



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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

JUN 28 2013

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Cheryl Probert, Supervisor  
Bridger-Teton National Forest Headquarters  
P.O. Box 1888  
340 N. Cache  
Jackson, WY 83001

RE: Emergency Administrative Order under  
Section 1431 SDWA  
Docket No. **SDWA-08-2013-0041**  
New Fork Narrows Campground  
Public Water System  
PWS ID #WY5680141

Dear Mr. Buchanan:

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 June 27, 2013, the EPA was notified that water sample results collected on June 24, 2013, at the New Fork Narrows Campground Public Water System (System) had exceeded the maximum contaminant level for total coliform bacteria, and that two of the total coliform-positive samples collected were also positive for *E. coli* bacteria. This situation may pose an imminent and substantial health endangerment to persons served by the system.

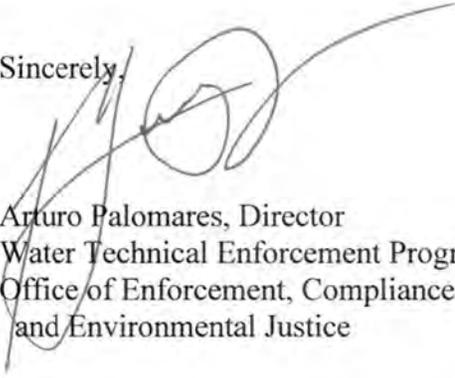
Pursuant to its authority set forth in section 1431 of the Act, 42 U.S.C. § 300i, the EPA is authorized to take actions necessary to protect human health. This Order and its requirements are necessary to ensure adequate protection of public health based on the EPA's primary enforcement responsibility under the Act at the New Fork Narrows Public Water System.

The enclosed Order sets forth the compliance actions that must be taken to ensure that the people served by the water system are provided with safe drinking water. The Order requires, in part, that the system prepare, deliver and post a Boil Order and public notice until notified by the EPA to discontinue; provide alternate water supplies for users of the System; disinfect and flush the system, including all storage tanks in use; take additional total coliform bacteria samples; and provide the EPA with a plan

and schedule for preventing future total coliform and *E. coli* maximum contaminant exceedances, among other steps. The penalties for failing to comply are set forth in the Order.

The EPA thanks the National Forest Service and its staff for initial efforts to address the situation at the system. If you or your staff have any questions or wish to discuss this Order, please contact Mario Mérida at (800) 227-8917 extension 6297 or 303-312-6297. Legal questions may be directed to Amy Swanson, Legal Enforcement Attorney, at the above 800 number, extension 6906, or at (303) 312-6906.

Sincerely,



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

Enclosures

Emergency Administrative Order  
Attachment A: Boil Order

cc: Tina Artemis, EPA Regional Hearing Clerk  
Thea Koci, Forestry Technician, Bridger-Teton National Forest (via email)  
Cindy Stein, Natural Resource Manager, Bridger-Teton National Forest (via email)



9. Respondent's system serves an average of 25 persons daily at least 60 days per year through 7 service connections, and is therefore subject to the Act and regulations.

10. The EPA has determined that conditions exist at the System that may present an imminent and substantial endangerment to the health of humans. The EPA has made this determination based on 4 water samples collected on June 24, 2013. Two of those samples were positive for *E. coli* bacteria and the other two were positive for total coliform. One water sample collected on June 25, 2013 was also positive for total coliform bacteria. *E. coli* are bacteria whose presence indicates that the water may have been 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, some of the elderly, and people with severely-compromised immune systems.

11. Prior to issuing this Order, the EPA consulted with the System, the Forest Service and other federal, state and/or local governmental authorities to confirm the facts and the potential endangerment and has determined that this Order is necessary to protect human health.

### **FINDINGS**

12. If any repeat sample collected by the System is positive for *E. coli*, this is a violation of the acute maximum contaminant level (MCL) for total coliform. 40 C.F.R. § 141.63(b). Two of four repeat samples of the System's water collected on June 24, 2013 tested positive for *E. coli*, and therefore, Respondent violated the acute MCL for total coliform.

13. Respondent is required to report any coliform MCL violation to the EPA no later than the end of the next business day after learning of it. 40 C.F.R. § 141.21(g)(1). Respondent notified the EPA of the MCL violations cited in paragraph 10, above, on June 27, 2013.

14. Respondent is required to consult with EPA as soon as practical, but no later than 24 hours after the public water system learns of the acute MCL violation or any other situation with significant potential to have serious adverse effects on human health as a result of short-term exposure. 40 C.F.R. § 141.202(b)(2). Respondent notified the EPA within 24 hours following occurrence of the acute total coliform MCL violation at the system.

### **ORDER**

#### **INTENT TO COMPLY**

15. Within 24 hours of receipt of this Order, Respondent shall notify the EPA in writing of its intention to comply with the terms of this Order. Email is acceptable.

