



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

JAN 26 2011

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Albany County Commissioners
c/o Tim Sullivan, Chairman
525 Grand Avenue
Suite 202
Laramie, WY 82070

Re: Notice of Safe Drinking Water Act
Enforcement Action against
Centennial Water and Sewer District
PWS ID #WY5601232

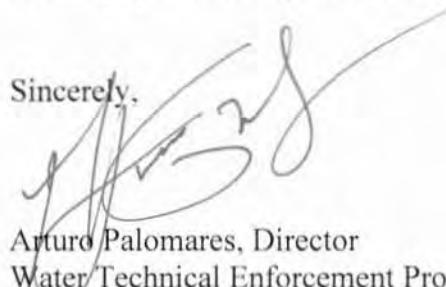
Dear Commissioners:

The Safe Drinking Water Act (SDWA) requires that the United States Environmental Protection Agency (EPA) notify locally elected officials of certain enforcement actions taken in their area.

EPA has issued a second Administrative Order (Order) to the Centennial Water and Sewer District, located in Centennial, Wyoming, directing it to comply with the National Primary Drinking Water Regulations. The violations include exceeding the total coliform maximum contaminant level (MCL); failing to monitor as required by the Ground Water Rule, failing to provide public notice of violations; and failing to report these violations to EPA.

For more details, a copy of the Order is enclosed. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Shawn McCaffrey at (303) 312-6515.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure
Order



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JAN 26 2011

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Centennial Water and Sewer District
c/o Ron Copenhaver, Chairman
121 E. Grand Ave.
Suite 214
Laramie, WY 82070-3600

Re: Second Administrative Order
Docket No. **SDWA-08-2011-0016**
Centennial Water and Sewer District
Public Water System
PWS ID# WY5601232

Dear Mr. Copenhaver:

Enclosed is a second Administrative Order (Order) issued by the United States Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300f et seq. Among other things, the Order alleges that the Centennial Water and Sewer District (the District) has violated the National Primary Drinking Water Regulations (the drinking water regulations). EPA's prior Order, Docket No. SDWA-08-2010-0028, issued to the Centennial Water and Sewer District on March 29, 2010, remains in full force and effect.

The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If the Centennial Water and Sewer District complies with the Order, EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a Federal court injunction ordering compliance.

The Order requires the District to notify the public of having violated the drinking water regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail.

For future source water sampling as required by the Ground Water Rule, please find the enclosed triggered source monitoring sample collection and reporting form.

To submit information or request an informal conference with EPA, please contact Shawn McCaffrey at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6515 or (303) 312-6515. Any questions from the District's attorney should be directed to Marc Weiner, Senior Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6913 or (303) 312-6913.

We urge your prompt attention to this matter.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures

Order

Ground Water Rule Sample Collection and Reporting Form

Public Notice Template

cc: Dallas Talbott, Operator
Tina Artemis, EPA Regional Hearing Clerk
Wyoming DEQ (via email)
Wyoming DOH (via email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 26 PM 2: 18
REGION 8

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:)
)
Centennial Water and Sewer District,)
)
Respondent. _____)

Docket No. **SDWA-08-2011-0016**

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by the Safe Drinking Water Act, 42 U.S.C. §§ 300f *et seq.* (the Act), as properly delegated to the undersigned officials.
2. Centennial Water and Sewer District (Respondent) is a public body created by or pursuant to Wyoming law and consequently a “municipality” as defined in § 1401 of the Act, 42 U.S.C. § 300f. Respondent owns and/or operates the Centennial Water and Sewer District Water System (the system), which provides piped water to the public in Albany County, Wyoming, for human consumption.
3. The system is supplied by a ground water source consisting of two wells which provide water that is treated with granular ferric oxide adsorption to remove arsenic and sodium hypochlorite for disinfection.
4. The system has approximately 85 service connections used by year-round residents and/or regularly serves at least 150 year-round residents. Therefore, the system is a “public water system” and a “community water system” as defined in 40 C.F.R. § 141.2 and § 1401 of the Act, 42 U.S.C. § 300f.
5. Respondent is subject to the Act and the National Primary Drinking Water Regulations (drinking water regulations) at 40 C.F.R. part 141. The drinking water regulations are “applicable requirements” as defined in § 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The drinking water regulations include monitoring requirements. EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the system.

VIOLATIONS

7. If two or more samples collected in any month from the system’s water are positive for total coliform, then the system has not complied with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.63(a)(2). During the months of August, September, and October 2010, two or more samples from the system were positive for total coliform, and, therefore, Respondent violated this requirement.

8. Within 24 hours of being notified that any regular, routine total coliform monitoring sample is total coliform-positive, Respondent is required to collect at least one water sample from each source in use and to submit each such sample for fecal indicator analysis. 40 C.F.R. § 141.402(a) and (c). The system received a total coliform-positive result its routine water sample collected on August 19, 2010, but Respondent failed to collect the ground water source sample within the required 24 hour time-frame and, therefore, violated this requirement.

9. Respondent is required to notify the public of certain violations of the drinking water regulations, in the manner specified by the regulations. 40 C.F.R. §§ 141.201 *et seq.* Respondent failed to notify the public of the violations listed in paragraph 7 above, and, therefore, violated this requirement. Public notice for the 2010 failure to take a ground water source sample within 24 hours violation cited in paragraph 8 is not yet overdue.

