

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

(October 3, 2014)

A. Violation of the NYS Sanitary Code Surface Water Treatment Rule - Village of Phoenix (Foster Well #1 and #3) Public Water System – (PWS ID#3704363)

On April 20, 2011, the Oswego County Department of Health determined that the Village of Phoenix Foster Wells #1 and #3, respecting the primary and a backup source of Village, Town District and outside user's drinking water, were identified as groundwater sources under the direct influence (GWUDI) of surface water. In other words, surface water containing certain organisms had reached the aquifer supplying our drinking water. This was determined from the analytical results obtained from Microscopic Particulate Analysis (MPA) samples taken on April 5, 2011 which revealed that surface water organisms were present. The Village of Phoenix had no reason to believe, and it had not been alleged by anyone and in any respect, that the Village had done anything less than all of the usual, customary and legally required practices with respect to operation of the water system.

Although that situation did not require Phoenix Village Water Customers to take any immediate action, you had and have a right to know what happened, what you should do, and the latest updates on what we are doing to address, and as necessary correct, this situation. In response to this event, the Department of Health required we comply with the New York Sanitary Code Part 5-1.30 (b) requirement to provide adequate treatment, replace our source, or purchase water from another approved source by November 1, 2012. **The Village water system is currently in violation of the New York State Sanitary Code, Subpart 5-1.30(b), also known as the Surface Water Treatment Rule (SWTR.) This violation results from not meeting federal and state requirements to provide filtration or otherwise remedy the violation by the required deadline.** We were informed at that time that a plan describing how we would meet this requirement was due by November 1, 2011, however as noted, upon receipt of Notice from the Oswego County Department of Health (on April 22, 2011) the Village took immediate steps to increase the levels of chlorination in this water supply. We have maintained these increased levels to date while at the same time, and notwithstanding this increase, ensuring that the maximum safe chlorination levels are not exceeded. In addition, the Village through a qualified independent contractor (Moody & Associates, Inc.) utilizing an independent testing laboratory (Environmental Associates LTD.) undertook further testing of the Village water supply at the same wells (and before treatment) on May 20, 2011, July 25, 2011, and August 23, 2012. Three of the samples collected during May and July indicated that surface water organisms were present. The results of the August 30, 2012 sampling indicated that surface water organisms were not detected and this was disclosed in the November 15, 2012 Notice. In connection with the foregoing efforts the Village Engineer, Dunn & Sgromo PLLC utilized the same contracting firm's services to investigate and formulate various options for addressing the Village of Phoenix water supply concerns. This resulted in a report entitled "Engineer's Report for Village of Phoenix Public Water System" dated September 2012 ("Engineer's Report"), which resulted in the Village retaining a contractor for performance of certain work as described in more detail in Section C of this notice entitled "What is being done?" (See below). Since completion of the work on December 27, 2012, monitoring and testing has resumed as mandated by the Department of Health and completion of the further work described at section C of the Notice is scheduled to be completed this spring.

Microscopic Particulate Analysis NYSDOH Modified Method			
Foster Well 1			
<i>Test Date</i>	<i>Primary Particulate (#/100 gallons)/Quantity</i>	<i>EPA Relative Risk Factor</i>	<i>Secondary Particulate</i>
4/5/11	Green algae/CD	NA	Plant Debris/Iron Bacteria
5/20/11	NF/R	0 - Low Risk	Iron Bacteria
7/25/11	54 (green and blue-green algae)/EH	9 - Moderate Risk	Iron Bacteria
8/23/12	NF/EH	0 - Low Risk	Iron Bacteria
3/5/13	Algae/CD	NA	NA
4/19/2013	NF/EH	0 - Low Risk	Nematodes
6/10/13	Green algae	NA	Unidentified flagellates
6/21/2013	NF/EH	0 – Low Risk	NF
6/5/2014	NF/EH	0 – Low Risk	Iron Bacteria

Microscopic Particulate Analysis NYSDOH Modified Method			
Foster Well 3			
<i>Test Date</i>	<i>Primary Particulate (#/100 gallons)/Quantity</i>	<i>EPA Relative Risk Factor</i>	<i>Secondary Particulate</i>
4/5/11	Green algae	NA	NA
5/20/11	939 (algae)/EH	14 - Moderate	EH (Pollen)
7/25/11	470 (algae)/EH	14 - Moderate	NF
8/23/12	NF/EH	0 – Low Risk	NF
3/5/13	NF	0 – Low Risk	NF
4/19/2013	NF/EH	0 – Low Risk	NF
6/10/13	Green Algae	NA	Plant Debris
6/21/2013	NF/EH	0 – Low Risk	Iron Bacteria
6/5/2014	NF/EH	0 – Low Risk	NF

Notes: EH = extremely heavy [>20 /field @ 100X], H = Heavy [10-20/field @ 100X], M = Moderate [4-9/field @ 100X], R = Rare [<1 -3/field @ 100X], NF = None Found, CD = Copious Debris observed

As indicated above, the MPA performed on the Foster Wells by the Village of Phoenix found Algae (surface water organisms) in water samples from Foster Well #1 in samples taken on 5/25/11 and from Foster Well #3 on 5/20/11 and 7/25/11. The results of the August 23, 2012 test did not detect surface water organisms, which would indicate that the wells are potentially GWUDI. OCHD MPA samples collected on March 5, 2013 indicated no surface water organisms were detected in Foster Well #3, however the surface water organism, green algae, was detected in Foster Well #1. The results of the March 5, 2013 testing were disclosed in the March 29, 2013 Notice. Additional samples were collected by the OCHD on June 10, 2013 from both Foster wells. MPA laboratory results indicated that surface

water organisms were detected in the samples collected from both wells. Since then the Village authorized an additional scope of work as described in the Contract Documents (described at Section C) (see Section C “What is being done” below) and has performed some but not all of that work. Additional testing was conducted by the Village on April 19, 2013, June 21, 2013 and June 5, 2014. The results of those MPA tests indicated that surface water organisms were not detected in either of the Foster Wells.

