water courts with evidence of the QCPOA drinking water system.¹⁴ In 2013, Mr. Davis stated in the QCPOA newsletter that “[w]ater rights have been preserved in water court by doing the infrastructure work required to transfer our rights from conditional to absolute and by enlarging the pond to hold the required amount of water.”¹⁵ In 1992, a Colorado water court made QCPOA’s conditional water right in the Pitkin View Spring an absolute right, due to the

¹¹ See Decree, *Concerning the Application for Water Rights of Quartz Creek Properties Owners Association*, Case No. 96CW214 (Co. Dist. Court, Water District No. 4 June 3, 1997) (Armstrong Gulch 10, 10A, 11, 11A); Decree, *In the Matter of the Application for Water Rights of Quartz Creek Properties Owners Association*, Case No. 96CW0018 (Co. Dist. Court, Water District No. 4 Nov. 19, 1996) (Chicago Park Spring); Decree, *In the Matter of the Application for Water Rights of Quartz Creek Properties Owners Association*, Case No. 90CW0088 (Co. Dist. Court, Water District No. 4 Jan. 31, 1992) (Pitkin View).

¹² QCPOA, Statement of Water Policy (June 1, 1991), <http://www.qcpoa.org/wp-content/uploads/2014/11/2011-Statement-of-Water-Policy-19912.pdf>.

¹³ QCPOA Bylaws § I (emphasis added), <http://www.qcpoa.org/wp-content/uploads/2014/09/QCPOA-BYlaws-2013.pdf>.

¹⁴ See QCPOA, Statement of Water Policy (June 1, 1991).

¹⁵ President’s Corner, *Quartzite* (May 2013), <http://www.qcpoa.org/wp-content/uploads/2014/11/Quartzite-SpringSummerMay2013Final-Draft.pdf>

QCPOA's beneficial use of the water.¹⁶ In 1996 and 1997, a Colorado water court made absolute QCPOA's rights in the Armstrong and Chicago Park springs, finding that the QCPOA had diverted and put to beneficial use QCPOA's water rights through pipelines, the augmentation pond, and other facilities.¹⁷

In sum, when, as here, the QCPOA itself maintains and operates the QCPOA drinking water system, owns at least some of the facilities itself, and owns key water rights which it has made absolute on the basis of the QCPOA system facilities, whether or not users also have water rights in these springs does not change the QCPOA system's status as a PWS. QCPOA's operational and maintenance activities, as well as the evidence of beneficial use it has brought before Colorado water courts, demonstrates that the QCPOA operates "a system for the provision to the public of water for human consumption through pipes or other constructed conveyances." Reg. 11.3(60).

B. The QCPOA system regularly serves an average of at least 25 individuals daily at least 60 days per year.

In his September 2008 letter, Mr. Davis asserts that "each loading station constitutes a distinct and discrete water delivery system. Based on the results of our survey, no one loading station meets the definition of a public water system because none of the loading stations regularly serves an average of 25 or more people for 60 or more days per year."

This is not an accurate description of the definition of a PWS under either Regulation 11 or the federal Safe Drinking Water Act. Under the controlling definition, Armstrong Spring, Armstrong Augmentation Pond, Armstrong Spring Water Station, Pitkin View Spring, No Name Water Station, Pitkin View Loading Station, Chicago Park-3 Spring, Chicago Park-3 Water Station, Western Star/Chicago Park-8 Spring, Western Star Water Station, and Gilmore Spring together are included within one PWS because QCPOA operates or maintains all of these facilities or they are used in connection with the QCPOA drinking water system. A PWS includes "[a]ny collection, treatment, storage, and distribution

¹⁶ Decree, *In the Matter of the Application for Water Rights of Quartz Creek Properties Owners Association*, Case No. 90CW0088 (Co. Dist. Court, Water District No. 4 Jan. 31, 1992) (Pitkin View).

