STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
101 S. WEBSTER STREET
BOX 7921
MADISON WI 53707-7921

Tony Evers, Governor

Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

January 24, 2025

PWS ID: 11302214
PWS Type: MC - Dane County
Violation #: 112367344

JUDD BLAU
DEFOREST WATERWORKS
120 S STEVENSON ST
DEFOREST WI 53532-0510

SUBJECT: **DEFOREST WATERWORKS - Warning - Federal Service Line Inventory Violation**

Dear JUDD BLAU,

The US Environmental Protection Agency's (EPA) 2021 Federal Lead and Copper Rule Revisions (LCRR) require public water systems (PWS) to prepare an inventory of all service lines connected to the distribution system and submit the inventory to the state by October 16, 2024[i]. The LCRR also requires PWS to make the inventory accessible to the public by October 16, 2024[ii, iii].

This is a warning letter to inform you that **DEFOREST WATERWORKS** has incurred a federal violation for failing to submit an inventory that meets all federal requirements by October 16, 2024:

Violation Type	Violation Category	Violation Code	Contaminant Code
LSL Inventory	Treatment Technique	2E	5200 - LCRR

If DEFOREST WATERWORKS does not resolve these violations, the EPA may take enforcement action.[iv]

RETURN TO COMPLIANCE

DEFOREST WATERWORKS may return to compliance and avoid federal enforcement action from the EPA by completing all of the following:

1. Review your water system's service line inventory review checklist (attached). Revise your inventory to address all deficiencies identified in the checklist.[i]
   - **Resources:**
     - Overview of Service Line Inventory Requirements (recorded webinar)
     - LCRR Service Line Materials Inventory Instructions
     - Service Line Inventory Review Checklist (attached)
2. Make the revised service line material inventory publicly accessible.[ii, iii]

3. Submit the revised service line inventory to the Wisconsin Department of Natural Resources (Department) along with the forms below, documenting your inventory's methods and completeness, and how the updated inventory was made publicly accessible. Email your inventory and the two forms linked below to dnrdgleadcopperinventories@wisconsin.gov.
   - **Forms:**
     - LCRR Inventory Methods & Completeness Form
     - Public Accessibility Documentation Form
4. Give public notice for this violation, as required by EPA, and **send certified copies of both PNs to EPA Region 5** at R5_GWDWB_PWS@EPA.gov.

   Contact R5_GWDWB_PWS@EPA.gov to request PN templates and/or if you have questions about the Tier 2 PN requirements triggered by these violation.

TECHNICAL ASSISTANCE

The department has contracted with Jacobs Engineering to provide free service line inventory technical assistance to community water systems. To request this free technical assistance, please contact Jacobs Engineering at wisconsin.lsli@jacobs.com or (414) 465-8649. Jacobs will provide inventory technical assistance on a first-come, first-served basis, so you are encouraged to request assistance as soon as possible.

To request additional information, or if you believe our records are inaccurate, please contact dnrdgleadcopperinventories@wisconsin.gov.

Sincerely,

Ann Hirekatur

Ann Hirekatur
Lead and Copper Section Manager
Drinking Water and Groundwater Program

Ecopy:

Kim Barkhahn, Compliance Specialist, South Central Region
Amy Kubly, DNR Field Representative, Fitchburg Service Center
Eileen Pierce, Field Supervisor, Fitchburg Service Center
Delapp, Brian, delappb@vi.deforest.wi.us

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[i] 40 CFR §141.80(f)(3), CFR §141.84(a), and §141.90(e)(1)

[ii] 40 CFR §141.84(a)(8) and CFR §141.84(a)(9)

[iii] Public water systems with no lead, galvanized requiring replacement, or lead status unknown service lines may issue a written statement to its consumers declaring the distribution system has no lead service lines in accordance with the requirements of 40 CFR §141.84(a)(9) in lieu of making the full inventory publicly accessible.

[iv] The federal LCRR inventory requirements are currently in effect. Wisconsin is in the process of revising NR 809 to include these requirements in our state administrative code. Until this state rulemaking is complete, EPA is responsible for enforcing these federal regulations.

