



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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HEARING CLERK

FEB 03 2016

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

D.J. Darnell, Chairman
Jeffrey City Water & Sewer District
P.O. Box 100
Jeffrey City, WY 82310

Re: Administrative Order Violation, Jeffrey City Public Water System, PWS ID # WY5600106,
Docket No. SDWA-08-2012-0053

Dear Mr. Darnell:

On September 19, 2012, the U.S. Environmental Protection Agency issued an Administrative Order (Order), directing the Jeffrey City Water & Sewer District (District), as owner/operator of the Jeffrey City Public Water System (System), to comply with various drinking water regulations issued by the EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that the District is in violation of the Order. Among other things, the Order included the following 7 requirement(s) (summarized from the Order) in the following table:

Paragraph and page number in Order	Requirements in Order	Violation of Order
Paragraph 18, page 3	If any total coliform routine sample for the System is positive for total coliform, Respondent shall collect a set of 4 repeat samples within 24 hours of being notified of the positive result, following the procedures in 40 C.F.R. § 141.21.	The EPA has not received total coliform repeat monitoring results for September and October 2014, and August 2015.
Paragraph 19, page 3	If any routine sample for the System is positive for total coliform, Respondent shall collect at least five routine samples during the next month in which the System provides water to the public, following the procedures in 40 C.F.R. § 141.21.	The EPA has not received total coliform additional routine monitoring results for October and November 2014, and September 2015.

Paragraph and page number in Order	Requirements in Order	Violation of Order
Paragraph 20, page 3	Within 48 hours after receipt of the Order, Respondent shall collect at least one water sample from its ground water source for E. coli analysis, and submit results using the Triggered Source Monitoring Sample Collection and Reporting Form. Thereafter, Respondent shall comply with all source water monitoring and related requirements in 40 C.F.R. § 141.402. When reporting any triggered source water sample result to the EPA, Respondent shall specify that it is a triggered source water sample.	The EPA has not received the source sample required within 48 hours after receipt of the Order. Additionally, Respondent was notified that routine samples were positive for total coliform on September 10, 2014 and October 8, 2014, and failed to collect source water samples within 24 hours.
Paragraph 21, page 3	Within 30 days of receipt of the Order, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor the System's water for nitrate. 40 C.F.R. § 141.23.	The EPA did not receive nitrate monitoring results as required within 30 days after receipt of the Order. Respondent failed to monitor for nitrate during 2014.
Paragraph 26, page 4	If Respondent violates any coliform monitoring requirement in 40 C.F.R. part 141, Respondent shall report this violation to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).	Respondent did not report the total coliform monitoring violations cited above to the EPA.
Paragraph 27, page 4	Respondent shall report any violation of the Drinking Water Regulations to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).	Respondent did not report the violation of the Drinking Water Regulations cited above to the EPA.
Paragraph 28, page 4	Within 30 days after receipt of the Order, Respondent shall notify the public of the violations cited in paragraphs 9 through 13, of the Order, following the instructions provided with the public notice template provided to Respondents with the Order. Thereafter, following any future violation of the Drinking Water Regulations, Respondents shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondents shall submit a copy of the notice to the EPA.	The EPA did not receive a copy of public notice with certification of distribution.

The EPA is considering additional enforcement action as a result of the Respondent's non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If the EPA's information appears incorrect and/or you have questions, please contact Olive Hofstader at Hofstader.olive@epa.gov or (303) 312-6467 or (800) 227-8917 extension 312-6467 or the address above with the mailcode 8ENF-T. If the District is represented by an attorney who has questions, please ask the attorney to contact Mia Bearley, Enforcement Attorney, at bearley.mia@epa.gov or (303) 312-6554 or at the address above (with the mailcode 8ENF-L):

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly Pardue-Welch". The signature is written in a cursive, flowing style.

Kimberly Pardue-Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Corliss Moody, Operator
WY DEQ/DOH (via email)