10. Respondent is required to report any coliform MCL violation to EPA no later than the end of the first business day after learning of it. 40 C.F.R. § 141.21(g)(1). Respondent did not notify EPA of the MCL violations cited in paragraph 7, above, and, therefore, violated this requirement.

11. Respondent is required to report any failure to comply with any of the drinking water regulations to EPA within 48 hours (except where a different reporting period is specified in the drinking water regulations). 40 C.F.R. § 141.31(b). Respondent failed to report the violations listed in paragraphs 8 and 9, above, to EPA and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

12. If the system's water does not comply with the total coliform MCL in 40 C.F.R. § 141.63, Respondent shall notify EPA of this violation by the end of the first business day after discovering the violation, as required by 40 C.F.R. § 141.21(g)(1).

13. Within 30 days after receipt of this Order, Respondent shall provide EPA with a compliance plan and schedule for the system to come into compliance with the MCL for total coliform as stated in 40 C.F.R. § 141.63(a). The plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with the total coliform MCL. The proposed schedule shall include specific milestone dates and a final compliance date. The final compliance date shall be within 3 months from the date of EPA's approval of the plan and schedule. The proposed plan and schedule must be approved by EPA before construction or modifications may begin. EPA's approval of Respondent's plan and schedule does not substitute for any State of Wyoming approvals of plans and specifications that may also be required before modifications may be made to the system.



14. The plan and schedule required by paragraph 13, above, will be incorporated into this Order as enforceable requirements upon written approval by EPA.

15. Within 10 days after completing all tasks included in the plan and schedule required by paragraph 13, above, Respondent shall notify EPA of the project's completion.

16. Respondent shall achieve and maintain compliance with the total coliform MCL by the final date specified in the approved plan, or no later than three months after receiving EPA's approval of the plan and schedule required by paragraph 13 above, whichever is earliest. Respondent shall meet that deadline even if the plan as approved does not achieve compliance. If the plan fails to achieve permanent compliance, EPA may order further steps and/or seek penalties for noncompliance.

17. Respondent shall collect at least one water sample for fecal indicator analysis from each source in use within 24 hours of notification that a regular, routine total coliform monitoring sample is total coliform-positive, as required by the Ground Water Rule at 40 C.F.R. § 141.402. Respondent shall identify the routine sample location as "source" when submitting the sample for analysis. Respondent shall report analytical results (specifying it as a source sample) to EPA within the first 10 days following the month in which the result is received, as required by 40 C.F.R. § 141.90.

18. Respondent shall report any violation of the drinking water regulations to EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or the drinking water regulations, Respondent shall report within that different period.

19. Within 30 days after receiving this Order, Respondent shall notify the public of the violations cited in paragraphs 7 and 8, above, following the instructions provided with the public notice templates provided to Respondent with this Order. Thereafter, following any future violation of the drinking water regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to EPA.

20. Respondent shall direct all reporting required by this Order to:

U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop Street
Denver, CO 80202-1129

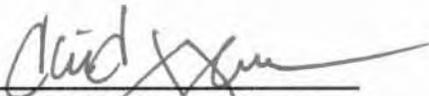


GENERAL PROVISIONS

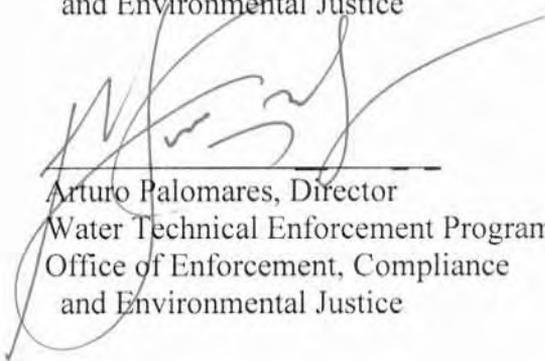
21. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

22. Violation of any part of this Order or the drinking water regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

Issued: January 26, 2011.



Michael T. Risner, Director
David Janik, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Ground Water Rule SOURCE WATER

Triggered Source Monitoring Sample Collection And Reporting Form

Sampler(s) Section (For field sampler use only):

<u>Utility Information</u> Public Water System (PWS) Name:		Sampler's Name:	
PWS Identification Number (PWSID):		Phone Number:	
PWS Street Address:	City:	State:	Zip Code:
Sample Collection		Sampling Location	
Date	Time	(i.e. "SOURCE-Well #4"):	
		Sample Type (Check One)	
		<input type="checkbox"/> Routine <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement	
		<input type="checkbox"/> Routine <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement	
		<input type="checkbox"/> Routine <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement	
		<input type="checkbox"/> Routine <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement	
		<input type="checkbox"/> Routine <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement	
Sampler(s) name (Print):		Sampler(s) signature:	
		Date signed:	

Laboratory Section (For laboratory use only):

<u>Laboratory Information</u> Laboratory Name:			Laboratory Phone Number:			Date/Time Sample Received:			
Lab Specimen ID	Sample Location	Analytical Method Used	Total Coliform P/A/NA	E. coli P/A/NA	Analysis Start		Analysis Complete		Comments
					Date	Time	Date	Time	
Analyst(s) Signature:					Date signed:				

Send Copies Of Completed Forms To: Ground Water Rule Manager, Tiffany Mifflin
 Email: mifflin.tiffany@epa.gov
 Fax: 1-877-876-9101