¹⁷ Decree, *Concerning the Application for Water Rights of Quartz Creek Properties Owners Association*, Case No. 96CW214 (Co. Dist. Court, Water District No. 4 June 3, 1997); Decree, *In the Matter of the Application for Water Rights of Quartz Creek Properties Owners Association*, Case No. 96CW18 (Co. Dist. Court, Water District No. 4 Nov. 19, 1996).

facilities under control of the supplier of such system and used primarily in connection with such system,” as well as “[a]ny collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system.” Reg. 11.3(60)(a).

Based on the numbers the QCPOA provided to the Department in September 2008, when use is calculated collectively for all the water system’s facilities, the QCPOA system serves more than an average of at least 25 persons daily for at least 60 days, meeting the numeric criteria established in Reg. 11.3(60). The survey indicates that an average of 36.38 people used the water loading stations each day in July 2008 and an average of 26.76 people used the water loading stations each day in August 2008 (which together total more than 60 days).

Survey Data Submitted to Department by QCPOA, September 2008

	June	July	August	September
Armstrong	10.1	15.74	12.13	9.57
Chicago Park 3	2.6	8.55	3.8	2.3
Pitkin View, No Name Station	1.87	2.97	2.26	1.73
Pitkin View, Pitkin View Station	5.2	7.8	5.77	4.47
Western Star	0.87	1.32	2.8	0.73
TOTAL	20.64	36.38	26.76	18.8

We further note that we believe that the QCPOA survey significantly underestimated the system’s population by solely measuring the average number of users at each water station. As discussed in Section 1, Regulation 11 defines the “population supplied” as “the average daily population that occurs during the busiest month of the year or normal operating period(s),” and notes it is further defined as the sum of resident, non-transient, and transient populations. Reg. 11(58). The most relevant of these populations, the “transient population,” is defined as “the average number of individuals served per day during the year or annual operating period(s), who have an opportunity to consume water from the system, but who do not meet the definition of either resident population or non-transient population.” Reg. 11(84). Therefore the population served by QCPOA includes all visitors, short-term residents, and year-round residents who have the opportunity to consume the water each day, regardless of their actual consumption. Given this, we believe that the average number of people actually served each day

by the QCPOA system may be many times larger than reflected in the 2008 survey. Please clarify this if we are mistaken.

In summary, the data provided by QCPOA constitutes evidence that the QCPOA system regularly serves an average of at least 25 individuals daily at least 60 days per year. Together with the evidence discussed above regarding QCPOA's operation of the QCPOA system, this demonstrates that the QCPOA system meets the definition of a PWS under Regulation 11.3.

3. Exemption to Regulation as a PWS

As noted in Section 1, Regulation 11 and the Safe Drinking Water Act exempt from coverage any PWS that meets all of the following conditions: "(i) Consists only of distribution facilities and/or storage facilities; (ii) Does not have any collection facilities; (iii) Does not have any treatment facilities; (iv) Obtains all of its water from a public water system to which these regulations apply; (v) Is not owned or operated by a public water system to which these regulations apply; (vi) Does not sell water to any person; [and] (vii) Is not a carrier which conveys passengers in interstate commerce." Reg. 11.1(5)(a); *see also* 42 U.S.C. § 300g (same). This exemption does not apply to the QCPOA system because the QCPOA system has collection facilities, does not obtain all of its water from a public water system to which these regulations apply, and is not owned or operated by a public water system to which these regulations apply.

4. Nature and Timing of PWS Determinations

In his Thursday, June 4, 2015 email to Emily Clark of the Department, Mr. Davis asked the Department the following questions:

1. Has there been an actual determination made that we are indeed a Public Water System?
2. If so, when was that determination made?
3. By whom (department or individual) was that determination made?
4. Please send us any copies of that determination since we have nothing in our files to reflect that, as well as copies of all documents that were utilized to make that determination.
5. While we do believe we are not a public water system, we need to understand the ramifications in the event that we are deemed to be so. Please give us just a very rough ballpark figure of what it could potentially cost to set up a chlorination/disinfection system for just one of our springs.