Contrary to the Village contention that this work (undertaken pursuant to the Village’s studies and recommendations and resulting in the Contract Documents) has a reasonable likelihood of success in resolving any violative GWUDI conditions, the Village has been informed by that State and County Health Departments that they remain in violation of the Surface Water Treatment Rule.

B. What does this mean?

The New York State Department of Health (NYSDOH) sets the drinking water standards and has determined that the presence of microbiological contaminants is a health concern at certain levels of exposure. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. If water is inadequately treated, microbiological contaminants in that water may contain disease. Disease symptoms may include diarrhea, cramps, nausea, and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water but may be caused by a number of factors other than your drinking water. Therefore, should you experience any of these symptoms and they persist, you may wish to seek medical advice.

The NYSDOH has set enforceable requirements for treating drinking water to reduce the risk of these adverse health effects. Attached please find the pathogen information sheet specific to unfiltered surface water.

C. What is being done?

Public water systems that violate drinking water treatment requirements must notify consumers and propose methods for complying with the treatment technique requirements. As above described, we have been and continue to be working with our Village Engineer, Water System Operator and the outside consultants retained for this specific issue. Our objective, together with the Oswego County Department of Health, was to more definitively analyze our problem, and as necessary, modify our water service to comply with New York State Drinking Water requirements. Several scenarios to meet Department of Health requirements were investigated as outlined in the Engineer’s Report. These evolved from consideration of the following: upgrading the existing wells, drilling new wells, adding additional treatment and/or purchasing water from another municipal supplier. As required, the Engineer’s Report was filed with the Oswego County Department of Health in early October (2012). As previously advised in the November 15, 2012 Notice, the Village’s independent contractors suggested three possible options in order to resolve any further potential for GWUDI events. They varied substantially as to cost as well as to the certainty of resolving the problems by implementation of a specific option, and ranged from addressing apparent locations of surface water intrusion, such as through old test well locations, lines and the like, to a filtration system, new wells and connection to the Metro water supply. The Village, due to the number of suspected intrusion locations, the relative cost of addressing same in this manner versus the other alternatives described above, and the speed with which this particular potential remedy could be implemented, opted for this approach. Such work was performed by American Auger & Ditching Co., Inc., pursuant to Specifications and any Contract Drawings of Dunn & Sgromo Engineering PLLC, entitled “Decommissioning of Water Supply Wells” (pages 332110-1 through 5), Scope of Work (Page S-1), Payment Item Pages (Pages PI-1 through PI-5), and Alternate Payment Item (Page API-4A) (“Contract Documents”). Upon completion of that work, additional samples were collected from the Foster Wells by the OCHD on March 5, 2013 and again on June 10, 2013. Surface water organisms were detected in both MPA samples collected from Foster Well #1, and in the MPA sample collected from Foster Well #3 on 6/10/13. After analyzing all of the MPA results, the OCHD and NYSDOH concluded that both Foster Wells were GWUDI and the Village must implement one of three solutions proposed in the above engineering report, including either installation of new wells, construction and utilization of a filtration plant or connection to another approved public water source. Third quarter activity included additional site investigation and close coordination with OCDOH & NYSDOH. Recommendations for pursuit of remedial actions and coordination of the same with OCDOH & NYSDOH will be finalized during fourth quarter activities. You shall receive a notice similar to this every three months hereafter until compliance is achieved.

D. What should I do?

If you have specific health concerns, consult your doctor. 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.

You do not need to boil your water or provide any additional treatment. However, if you are considering purchasing a home drinking water filter, please be aware that not all filters provide equal or adequate protection. If you have questions regarding home filters, you can call the NYS Department of Health at 1 (800) 458-1158.

Please share this information with any other people who may drink from this water source, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools and businesses). You may do so by posting this notice in a public place, distributing copies by hand, or by mail.

All water service emergency requests should still be made to the appropriate Town or Village representatives. Questions related to this issue may be telephoned (315) 695-2484, or emailed to the Village Clerk-Treasurer (rdemo@villageofphoenix-ny.gov) on the Village's voicemail system. If leaving a message, you should provide your full name, a daytime telephone number and fax, email or mailing address. The Village Clerk-Treasurer Administrator, or other Village official will respond by phone in the event of any true emergencies. Otherwise, the response will be in writing, either in response to your specific question, or in a document containing responses to various frequently asked questions from water system customers. All responses will be sent to the email, fax or resident addresses you provide. You may also contact the Oswego County Health Department at (315) 349-3557.

To be very clear, the Village of Phoenix Mayor, Board of Trustees and administration continues to make resolution of this issue a top priority. Regardless and independent of any efforts by County, State or Federal governmental agencies, since becoming aware of this issue we have diligently worked toward addressing any problem with our water quality.

Thank you.