



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Denver, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

MAR 14 2018

2018 MAR 14 PM 12:51
FILED
EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W-SDW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Town of Cokeville
Mr. Eric Larsen, Mayor
P.O. Box 99
110 Pine Street
Cokeville, Wyoming 83114

Re: Administrative Order regarding Town of Cokeville Public Water System,
PWS ID #5600015, Docket No. **SDWA-08-2018-0006**

Dear Mr. Larsen,

Enclosed is an Administrative Order (Order) issued by the U.S. Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that Town of Cokeville, as owner and operator of the Town of Cokeville Public Water System (System), has violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141.

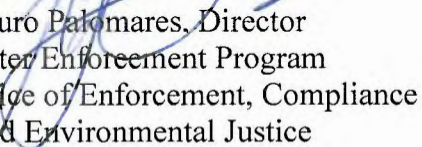
This Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the number of connections and/or individuals served). If the EPA does not hear from you, the EPA will assume our information is correct.

If the Town of Cokeville complies with the Order, the 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.

To submit information or request an informal conference with the EPA, please contact Jill Minter at the above address (with the mailcode 8ENF-W-SDW), via email at minter.jill@epa.gov, or by phone at (800) 227-8917, extension or (303) 312-6084. Any questions from your attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L), via email at bearley.mia@epa.gov, or by phone at (800) 227-8917, extension 6554 or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



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

Enclosures

cc: WY DEQ/ DOH (via email)
Missy Haniewicz, EPA Regional Hearing Clerk
Lincoln County Commissioners (rking@lccwy.org)
Mike Duran, Public Works Director (tocpw@allwest.net)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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IN THE MATTER OF:)
)
Town of Cokeville,)
)
)
)
Respondent.)

Docket No. ~~SDWA-08-2018-0006~~

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EPA REGION VIII
HEARING CLERK

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.

2. Town of Cokeville (Respondent) is a municipality that owns and/or operates the Town of Cokeville Public Water System (System), which provides piped water to the public in Lincoln County, Wyoming, for human consumption.

3. The System is supplied by a groundwater source accessed via two wells. The water is treated by disinfection. The System operates year-round.

4. The System has approximately 184 service connections used by year-round residents and/or regularly serves an average of approximately 535 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 section 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 section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

VIOLATIONS

6. Respondent is required to complete corrective action of a significant deficiency in accordance with EPA approved corrective action schedule or within 120 days of receiving written notification from the EPA of a significant deficiency. 40 C.F.R. § 141.404(a). Respondent is required to notify the EPA within 30 days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). Respondent received a letter from the EPA on November 12, 2015, that detailed significant deficiencies and the EPA approved a schedule for the System to complete the corrective actions by September 30, 2016. The Respondent failed to complete all corrective actions by September 30, 2016, and/or failed to notify the EPA of corrective action completion by October 31, 2016, and therefore violated this requirement.

7. Respondent was required to monitor the System's tap water for lead and copper triennially between 2015 and 2017. 40 C.F.R. § 141.86(d). Respondent failed to monitor the System's water for lead and copper during the 2015-2017 monitoring period and therefore violated this requirement. Triennial reduced monitoring is revoked due to this failure to monitor and annual monitoring is now required starting in 2018. 40 C.F.R. § 141.86(d)(4)(iii).

8. Respondent is required to notify the public of certain violations of the Drinking Water Regulations and, within 10 days after completing public notice, provide a copy of the public notice to the EPA. 40 C.F.R. §§ 141.201-141.211, 141.31. Respondent failed to notify the public of the violation cited in paragraph 6, above and/or failed to submit a copy to the EPA, and therefore violated this requirement.