6. Is electricity required to operate such a system?
7. What would be the anticipated ongoing annual cost to operate such a system, including operating costs, certified operator fees/salary, and any other expenses (again we expect only an estimated range of possible costs).
8. Our owners had been lead to believe this was a resolved issue based upon the inaction of the CDPHE. Why has this suddenly become an urgent issue?¹⁸

We answer these below.

A. Questions 1-3

These questions address the timing of the Department's decision-making regarding whether or not the QCPOA system is a PWS. As a threshold matter, we note that the process under Regulation 11 operates somewhat differently than Mr. Davis assumes in these questions. Any water system meeting the functional definition of a PWS found in Regulation 11.3(60) and not subject to the exemption found in Reg. 11.1(5)(a) is a PWS and it is subject to regulation as such.

It is the responsibility of a water system itself to assess whether it is a PWS and comply accordingly. There is no permitting or notification process under the Safe Drinking Water Act or Regulation 11 whereby a system only becomes a PWS if the Department notifies that system. Rather, the QCPOA system became subject to regulation as a PWS when the QCPOA began operating a system meeting the definition of a PWS under Regulation 11 – not when this Department made any so-called determination.

We sympathize with QCPOA's confusion regarding our investigation in 2008, and the fact that we did not provide any written response at that time to Mr. Davis's letter of September 25, 2008. However, the QCPOA system is a PWS because, as described in detail in this letter, the QCPOA system falls squarely within the regulatory definition. No notification from this Department is required to trigger QCPOA's obligation to comply with the Regulation 11 requirements for a PWS.

¹⁸ Email from Terry Davis, QCPOA to Emily Clark, Department, *Subject: QCP water* (June 4, 2015).

B. Question 4

We have included in this letter extensive links and legal citations so that Mr. Davis and QCPOA members may review the information and legal standards used by the Department in evaluating the status of the QCPOA system.

C. Questions 5-7

The cost for treatment of surface water varies widely, depending on the method. There are electric powered and solar powered options. Some suggested resources for typical surface water treatment costs are the American Water Works Association (AWWA), the Colorado Rural Water Association (CRWA), the Water Research Federation, and water professionals such as certified operators or water treatment engineers. Lists of certified operators may be found at the Operator Certification Program Office (OPCO) at <https://www.ocpoweb.com/index.cfm>. In addition, as a nonprofit PWS, state funding opportunities may be available.

D. Question 8

It is our understanding that the QCPOA is providing untreated surface water to members of the public. Untreated surface water can contain microbes that cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly and people with severely compromised immune systems. The Department has an ongoing obligation to protect the public health, including the public health of all those visiting Quartz Creek, by ensuring that the Colorado Primary Drinking Water Regulations are followed. Any time where, as here, the Department is concerned that the Colorado Primary Drinking Water Regulations are not being followed and a PWS is dispensing untreated surface water, the public health is at risk and this Department will vigorously pursue enforcement and protect the public health.

5. Conclusion

As always, the Department and I are happy to discuss these issues with you and QCPOA. We also are happy to consider and respond to any corrections or modifications you may want to provide regarding the data we have relied upon in our understanding of the QCPOA system. Please feel free to contact us at your convenience. Please note, however, that, as we hope this letter and our previous communications make clear, QCPOA is required to follow the requirements for a PWS in Regulation 11.