### **BOIL ORDER AND PUBLIC NOTICE**

16. Within 24 hours of receipt of this Order, if it has not already done so, Respondent must notify the public of the situation described in this Order by distributing a boil water advisory. Directions on the required content for the public notice and advisory are included in Attachment A to this Order. Respondent shall submit a copy of the notice to the EPA within 24 hours of its distribution. Respondent must continue providing the public notice until the EPA provides written notice to discontinue.

### **ALTERNATE WATER SUPPLY**

17. Using the public notice required in paragraph 16 above, Respondent must notify the public that an alternate potable water supply is available. The alternate water supply must be either 1) provided by a licensed water distributor, 2) purchased bottled water, or 3) provided by another public water system that meets the National Primary Drinking Water Regulations (“drinking water regulations”) and shall be made available at no cost to all users of the System as needed for drinking and cooking until Respondent receives written notification from the EPA that alternate water is no longer necessary. Respondent shall provide at least two liters of potable water daily per person at a central location that is accessible to all persons served by the System.

### **DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS**

18. Within 48 hours of receipt of this Order, Respondent shall clean and flush the System including disinfection of the distribution system and any storage tanks that are part of the System.

19. Once the System has been flushed and disinfected, Respondent must collect consecutive daily (one sample per day) special purpose total coliform samples from the distribution system to determine compliance with the total coliform (MCL). 40 C.F.R. § 141.63.

20. After Respondent collects a sufficient number of consecutive daily total coliform samples that are negative and receives written notification from the EPA to discontinue daily total coliform sampling, Respondent must collect weekly special purpose bacteriological samples (one sample per week) to determine compliance with the total coliform MCL. 40 C.F.R. § 141.63.

21. After Respondent collects a sufficient number of weekly total coliform samples that are negative and receives written notification from the EPA to discontinue weekly total coliform sampling, Respondent shall collect monthly special purpose total coliform samples to determine compliance with the total coliform MCL. Respondent shall continue monthly sampling until receiving written notification from the EPA to resume quarterly total coliform sampling. 40 C.F.R. §§ 141.21 and 141.63.

22. After Respondent collects a sufficient number of monthly total coliform samples that are negative and receives written notification from the EPA to discontinue monthly total coliform sampling, Respondent shall thereafter resume quarterly total coliform sampling to determine compliance with the total coliform MCL. 40 C.F.R. §§ 141.21 and 141.63.

23. If any of the designated routine sample results is total coliform-positive, Respondent shall collect four repeat samples within 24 hours of being notified of the total coliform-positive sample. 40 C.F.R. § 141.21(b). Furthermore, Respondent shall collect 5 routine total coliform samples in the month following a total coliform-positive sample result. 40 C.F.R. § 141.21(b)(5).

24. Respondent shall continue increased monitoring of total coliform bacteria, as required in paragraphs 19 – 23 above, until receiving written notice from the EPA to discontinue Respondent shall collect all total coliform sampling at sites which are representative of water throughout the distribution system. Additionally, Respondent shall report all sampling results to the EPA by telephone or fax immediately upon receiving the results.

25. For the total coliform sampling in paragraph 22 above, Respondent shall designate one sample the quarterly compliance sample to determine compliance with the MCL for total coliform. 40 C.F.R. § 141.63.

26. The EPA may require Respondent to increase or decrease total coliform sampling at any time while the Order is in effect.

### **COMPLIANCE MEASURES**

27. Within 30 days of the effective date of this Order, Respondent shall provide the EPA with a compliance plan and schedule that outlines actions to be taken that will ensure compliance with the total coliform acute MCL. 40 C.F.R. § 141.63. The plan shall identify the cause of the acute MCL and describe efforts that Respondent will take to prevent recurrence of total coliform and *E. coli* positive contamination in the system. If applicable, the plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with the Order and Federal requirements. The proposed schedule shall include specific milestone dates and a final compliance date (to be within two months from the date of the EPA's approval of the plan). The plan and schedule must be approved by the EPA before construction or modifications may commence. The EPA's approval of Respondent's plan and schedule does not substitute for any State of Wyoming approval of plans and specifications (engineering plans) which may also be required before modifications can be made to the System.

28. The plan and schedule required by paragraph 27, above, will be incorporated into this Order as enforceable requirements upon written approval by the EPA. The EPA may incorporate the above required plans into a new administrative order. If implementation of the plan fails to

achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.

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

29. Notify the EPA as soon as practicable, but within 24 hours after Respondent learns 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. 40 C.F.R. § 141.202(b)(2). The System must comply with this regulation in any future *E. coli* event or any similar emergency situation.

