



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

MAR 26 2007

Ref: 8ENF-T

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joel Bousman
Sublette County Commissioners
P.O. Box 250
Boulder, Wyoming 82941

Re: Emergency Administrative
Order under Section 1431 SDWA
Docket No. **SDWA-08-2007-0041**

Dear Mr. Bousman:

Pursuant to Section 1414(a)(2)(B) of the 1996 amendments to the Safe Drinking Water Act (Act), the Environmental Protection Agency (EPA) is required to notify an appropriate locally elected official of any action taken in a State that does not have primary enforcement authority for public water systems. The State of Wyoming does not have primary enforcement authority for public water systems under the Act.

An Emergency Administrative Order is being issued under Section 1431 of the Act to the High Meadow Ranch Owners Association in Sublette County, Wyoming. On March 21, 2007, EPA determined that the Sauk Trail well (well #1) of the High Meadow Ranch Water System ran dry leading to a loss of pressure in the distribution system which may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. These conditions may pose an imminent and substantial health endangerment to persons served by the system.

A copy of this Order is enclosed for your information. The Order does not require any response or action by the County Commission. If you have any questions regarding this Order, please contact Kimberly Pardue Welch at (800) 227-8917 X6983 or 303-312-6983.

Sincerely,



Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement,
Compliance
And Environmental Justice

Enclosure

Emergency Administrative Order





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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

High Meadow Ranch Owners Association
c/o Tim Wells, President
P.O. Box 95
Boulder, WY 82923

RE: Emergency Administrative
Order under Section 1431 SDWA
Docket No. SDWA-08-2007-0041
PWS ID #5601569

Dear Mr. Wells:

Enclosed is an Emergency Administrative Order (Order) issued by the U.S. Environmental Protection Agency (EPA) under section 1431 of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i. On March 21, 2007, EPA was notified that the Sauk Trail well (well #1) of the High Meadow Ranch Water System ran dry leading to a loss of pressure in the distribution system which may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. These conditions may pose an imminent and substantial health endangerment to persons served by the system.

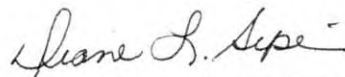
Pursuant to its authority set forth at section 1431 of the Act, 42 U.S.C. § 300i, EPA is authorized to take whatever actions necessary to protect human health. This Order and the requirements set forth herein are necessary to ensure adequate protection of public health based on EPA's primary enforcement responsibility for the Safe Drinking Water Act in the State of Wyoming.

The enclosed Order sets forth the compliance actions that the High Meadow Ranch Owners Association (Respondent) must take to ensure that the people served by the water supply are provided with safe drinking water. The Order requires, in part, that the system issue a Boil Order and public notice until notified by EPA to discontinue, take a minimum of one total coliform bacteria sample per day for four days followed by one total coliform sample per week for two weeks. Provided all samples are negative

for total coliform bacteria, the System may resume routine monitoring of two total coliform samples per month. The penalties for failing to comply are set forth in the Order.

If you have any questions or wish to discuss this Order, please contact Kimberly Pardue Welch at (800) 227-8917 X6983 or 303-312-6983. If you are represented by an attorney or have legal questions, please call Marc Weiner at the above 800 number, extension 6913, or at (303) 312- 6913.

Sincerely,



Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement,
Compliance and Environmental
Justice

Enclosure
Emergency Order



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2007 MAR 26 PM 2:35

IN THE MATTER OF)
)
High Meadow Ranch Owners')
Association)
P.O. Box 95)
Boulder, WY 82923)
)
Respondent)
)
)
)
PWS ID #: 5601569)
)
Proceedings under section 1431)
of the Safe Drinking Water Act,)
42 U.S.C. § 300g-3(g))
_____)

EPA REGION 8
Boulder, CO
ADMINISTRATIVE CLERK

EMERGENCY
ADMINISTRATIVE
ORDER

Docket No. SDWA-08-2007-0041

STATUTORY AUTHORITY

The following Findings are made and Order issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by section 1431 of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300i, as properly delegated to the Supervisors of the Technical and Legal Enforcement Programs of the Office of Enforcement, Compliance and Environmental Justice, EPA Region 8.