Sincerely,



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Natural Resources and Environment
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cc: Terry Davis, President, QCPOA
Jennifer Robinett, Drinking Water Compliance Assurance Section WQCD – CDPHE
Margaret Talbott, Drinking Water Compliance Assurance Section WQCD – CDPHE
Emily Clark, Drinking Water Compliance Assurance Section WQCD – CDPHE

APPENDIX E

**DIVISION' S COMPLIANCE ADVISORY LETTER
TO
ASSOCIATION**



March 24, 2017

QUARTZ CREEK PROPERTY OWNERS ASSOCIATION (QCPOA) BOARD MEMBERS
QCPOA Water System - PWSID CO0226620
PO BOX 513
GUNNISON CO 81230

Compliance Advisory
Response Required - QCPOA Water System Compliance Plan and Schedule

Dear QCPOA Board Members:

On June 12, 2015, the Colorado Department of Public Health and Environment ("Department") notified the QCPOA ("Supplier") that it met the definition of a Transient, Non-Community Surface Water public water system and as a result had to meet the requirements of the *Colorado Primary Drinking Water Regulations* ("Regulation 11"), 5 CCR 1002-11. The Department has had ongoing communications with the Supplier about the water system since 2015, including a July 5, 2016 informational session that was held in the Town of Pitkin for property owners of Quartz Creek and an August 31, 2016 phone call with a small group of property owners regarding the QCPOA water system. To date, the Supplier has not complied with the applicable regulatory requirements of Regulation 11. A summary of the Supplier's violations of the requirements of Regulation 11 is enclosed as Attachment A.

On September 12, 2016, the Department received a signed resolution from the QCPOA Board appointing members including six property owners to a QCPOA Water Committee to formulate a plan for bringing the QCPOA water system into compliance with Regulation 11. The Department recognizes the QCPOA Water Committee shall report to the QCPOA Board, but has no authority to make major commitments on behalf of the QCPOA Board without express approval by a vote of the QCPOA Board. On November 7, 2016, the Department received electronic communication that an engineering company had been hired to study the source water and possible treatment options to bring the Supplier into compliance with the Surface Water Treatment Rule (Section 11.8, Regulation 11) requirements.

The Department acknowledges that recent actions undertaken by the Supplier demonstrate a commitment to achieving compliance with Regulation 11. In order to show continued progress to the Department's satisfaction, by no later than May 1, 2017, the Supplier shall submit a response with a detailed compliance plan to meet the requirements of Regulation 11. At a minimum, the response and compliance plan shall include the following:

1) PUBLIC NOTIFICATION:

- a) The Supplier must continue to conduct continuous public notice due to the Boil Water Advisory.
 - i) To meet the public notification requirements for the Boil Water Advisory, the Supplier must continuously post public notice at each fill station where water is available for consumption within 24 hours of the time the first water fill station is brought online at the beginning of the season (approximately May each year) until



each water fill station is drained and offline at the end of the season (approximately September each year).

- ii) Furthermore, the Supplier shall deliver the Boil Water Advisory public notice to each customer using a direct delivery method within 24 hours of the time the first fill station is brought online at the beginning of the season (approximately May each year) and submit a certificate of delivery and a representative copy of the notice to the Department within 10 days.
- iii) Every two weeks, while the sources are online, the Supplier must submit a certificate of delivery and a representative copy of the posted notice(s) to the Department that demonstrates the public notice is continuously posted.

b) The Supplier also is required to conduct public notice for the violations contained in Attachment A when the system starts providing water in 2017.

- i) To meet the public notification requirements for the violations contained in Attachment A, the Supplier must post the Department-specified public notice at that is attached as Attachment B. The public notification shall be continuously posted in a conspicuous location at each fill station where water is available for consumption from the time the first water fill station is brought online (approximately May each year) until each water fill station is drained and offline at the end of the season (approximately September each year) as long as the violations persist.
- ii) Within 10 calendar days of completing the public notification requirement, the Supplier must submit a certification of delivery along with a representative copy of the distributed notice to the Department.
- iii) The Supplier is required to continue to submit the certificate of delivery and a representative copy of the posted notice(s) to the Department every 90 days as long as the violations persist.
- iv) Except for the yellow-highlighted area in the “What is Being Done” section of Attachment B and the Supplier’s contact information, the Supplier must not revise the formatting or language without receiving prior written Department approval. Attachment B has been provided as a Microsoft Word version.