9. Respondent is required to report any failure to comply with any Drinking Water Regulation to the EPA within 48 hours, except where the Drinking Water Regulations specify a different time period. 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 6 and 7, above, to the 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):

10. Within 60 days of receipt of this Order, Respondent shall complete corrective action of the following significant deficiencies: Gravity Tank ST01 vent must terminate in an inverted-U construction at least 24 inches above the roof or ground surface, whichever is higher, and must be fitted with a #24 mesh non-corrodible screen to prevent contamination, and the hatch must be elevated a minimum of 24 inches above the top of the tank surface or ground surface, whichever is higher; Gravity Tank ST02 vent must terminate in an inverted-U construction at least 24 inches above the roof or ground surface, whichever is higher, and the hatch must be elevated a minimum of 24 inches above the top of the tank surface or ground surface, whichever is higher. Within 30 days after the completion, Respondent shall provide sufficient evidence to the EPA, including photographs, of the completed corrective actions. Thereafter, Respondent shall complete corrective action of significant deficiencies and notify the EPA of their completion as required by 40 C.F.R. §§ 141.404(a) and 141.405(a)(2).

11. Between June 1, 2018, and September 30, 2018, Respondent shall monitor the System's water for lead and copper, and thereafter as directed by the EPA in accordance with 40 C.F.R. § 141.86(a)-(d). Within the first 10 days following the end of each monitoring period, Respondent shall report analytical results to the EPA, as required by 40 C.F.R. § 141.90.

12. Within 30 days after receipt of this Order, Respondent shall notify the public of the violation cited in paragraph 8, above. Templates and instructions are available at: [https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms% 23 new#pn](https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms%20new#pn). 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 the EPA.

13. If Respondent contracts with or hires any other person or entity to operate the System, Respondent shall, no later than the date of such contract, provide a copy of this Order to the contractor. No later than 10 days thereafter, Respondent shall notify the EPA in writing of the contract, with such notification to include the name and contract information of the person who has contracted to operate the

System. Respondent shall remain obligated to comply with this Order even if Respondent contracts the System to another person or entity or hires another person or entity to operate the System.

14. Respondent shall send all reporting and notifications required by this Order to the EPA via email at R8DWU@epa.gov or minter.jill@epa.gov.

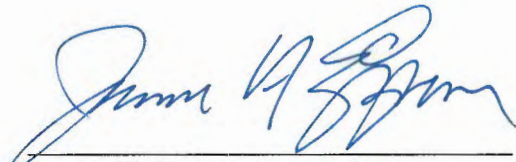
GENERAL PROVISIONS

15. This Order shall not constitute a waiver, suspension or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

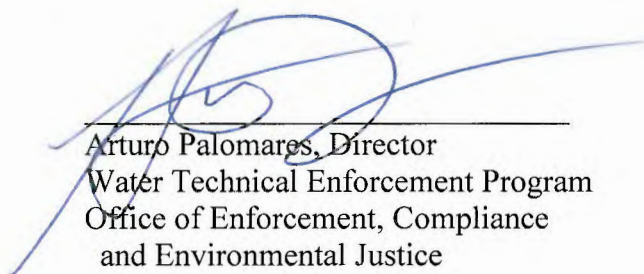
16. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$55,907 (as adjusted for inflation) per day of violation and/or a court injunction ordering compliance. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 83 Fed. Reg. at 1193 (January 10, 2018).

17. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: March 14, 2018.



James H. Eppers, Supervisory Attorney
Regulatory Enforcement Unit
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



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

**GWR Failure to Take Corrective Action Within Required Time Frame
Notice – Template 2-21**

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER
[System] Failed to [Correct a Significant Deficiency/Address a Fecal Indicator-
Positive Source Sample] Within Required Time Frame.**

Our water system recently violated a drinking water requirement. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

[A routine inspection conducted on [give date] by the [insert primacy agency] found [describe significant deficiency in our water system]] OR

[Sampling conducted at our groundwater source on [given date(s)] found indication of fecal contamination of our source(s)].

As required by Environmental Protection Agency's (EPA's) Ground Water Rule, we were required to take action to [correct this deficiency/address the fecal-indicator positive source sample]. However, we failed to take this action by the deadline established by [insert primacy agency name].

What should I do?

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours.

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.

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What is being done?

[Describe corrective action.] We anticipate resolving the problem within [estimated time frame] (or the problem was resolved on [give date]).

For more information, please contact [name of contact] at [phone number] or [mailing address].

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.

This notice is being sent to you by [system]. State Water System ID#: _____.

Date distributed: _____.