

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
MILWAUKEE SERVICE CENTER  
1027 W ST PAUL AVE  
MILWAUKEE WI 53233-2641

Tony Evers, Governor

Telephone 608-266-2621  
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TTY Access via relay - 711



March 28, 2024

PWSID: 26801918  
Municipal – Waukesha County  
DNR violation # 99196718 & 99198472

Mr. Benjamin Hubrich  
Village of Butler-Waterworks  
12621 West Hampton Ave.  
Butler, WI 53007-1791

**SUBJECT: Notice of Noncompliance** – Failure to Complete Corrective Action for Significant Deficiency/ Tier 2 Public Notification Required for the Village of Butler Waterworks

Dear Benjamin Hubrich:

Wisconsin's Safe Drinking Water regulation, s. NR 809.327, Wis. Adm. Code, requires a public water system to correct significant deficiencies within 120 days after notification or by the due date established in a department-approved corrective action plan.

A review of DNR records indicates that your system did not complete the corrective action(s) due on March 1, 2023, until February 6, 2024. If you believe our records are wrong, please let us know immediately and provide updated information.

Failing to complete the corrective action(s) **on time** results in a treatment technique violation (s. NR809.328(1)) and requires public notification. The corrective action(s) included:

1. The cross-connection program is not being followed and the cross-connection inspections are not at the required frequencies as required by s. NR 810.15, Wis. Adm. Code. Every high risk industrial, commercial, and public authority service should be inspected once every 2 years.

**If you have not already provided public notice, you must begin notification before March 29, 2024. The public notice shall remain in place for 7 days (s. NR 809.952, Wis. Adm. Code).**

Notification must be made to all persons served by your system. This can be accomplished by publication in a daily or weekly newspaper of general circulation in the area served by your system. If your area is not served by a daily or weekly newspaper, you may give notice by hand delivery or direct mail to every customer served by your system or, with prior permission from the department, by posting at several conspicuous locations in the area served by your system.

If more than 5% of the population served by your water system consists of non-English speaking consumers, the public notice must contain information in the appropriate language(s) regarding the importance of the notice and where to obtain more information in another language.

**A copy of your completed public notice and certification is due at this office within 10 days of posting.** If you use the attached public notice, you must fill in all the blanks and sign and date the certification at the bottom. If you use a different public notice, it must include the information required

in s. NR 809.954, Wis. Adm. Code as well as a signed and dated certification statement similar to the one on the sample public notice.

**You do not need to take any additional action at this time, other than to public notice.** Since the corrective actions have been completed, the DNR will not take any further enforcement action regarding this violation. To avoid violations and additional enforcement action, please adhere to all deadlines in the future.

If you need technical assistance, contact me at 414-897-5779.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Chappelle", written in a cursive style.

Jason Chappelle  
Encl.

## Important Information about your Drinking Water

### Butler-Waterworks Failed to Take Corrective Action following identification of a Significant Deficiency

Deficiencies or circumstances requiring corrective action by us to better ensure a safe supply of water for human consumption were previously identified in our water system. We failed to address the significant deficiencies in accordance with a schedule we agreed to follow. The deficiencies included:

Implementation of the cross-connection program to accomplish inspections at the required frequencies as required by s. NR 810.15, Wis. Adm. Code. Every high risk industrial, commercial, and public authority service must be inspected once every 2 years.

#### What precautions should be taken at this time?

You do not need to use an alternative (e.g., bottled) water supply. However, if you have specific health concerns, consult your doctor.

#### What does this mean?

Significant deficiencies include defects in the design, operation, or maintenance of a public water system, or a failure or malfunction of the water source(s), treatment, storage or distribution system that can cause the introduction of contamination into the water delivered to you, our consumers, or when a health risk exists to consumers of the water.

#### Corrective action(s) taken:

\_\_\_\_\_

This public notice serves to inform you that significant deficiencies were identified and that we did not correct them in a timely manner. We began correcting the significant deficiency immediately upon discovery after the new administrator was hired. The Waterworks will complete the required inspections this year and continue to maintain the rate of inspections required by law and as described in our cross-connection program in the future.

\_\_\_\_\_

**The corrective actions made include(ed):** File review shows that some inspections had been completed and the Village reported these as soon as possible. Unfortunately, this could have been avoided if past administration would have reviewed reports and reported them as required in March 2023. Going forward the Village will work closely with business and industry to ensure cross connection inspections are performed and reported to the village. The Village of Butler will document and report an annual summary of cross connections inspections and report as required by law by March 1, annually, to the Department of Natural Resources.

\_\_\_\_\_

#### If you have questions regarding the safety of our drinking water, please contact:

\_\_\_\_\_

Name of Responsible Person

\_\_\_\_\_

Area Code-Telephone Number

\_\_\_\_\_

Street Address

\_\_\_\_\_

City

\_\_\_\_\_

State

\_\_\_\_\_

Zip

.....

I certify that the information and statements contained in this public notice are true and correct and have been provided to consumers in accordance with the delivery, content, format, and deadline requirements in Subchapter VII of ch. NR 809, Wis. Adm. Code.

**X**

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

**Tier 2 Notice**

\*\* 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.