**REPORTING**

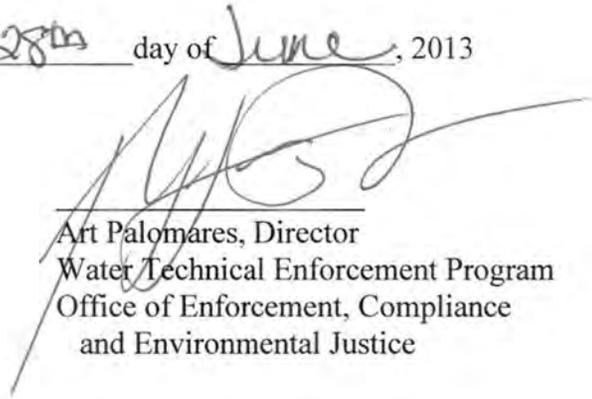
30. Respondent must give daily updates to the EPA on progress of returning the System to compliance. Daily updates must be submitted to the EPA until the EPA notifies the System that reports may be discontinued. These reports may be submitted via phone, fax, or e-mail.

31. All contact with the EPA shall be to:

Mario Mérida, 8ENF-W  
US Environmental Protection Agency  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Telephone (800)227-8917 X 6297 or (303) 312-6297  
Fax (303) 312-7518  
e-mail: [merida.mario@epa.gov](mailto:merida.mario@epa.gov)

32. This Order does not affect any legal requirement or the EPA's legal enforcement options in this matter. This Order constitutes final agency action. Respondent may seek federal judicial review of Emergency Orders under section 1431 of the SDWA pursuant to section 1448(a) of the SDWA, 42 U.S.C. 300j-7(a).

33. Issued and effective this 28<sup>th</sup> day of June, 2013



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

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

### **BOIL ORDER NOTICE REQUIREMENTS AND TEMPLATE**

This public notice shall be issued by broadcast media [where applicable] and posted in conspicuous locations throughout the area served by the water system and hand delivered to persons served by the New Fork Narrows Campground. 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") violations. 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:

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 are being used and locations where the water is provided for public use;
6. What actions consumers should take, including when they should seek medical help;
7. What the System is doing to correct the violation or situation;
8. When the System expects to return to compliance or resolve the situation;
9. The name, business address, and phone number of the System owner, operator, or designee of the System as a source of additional information concerning the notice; and
10. A statement to encourage the recipients to distribute the public notice to other persons served by the System.

11. 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:

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 organisms may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

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 THREE (3) MINUTES, AT A ROLLING BOIL, BEFORE USE**, ALL STORED WATER, DRINK OR ICE MADE RECENTLY FROM THIS SUPPLY SHALL BE DISCARDED.

### **Template on Reverse**

Since exceeding the fecal coliform or *E. coli* maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time, you must also contact your primacy agency. You should also coordinate with your local health department. You may also have to modify the template if you also have high nitrate levels or other coliform MCL violations. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- X Radio
- X Television
- X Hand or direct delivery
- X Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). If you post or hand deliver, print your notice on letterhead, if you have it.

### **Population Served**

Make sure it is clear who is served by your water system--you may need to list the areas you serve.

### **Corrective Action**

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with fecal coliform or *E. coli* violations. Use one or more of the following actions, if appropriate, or develop your own:

- X We are chlorinating and flushing the water system.
- X We are switching to an alternate drinking water source.
- X We are increasing sampling for coliform bacteria to determine the source of the contamination.
- X We are repairing the wellhead seal.
- X We are repairing the storage tank.
- X We are restricting water intake from the river/lake/reservoir to prevent additional bacteria from entering the

water system and restricting water use to emergencies.

**After Issuing the Notice**

**Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).**

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of contamination so they can use bottled water.

It is a good idea to issue a "problem corrected" notice when the violation is resolved. See Template 1-6 or call your primacy agency for information.

Please send a copy of your notice and dates posted to:

Mario Mérida  
US EPA Region 8  
8ENF-W  
1595 Wynkoop Street  
Denver, CO 80202-1129

Or, you may fax a copy to: Attn: Mario Mérida at 303-312-7518.

**Certification of Public Notification**

I \_\_\_\_\_ certify that the attached public notification was issued from  
(PWS Operator / Responsible Party)

\_\_\_\_\_ to \_\_\_\_\_  
(Date) (Date)

The attached notice was issued by \_\_\_\_\_  
(Method of delivery)

Signature \_\_\_\_\_ Date \_\_\_\_\_

## DRINKING WATER WARNING

New Fork Narrows Campground water is contaminated with *e. coli* bacteria

### BOIL YOUR WATER BEFORE USING

*E. coli* bacteria were found in the water supply on June 24, 2013. These bacteria can make you sick, and are a particular concern for people with weakened immune systems.

Bacterial contamination can occur when increased run-off enters the drinking water source (for example, following heavy rains). It can also happen due to a break in the distribution system (pipes) or a failure in the water treatment process.

#### What should I do? What does this mean?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for one minute, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice. Boiling kills bacteria and other organisms in the water.
- *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 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.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice. People at increased risk should seek advice about drinking water from their health care providers.

#### What is being done?

[Describe corrective action.] We will inform you when tests show no bacteria and you no longer need to boil your water. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address]. General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1-800-426-4791.

*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 New Fork Narrows Campground.  
State Water System ID#: WY5680141  
Date distributed: \_\_\_\_\_.