JURISDICTION

1. EPA has jurisdiction to issue emergency orders pursuant to section 1431, 42 U.S.C. § 300i.

2. EPA has primary enforcement responsibility for the Act in the State of Wyoming.

FINDINGS

1. High Meadow Ranch (Respondent) is an association, and is therefore a person within the meaning of section 1401(12) of the Act, 42 U.S.C. § 300f(12), and 40 C.F.R. § 141.2.
2. Respondent owns and/or operates the High Meadow Ranch Water System (the "System"), located in Sublette County, Wyoming for the provision to the public of piped water for human consumption.
3. The High Meadow Ranch Water System has at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents and is therefore a "public water system" within the meaning of section 1401(4) of the Act, 42 U.S.C. § 300f(4), and a "community water system" within the meaning of 40 C.F.R. § 141.2.
4. Respondent owns and/or operates a public water system and is therefore a "supplier of water" within the meaning of section 1401(5) of the Act, 42 U.S.C. § 300f(5) and 40 C.F.R. § 141.2. Respondent is therefore subject to the requirements of part B of the

Act, 42 U.S.C. § 300g, and its implementing regulations, 40 C.F.R. part 141.

5. According to a June 8, 2005, sanitary survey conducted by Mike Sposit, an agent for EPA, Respondent operates a system that is supplied by three wells. The system serves approximately 331 residents through 130 service connections.
6. On March 14, 2007, High Meadow Ranch public water system experienced a disruption in service because the Meadow Lark Lane (Well #2) ran dry. EPA has determined that conditions exist at Respondent's public water system that may present an imminent and substantial endangerment to the health of persons. Such conditions include the Meadow Lark Lane well (Well #2) going dry leading to a loss of pressure in a portion of the distribution system, which may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Backsiphonage is also a condition resulting from low or no pressure. Such system failures carry a high potential that fecal contamination or other disease causing organisms could enter the distribution system.

7. After coordinating efforts with the Wyoming Department of Homeland Security and the Wyoming National Guard, Respondent is currently supplying water to residents via a trailer mounted water tank. EPA understands that Respondent plans to drill the Meadow Lark Lane well (Well #2) 200 - 300 feet deeper in an effort to obtain an adequate water supply. In the event that an adequate water supply is not achieved, EPA will require additional measures.
8. This Order and the requirements set forth herein are necessary to ensure adequate protection of public health based on EPA's primary enforcement responsibility for the Act in Wyoming.
9. By issuing this Order, EPA supports and seeks to continue the initial efforts to protect public health by State and local officials.

FINDINGS OF VIOLATIONS

1. Respondent is required to consult with EPA as soon as practical, but no later than 24 hours after the public water system learns of a situation with significant potential to have serious adverse effects on human health as a result of short-term exposure. (40 C.F.R. §§ 141.203(b)(2) and 141.202 (a)(8)). EPA was not notified following disruptions to the public water system's operation.

2. Respondent is required to post a Tier 1 public notice as soon as practical but no later than 24 hours after the system learns of the situation noted above, and to comply with public notice requirements that are established as a result of the consultation with EPA (40 C.F.R. §§ 141.203(b)(1) and 141.203(b)(3)). The public notice and boil water advisory need to be issued immediately to notify residents on the distribution system, even at the time when there is no water flowing in the system. This prepares residents to boil their water once water production resumes since that is the most hazardous time for public health. When there is no water pressure, contaminants that have seeped into the pipes during the loss of pressure are flushed and carried directly into residents' taps. The public must be made aware of this danger and of the need to boil the water to kill organisms that may be present in the water.
3. Respondent violated the federal regulations cited above by not consulting with EPA within 24 hours of this situation occurring and by not posting a Tier 1 public notice in the required timeframe.