2) **COMPLIANCE PLAN:** The Supplier must develop and implement a compliance plan for resolving all violations in Attachment A. This includes:

- a) Providing a detailed plan with specified deadlines to design, construct and operate water treatment at the spring(s) that will be used for human consumption. This plan should include actions relating to spring improvements if the Supplier is planning on seeking re-classification of the spring(s) used for human consumption from surface water to groundwater. This plan should also include actions to be taken at spring(s) that will not be used for human consumption in order to prevent such human consumption. Human consumption includes drinking, bathing, showering, cooking, dishwashing, and maintaining oral hygiene. (Note that fire protection, landscaping/irrigation, and livestock watering are not human consumption). The Department recognizes that various legalities related to the source water and possible treatment building location and the necessity for grants and/or loans may delay construction and operation of treatment. The Supplier is strongly encouraged to evaluate any potential issues and delays for the Department’s full consideration.

- b) For failure to maintain a certified operator, the Supplier shall indicate the date by which a certified operator will be contracted. The Supplier must obtain a Treatment operator at or above the minimum required “D” treatment certification level and a Distribution operator at or above a “1” distribution certification level. A “Small Systems” certification is sufficient for both treatment and distribution operator requirements. Please note that future installation of treatment may change the future operator certification requirements. A list of contract operators providing services in Colorado can be found online at: colorado.gov/pacific/cdphe/wq-operator-responsible-charge-orc
- c) Develop a monitoring plan for the water system (Section 11.5, Regulation 11), including but not limited to:
 - o Identification of a single point of contact (Administrative Contact) for all drinking water related correspondence pertaining to the Supplier. All correspondence from the Department will be sent to the Administrative Contact. The Administrative Contact is responsible for distributing information to others within your organization as appropriate.
 - o Monitoring plan templates are available at: colorado.gov/cdphe/monitoringplans
- d) For failure to complete seasonal start-up certification, at least 30 days prior to beginning the start-up procedure, the Supplier shall indicate if they will use the Department’s pre-approved procedure for the 2017 season or provide an alternate procedure for Department approval.
- e) For monitoring and reporting violations, the Supplier shall indicate the intention to sample for total coliform bacteria, nitrate, and nitrite according to its 2017 monitoring schedule that is currently posted at wqcdcompliance.com/schedules.
- f) If the Department provides comments on the compliance plan, the Supplier shall respond to the comments in writing within thirty (30) days.

Please submit the response and compliance plan, and any future data, documents, reports, forms, and replies to the Department:

- **Electronically - via the Drinking Water Portal (preferred)**
 - o First-time users must create an account. The Portal is located at wqcdcompliance.com/login.
- **Fax or Mail:**
 - o Fax: 303.758.1398
 - o Colorado Department of Public Health and Environment
Water Quality Control Division / WQCD-B2-CAS
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

For technical questions or questions regarding the design submittal and review process, please contact Emily Wong by email at emily.wong@state.co.us or by phone at 303.692.3566.

For questions regarding regulatory requirements and/or compliance deadlines included in this letter, please contact Emily Clark by email at emily.clark@state.co.us or phone at 303.692.3535.

The Department offers one-on-one assistance to public water systems to assist in compliance with Regulation 11. The Supplier is encouraged to request assistance if needed by filling out the online form linked on colorado.gov/pacific/cdphe/drinking-water-training-opportunities or by calling 303-692-3605.

This Compliance Advisory does not constitute an Enforcement Order and is not subject to appeal. The Supplier's submittal of a response and compliance plan does not preclude the Department from issuing an Enforcement Order if the responses and the Supplier's actions are not sufficient to achieve and maintain compliance with Regulation 11.

ecs:

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DAVE DENISON - dd43@verizon.net

cc: Quartz Creek Property Owners

File: CO0226620, GUNNISON COUNTY, TRANSIENT, NON-COMMUNITY - GROUNDWATER UDI
SURFACE WATER

Attachment A - Violation Notice

QUARTZ CREEK PROPERTY OWNERS ASSOCIATION - CO0226620

March 24, 2017

1. Failure to Adequately Treat Surface Water

According to the Colorado Department of Public Health and Environment ("Department") records, QUARTZ CREEK PROPERTY OWNERS ASSOCIATION ("Supplier") supplies consumers with insufficiently treated surface water. Failure to supply sufficiently treated surface water is an ongoing violation of Section 11. 8(2) and 11.8(3) of the Colorado Primary Drinking Water Regulations ("Regulation 11"), 5 CCR 1002-11.

