



COMMONWEALTH of VIRGINIA

Karen Shelton, MD
State Health Commissioner

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER Richmond Field Office

Madison Building
109 Governor St., 6th
Floor Richmond, VA
23219
Phone: 804-864-7409
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OFFICIAL ELECTRONIC COMMUNICATION- NO HARDCOPY TO FOLLOW

NOTICE OF ALLEGED VIOLATION

SUBJECT: Louisa County
Waterworks: SESMAU Jerdone
Island
PWSID No: 2109265

October 21, 2025

Mackenzie Lynn
77 West Lee Street

Suite 202
Warrenton, VA 20187

Re: Major Failure to Monitor for Disinfection Byproducts

Dear Ms. Lynn,

This notice is to advise that you appear to be operating a waterworks in violation of the Public Water Supplies Law, Title 32.1, Chapter 6, Article 2 of the Code of Virginia, and Section 12VAC5-590-374 D of the Virginia *Waterworks Regulations* (“Regulations”) for failing to collect any of the routine samples for disinfection byproducts monitoring in accordance with your approved monitoring plan. The Regulations characterize this alleged violation as a major Tier 3 violation.

Section 12VAC5-590-374 D states, in part, “Failure to monitor in accordance with the monitoring plan...is a monitoring violation. Failure to monitor shall be treated as a violation for the entire

period covered by the annual average where compliance is based on [a running annual average] of monthly or quarterly samples or averages, and the owner's failure to monitor makes it impossible to determine compliance with [primary maximum contaminant levels] or [maximum residual disinfectant levels].”

The SESMAU Jerdone Island waterworks was required to take one TTHM and one HAA5 sample during the 2025 triennial monitoring period (July-September), no sample was collected and analyzed according to our records.

Required Actions

In accordance with Section 12VAC5-590-540 of the Regulations, you are required to issue a Tier 3 public notice (“Notice”) to the consumers in the area served by the waterworks in accordance with the public notification requirements described below:

Public Notice: The Notice requires you to notify consumers in the area served **within 12 months** of learning of the violation. This Notice must be handled as follows:

- You must distribute the Notice no later than **October 21, 2026**.
- The Notice must be mailed or directly delivered to each customer receiving a bill, and to other service connections served by your waterworks.
- If your waterworks serves consumers who do not pay water bills, or who do not have service connection addresses (apartment dwellers, university students, or nursing home patients, for example), you must also use other delivery methods to provide the Notice to these consumers as well. Examples of other methods include, but are not limited to, publication in local newspapers, delivery of multiple copies to apartment buildings, or posting the Notice in public places served by the waterworks.
- You may choose to include the Notice as an enclosure with or as an integral part of your Consumer Confidence Report (CCR) for 2025 water quality data. To do so, the combined CCR and public Notice must be distributed to consumers by July 1, 2026, AND you must take steps to ensure that the CCR and public Notice reach all persons served by the waterworks. This requirement is more stringent than the “good faith effort” requirements for distributing the CCR alone.
- Until the violation is resolved, you must give a copy of the Notice to all new billing units or new customers, before or at the time service begins.
- You must repeat distribution of the Notice annually for as long as the violation persists.

Draft Notice: Attached is a draft Notice for you to distribute as directed above. You may use this Notice as is, or modify it to better meet your situation, as long as the information is accurate and it contains all of the required elements and mandated language. If you decide to change the Notice,

we suggest that you contact this Office to verify that your proposed changes meet the requirements of the Regulations. Please insert the name, address, and phone number of a waterworks representative in the spaces provided on the draft Notice.

Public Notice Confirmation: Within ten (10) days of completing the public notification, but no later than **October 31, 2026**, you must provide this Office with a copy of the Notice that you distributed, along with a signed certification that the distribution was completed in the required time and manner. Failure to distribute the Notice and submit a signed certification form to this Office may be a further violation of the Regulations. A certification form is enclosed for your use.

Follow-Up Actions:

- The waterworks will collect and analyze TTHM and HAA5s samples in 2026 (July-September).

Requesting an Administrative Proceeding: If you disagree with the allegations in this notice or wish to obtain a determination as to whether a violation has occurred, you may request an informal conference in accordance with Va. Code § 2.2-4019 and 12VAC5-590-115 of the Regulations. To request an informal conference, please contact the ODW Director of Compliance, Enforcement and Policy by telephone or email at 804-629-0989 or Grant.Kronenberg@vdh.virginia.gov.

Enforcement Authority: Failure to take all the necessary corrective actions in a timely manner to voluntarily return your waterworks to compliance may result in enforcement action. Enforcement actions include permit revocation, administrative orders, and civil or criminal proceedings, and civil charges or penalties of up to \$5,000 per day for each violation. Va. Code §§ 32.1-26, 32.1-27, 32.1-175.01 and 32.1-176.

If you have any questions or concerns regarding this matter, please contact me at 804-910-6111 or email at lydia.belser@vdh.virginia.gov

Sincerely,



Lydia Belser,
Environmental Specialist Sr.
Richmond Field Office

LMB:lt

Enclosures:

1. Draft Tier 3 Public Notice
2. Certification Form

Ec:

John "Jack" McClelland, Environmental Health Manager, Blue Ridge Health District

(john.mcclelland@vdh.virginia.gov)

Christian Goodwin, Louisa County Administrator

David Gonce, Operator (dgonce@yahoo.com)

NOTICE TO CONSUMERS
of the SESMAU Jerdone Island WATERWORKS

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Major Failure to Monitor for Disinfection Byproducts

On October 21, 2025, we became aware that our system recently failed to collect the required number of routine drinking water samples. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the 2025 triennial monitoring period (July- September), we did not collect any routine samples for disinfection byproducts and therefore cannot be sure of the quality of your drinking water during that time.

What should I do?

There is nothing you need to do at this time. 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 is being done?

We will collect and analyze water samples for disinfection byproducts during the next monitoring period in 2026 (July -September).

For more information, please contact Mackenzie Lynn at 703-570-6960 or 77 West Lee Street, Suite 202, Warrenton, VA 20187

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 SESMAU Jerdone Island. State Water System ID#: 2109265
Date distributed: _____.

SUBJECT: Louisa County
Waterworks: SESMAU
Jerdone Island
PWSID No: 2109265

VIOLATION: Major Failure to Monitor for Disinfection Byproducts - (2025 Triennial Monitoring Period)

PUBLIC NOTIFICATION CERTIFICATION REPORT FORM
(Community Waterworks)

By direct (hand) delivery on _____ *(date)* at _____ a.m./p.m.

Posted on _____ *(date)* at _____ a.m./p.m.

At the following locations _____

Provided to the following broadcast media *(list: television/radio/website/social media)* on

_____ *(date)* at _____ a.m./p.m.

_____ *(date)* at _____ a.m./p.m.

Other approved method _____ *(method and date)*

New billing customers will be notified of any ongoing violation for which notice has previously been issued.

I hereby certify that the attached public notice was distributed as indicated above and that the notice meets all content requirements.

_____ (Printed Name)

_____ (Signature)

RETURN FORM WITH COPY OF NOTICE TO:

Email: ODWfieldoffice4@vdh.virginia.gov