EMERGENCY ADMINISTRATIVE ORDER

A. BOIL ORDER AND PUBLIC NOTICE

1. Respondent shall immediately issue a boil order for any water received through the distribution system and fully comply with the boil order until it is terminated by the EPA.
2. Respondent shall provide public notice in the affected area as set forth in this Order. No later than 24 hours after the date of this Emergency Administrative Order, Respondent shall provide a notice to the public of the conditions which resulted in a potential threat to public health. This public notice shall be posted in conspicuous locations throughout the area served by the water system and hand delivered to persons served by the Meadow Lark Lane well. Upon the effective date of this Order, Respondent shall comply with the public notification requirements at 40 C.F.R. §141.201 et seq. following any future National Primary Drinking Water Regulations (NPDWRs) violation. Respondent shall submit a copy of the public notice to EPA within 24 hours of completion of the public notice. The public notice shall include the following information:

a. All requirements as specified in 40 C.F.R.

§ 141.205 including:

- (1) A description of the emergency situation and potential contaminants of concern, and (as applicable) the contaminant level;
- (2) When the violation or situation occurred;
- (3) Any potential adverse health effects from the violation or situation (see section b. below);
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;
- (5) Whether alternative water supplies should be used (see section b.);
- (6) What actions consumers should take, including when they should seek medical help, (see section b. below);
- (7) What the system is doing to correct the violation or situation;
- (8) When the water system expects to return to compliance or resolve the situation;
- (9) The name, business address, and phone number of the water system owner, operator, or

designee of the public water system as a source of additional information concerning the notice; and

(10) A statement to encourage the notice recipients to distribute the public notice to other persons served.

b. Mandatory health effects language as specified in 40 C.F.R. § 141.205(d)(1), Appendix B to subpart Q of part 141. This language is as follows:

The Meadow Lark Lane well (well #2) of the High Meadow Ranch Water System went dry, which can cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Such a system failure carries with it a high potential that fecal contamination or other disease causing organisms could enter the distribution system.

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. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Fecal coliforms and E. Coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.

UNTIL FURTHER NOTIFIED, ALL WATER DERIVED FROM THE PUBLIC WATER SYSTEM USED FOR DRINKING, BRUSHING

TEETH, COOKING, MAKING ICE, WASHING DISHES, OR USED FOR HUMAN CONSUMPTION, ETC., SHALL BE BOILED FOR AT LEAST ONE (1) MINUTE, AT A ROLLING BOIL, BEFORE USE, ALL STORED WATER, DRINK OR ICE MADE RECENTLY FROM THIS SUPPLY SHALL BE DISCARDED.

3. Respondent shall continue the public notice as set forth above until EPA Region 8 provides written notification to discontinue public notice.
4. Upon the effective date of this Order, Respondent shall notify all water users of Respondent's Water System that an alternative potable water supply is available. The alternative water supply must be made available at no cost as needed for drinking and cooking until Respondent receives written notification from EPA that alternative water is no longer necessary. Respondent shall provide the alternative water at a central location that is accessible to all persons served by the water system. Respondent shall provide a sufficient quantity of water for reasonable domestic uses, at a minimum, two liters daily per person served by the water system.
5. Respondent must carry out the public notice and other notice requirements that EPA directs. Respondent must comply with this regulation in any future water outage event or any similar emergency situation.

**B. NOTIFY EPA OF SITUATIONS WITH POTENTIAL ADVERSE EFFECTS
ON PUBLIC HEALTH**

1. Notify EPA as soon as practicable, but within 24 hours after you learn of a violation or situation with the potential to have serious adverse effects on human health as a result of short term exposure to contaminants, as determined in the regulations or by EPA on a case-by-case basis (40 C.F.R. §§ 141.203(b)(2) and 141.202 (a)(8)). High Meadow Ranch must comply with this regulation in any future water outage event or any similar emergency situation.

C. INTENT TO COMPLY

1. Within 24 hours of receipt of this Order, Respondent shall notify EPA in writing of its intention to comply with the terms of this Order. The written response shall include a general plan for compliance with each of the elements of this Order.

D. MONITORING REQUIREMENTS

1. Prior to resuming public water system service THROUGH THE IMPROVED Meadow Lark Lane well, Respondent shall clean and flush the system including disinfection of the distribution system and any storage tanks that are part of the system.