SERVICE LINE INVENTORY REVIEW CHECKLIST

YES	N/A	NO	Column	Checklist Item	Reviewer Comments
☒	☐	☐	**B**	Is there a unique locational identifier for every service line classified as lead or GRR?[1]	
☒		☐	**D**	Is there a material assigned to every street side service line? [2]	
☒	☐	☐	**E**	Has the PWS has answered "Y", "N" or "UNK" for every location where the property side material is classified as either galvanized or UNK-LG?[3]	
☒		☐	**H**	Is there a material assigned to every property side service line?[2]	
☐		☒	**Q**	Is the basis of material classification identified for every street side service line?	**Many service lines are missing a basis of street side material classification.** **Use the drop-down menu to select the method used to classify the material in each blank cell. If the method used is not one of the dropdown options, select "other" and describe in Column Y – NOTES ON BASIS OF MATERIAL CLASSIFICATION.**
☐		☒	**U**	Is the basis of material classification identified for every property side service line?	**Many service lines are missing a basis of property side material classification.** **Use the drop-down menu to select the method used to classify the material in each blank cell. If the method used is not one of the dropdown options, select "other" and describe in Column Y – NOTES ON BASIS OF MATERIAL CLASSIFICATION.**
☒	☐	☐	**Y**	If PWS selected "other" in column Q, or U, is an appropriate description is provided?	

[1] 40 CFR § 141.84 (a)(8)
[2] 40 CFR § 141.84 (a)(4)
[3] 40 CFR § 141.84 (a) (4)(ii)

☐	☒	**PSC**	Does the number of service lines reported in the inventory match the number of service lines reported in the most recent PSC report?	**Inventory = 4,176 service lines** **2023 PSC Report = 3,675 service lines** **Confirm that the number of service lines reported in the inventory includes all existing service lines in your distribution system, regardless of ownership status or intended use. If the number of service lines reported in the most recent PSC report is incorrect, and the number of service lines reported in the submitted inventory is correct to the best of your knowledge, respond to this email with confirmation that the number of service lines reported in the inventory is accurate. You can find your systems most recent PSC report here:** PSC - WEGS Annual Reports (wi.gov)
☒	☐	**OVERALL**	Are there one or more Lead, Galvanized Requiring Replacement or Lead Status Unknown SLs?	

Other comments:

PUBLIC ACCESSIBILITY REVIEW CHECKLIST

YES	N/A	NO	Q	Checklist Item	Reviewer Comments
☒		☐		Did the water system submit public accessibility verification?	
☒		☐		Is the form is signed OR was it emailed directly from a responsible official?	
☒		☐	**1**	Has the PWS checked "Y"? **OR** Has PWS checked "NA" **AND** all SLs are classified as lead or GRR?[4]	
☒		☐	**2**	Has PWS selected at least one locational identifier?	
☐	☒	☐	2	If PWS selected "other" did they describe an appropriate alternative identifier?	
☒		☐	**3**	Has PWS selected at least one format?	
☐	☒	☐	**3**	If PWS selected "other" did they describe an appropriate alternative format?	
☒	☐	☐	**4**	Has PWS selected at least one method of sharing with the public?	
☐	☒	☐	**4**	If PWS selected "other" did they describe an appropriate alternative?	
☐	☒	☐	**5**	If PWS selected "yes" did they select "posted online" for question 4?[5]	

Other comments:

[4] 40 CFR § 141.84(a)(8)(i)

[5] 40 CFR § 141.84(a)(8)(ii)

METHODS AND COMPLETENESS CHECKLIST

YES	N/A	NO	Q	Checklist Item	Reviewer Comments
☒		☐		Did PWS submit inventory methods and completeness form? Or did PWS verify meeting these requirements via another method?	
☒		☐		Is the form signed OR was it emailed directly from a responsible official?	
☒		☐	**1.1**	Has the PWS selected "Yes"?[6]	
☒		☐	**1.2**	Has the PWS selected "Yes"?[6]	
☒		☐	**2.1**	Did the system describe the records reviewed or indicate they do not exist?[7]	
☒		☐	**2.2**	Did the system describe the records reviewed or indicate they do not exist?[8]	
☒		☐	**2.3**	Did the system describe the records reviewed or indicate they do not exist?[9]	
☒		☐	**2.4**	Did the system describe the records reviewed or indicate they do not exist?[10]	
☒		☐	**2.5**	Did the system describe the records reviewed or indicate they do not exist?[8]	
☒		☐	**3.1**	Has PWS selected at least one activity?[11]	
☒	☐	☐	**3.1**	If PWS selected "other" did they describe an appropriate alternative activity?[9]	

Other comments:

[6] 40 CFR § 141.84 (a) (2)
[7] 40 CFR § 141.84 (a) (3)
[8] 40 CFR § 141.84 (a) (3)(i)
[9] 40 CFR § 141.84 (a) (3)(ii)
[10] 40 CFR § 141.84 (a) (3)(ii)
[11] 40 CFR § 141.84 (a) (5)