2. Failure to Distribute Public Notification or Timely Report

- For the Tier 1 Boil Water Advisory required as part of the failure to treat surface water, the Supplier is required to continuously post public notice at each fill station where water is available for consumption within 24 hours of when the first water fill station is brought online at the beginning of the season (approximately May each year) until each water fill station is drained and offline at the end of the season (approximately September each year).
- Every two weeks, while the sources are online, the Supplier must submit a certificate of delivery and a representative copy of the posted notice(s) to the Department that demonstrates the public notice is continuously posted, starting June 15, 2015.
- Furthermore, the Supplier is required to deliver the Boil Water Advisory public notice to each customer using a direct delivery method once a year within 24 hours of when the first fill station is brought online at the beginning of the season (approximately May each year) and submit a certificate of delivery and a representative copy of the notice to the Department within 10 days.

According to Department records, the certificates of delivery and/or notifications have not been received by the Department or are incomplete. Failure to distribute or timely report public notice is a violation of Section 11.33 of Regulation 11.

3. Failure to Maintain Certified Operator at Appropriate Certification Level

The Water and Wastewater Facility Operator Certification Requirements, Regulation 100 ("Regulation 100"), Sections 100.1.2 and 100.18.5(a) require every water treatment facility and water distribution system 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. Minimum certification level(s) for operators-in-responsible charge (ORC), based upon facility classification, are specified in Section 100.18.5(b) of Regulation 100.

The facility classification(s) and associated minimum required ORC levels for the Supplier are provided below.



Drinking Water Facility	Treatment	Distribution System
Facility Classification and Minimum Required ORC Certification Level	D	1

According to Department records, the Supplier is not maintaining the appropriate operators.

4. Failure to Develop a Monitoring Plan

The Supplier is required under Regulation 11 to have a monitoring plan that ensures that the water monitored by the Supplier is representative of the water provided to consumers and is consistent with the regulatory requirements of Regulation 11. To date, the Department has no record of the Supplier’s monitoring plan. Failure to develop a monitoring plan is a violation of Section 11.5 of Regulation 11.

5. Failure to Submit Seasonal Start-up Certification in a Timely Manner

The Supplier is a seasonal system and, therefore, was required to complete seasonal start-up procedures prior to supplying water to the public in 2016. Additionally, the Supplier was required to submit to the Department certification that the start-up procedures were completed by June 10, 2016. Department records indicate the Supplier’s start-up procedure certification was not received by this date. Failure to timely report is a violation of Section 11.16(5) of Regulation 11.

6. Failure to Monitor or Timely Report Total Coliform Bacteria

The Supplier was required to collect and test 5 total coliform bacteria samples monthly, one from each water fill station, from July 2015 to September 2015 and from June 2016 to September 2016. Zero total coliform bacteria test results have been received by the Department. Failure to monitor or timely report test results is a violation of Section 11.16(6) of Regulation 11.

7. Failure to Monitor or Timely Report Nitrate and Nitrite

The Supplier was required to collect and test 1 NITRATE and 1 NITRITE sample(s) from January 1, 2015 to December 31, 2015 and from January 1, 2016 to December 31, 2016 at the following locations:

- Facility ID 007 (ARMSTRONG WATER STATION)
- Facility ID 009 (CHICAGO PARK 3 WATER STATION)
- Facility ID 010 (NO NAME WATER STATION)
- Facility ID 014 (GILMORE WATER STATION)

Zero test results have been received by the Department. Failure to monitor or timely report test results is a violation of Section 11.18 of Regulation 11.



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

QUARTZ CREEK PROPERTY OWNERS ASSOCIATION Has Unresolved Violations

Our water system recently violated drinking water standards. As our customer, 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 (CDPHE) has cited Quartz Creek Property Owners Association for violations of the *Colorado Primary Drinking Water Regulations (Regulation 11)*, including lack of treatment, ongoing problems with public notice, lack of a certified operator, lack of a monitoring plan, and lack of monitoring. Surface water may contain *Cryptosporidium*, *Giardia lamblia*, bacteria, and viruses. These disease-causing organisms can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

- **Failure to Sufficiently Treat Surface Water**- Ongoing Violation: Under the requirements of *Regulation 11*, we are required to install filtration because our source water at Armstrong Water Station, Chicago Park Water Station, No Name Water Station, Pitkin View Water Station, and Gilmore Water Station contains surface water. Alternatively, we can choose to use another water source that does not contain surface water. We have not yet met this requirement. We do not know of any cases of contamination. However, until improvements are made, there is an increased chance that disease-causing organisms could contaminate the water supply. Filtration with disinfection is the best method for removing these organisms. Our system has failed to correct the surface water treatment issues identified above within the required timeframes.
- **Failure to Distribute Public Notification or Timely Report** - Ongoing Violations: Our system is required to notify its customers of violations and/or situations at our water system as required by *Regulation 11* and CDPHE. CDPHE required our system to continually post and to certify this posting to CDPHE every two weeks starting June 5, 2015 for the Boil Order required as part of the failure to treat surface water, above. Furthermore, our system was required to deliver the Boil Order public notice to each customer using a direct delivery method once a year within 24 hours of when the first fill station is brought online at the beginning of the season and to certify the delivery of this notice to CDPHE within 10 days. Our system failed to notify its customers of these violations and to certify to CDPHE by these deadlines.
- **Failure to Maintain Certified Operator at Appropriate Certification Level** - Ongoing Violation: Our system is required to be operated under the direct supervision of a certified operator in responsible charge. We do not have a certified treatment or distribution system operator in responsible charge for our system.
- **Failure to Develop a Monitoring Plan** - Ongoing Violation: Our system is required to develop a monitoring plan to ensure that the water quality monitoring performed by the water system is representative of the water supplied to consumers and is consistent with regulatory requirements of *Regulation 11*. To date, our system has not developed and submitted a monitoring plan to CDPHE as required.
- **Failure to Submit Seasonal Start-up Certification in a Timely Manner** - 1 violation: Our system is required to conduct seasonal startup procedures and to submit a certification to CDPHE each year beginning in the 2016 season. Our system failed to submit a seasonal startup certification to CDPHE by June 10, 2016.
- **Failure to Monitor or Timely Report Total Coliform Bacteria** - 35 Violations: Our system is required to monitor 5 samples monthly for total coliform bacteria (one at each water fill station) and to report the results to CDPHE as required by *Regulation 11*. We failed to monitor and/or report in 2015 in the months of July, August, and September and in 2016 in the months of June, July, August, and September.
- **Failure to Monitor or Timely Report Nitrate & Nitrite** - 16 Violations: Our system is required to monitor annually for nitrate and initially for nitrite at each of four entry points as required by *Regulation 11*. We failed to monitor nitrate and nitrite in 2015 and in 2016 at any of our water fill stations.

What does this mean? What should I do?

- ✓ DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST. Bring all water to a boil, let it boil for one (1) minute, 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.
- ✓ Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.
- ✓ People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791. You do not need to boil your water or take other actions.

What happened? What was done?

{Insert corrective action}

We anticipate resolving the problem within (estimated time frame) _____. For more information, please contact (name of contact) _____ at (phone number) _____ or (mailing address) _____.

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 Quartz Creek Property Owners Association
Colorado Public Water System ID #: CO0226620 Date distributed: _____