2. Once the Meadow Lark Lane well improvements have been made, Respondent shall collect consecutive daily (one sample per day) special purpose total coliform samples of the water from the Meadow Lark Lane well distribution system to determine compliance with the maximum contaminant level (MCL) as set forth in 40 C.F.R. § 141.63. Respondent shall continue daily total coliform monitoring until receiving written notice from EPA to discontinue daily sampling. Respondent shall report daily total coliform sampling results to EPA by telephone or fax immediately upon receiving the laboratory results.
3. After Respondent collects four consecutive daily total coliform samples from the Meadow Lark Lane well that are negative and receives written notification from EPA to discontinue daily total coliform sampling, Respondent shall conduct weekly bacteriological sampling to determine compliance with the MCLs for total coliform bacteria as stated in 40 C.F.R. § 141.63. Respondent shall report weekly total coliform sampling results to EPA by telephone or fax immediately upon receiving the laboratory results.
4. Respondent shall continue weekly bacteriological monitoring from the Meadow Lark Lane well distribution

system until Respondent (a) collects two consecutive weekly total coliform samples which are total coliform negative and (b) receives notification from EPA to discontinue weekly bacteriological sampling.

Respondent shall thereafter resume monthly total coliform sampling as required by 40 C.F.R. § 141.21 to determine compliance with the MCLs for total coliform bacteria as stated in 40 C.F.R. § 141.63. Respondent shall report analytical results to EPA within the first 10 days of the end of the monitoring period, as required by 40 C.F.R. § 141.31(a).

5. Respondent shall collect all total coliform sampling at sites which are representative of water throughout the Meadow Lark Lane well distribution system.
6. If any one of the sample results are total coliform-positive, Respondent shall conduct repeat sampling as required by 40 C.F.R. § 141.21(b), which requires public water systems that collect five or fewer total coliform samples to collect a minimum of four repeat samples within 24 hours of being notified of the total coliform-positive sample. Furthermore, Respondent shall comply with the requirements of 40 C.F.R. § 141.21(b)(5), which requires public water systems that collect five or fewer total coliform samples to collect

a total of 5 routine total coliform samples the month following a total coliform-positive sample result.

E. REPORTING

1. Respondent shall give daily updates to EPA on progress of Meadow Lark Lane well upgrades and activation of Meadow Lark Lane well and distribution system including timelines for completion. Daily updates must be submitted to EPA until EPA notifies the System that reports may be discontinued. These reports may be submitted via phone, fax, or e-mail.
2. All reports and notifications herein required shall be submitted to:

Kathelene Brainich, 8ENF-W
US Environmental Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129
Telephone (800)227-8917 X 6481 or (303) 312-6481
Fax (303) 312-7518
Brainich

GENERAL PROVISIONS

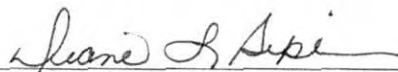
1. This Order does not constitute a waiver, suspension, or modification of the requirements of 40 C.F.R. §141.1 et seq., or the Safe Drinking Water Act, which remain in full force and effect. Issuance of this Order is not an election by EPA to forgo any civil or criminal action otherwise authorized under the Act.

2. Violation of any term of this Order instituted under section 1431(a) of the Act, 42 U.S.C. § 300i(a), may subject the Respondent to a civil penalty not to exceed \$15,000 for each day in which such violation occurs or failure to comply continues, assessed by an appropriate U.S. District Court under section 1431(b) of the Act, 42 U.S.C. § 300i(b).

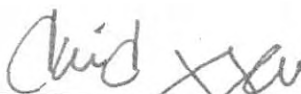
3. Violation of any requirement of the SDWA or its implementing regulations instituted under section 1414(b) of the Act, 42 U.S.C. § 300g-3(b), may subject Respondent to a civil penalty of not more than \$27,500 per day of violation assessed by an appropriate U.S. District Court under section 1414(b) of the Act, 42 U.S.C. § 300g-3(b).

4. The effective date of this Order shall be the date of issuance.

Issued this 26th day of March, 2007.



Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



David J. Janik, Acting Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice