



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2019 OCT 11 AM 11:48

FILED  
EPA REGION VIII  
HEARING CI FRK

OCT 11 2019

Ref: 8ENF-W-SD

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Anthony M. Sowell, Board Member  
Jeffrey City Water & Sewer District  
P.O. Box 100  
Jeffrey City, Wyoming 82310

Re: Administrative Order Violation, Jeffrey City Water & Sewer District Public Water System,  
PWS ID # WY5600106, Docket No. SDWA-08-2019-0006

Dear Mr. Sowell:

On December 27, 2018, the U.S. Environmental Protection Agency issued an Administrative Order (Order), Docket No. SDWA-08-2019-0006, directing Jeffrey City Water & Sewer District (District), referenced in the Order as the Respondent, as owner/operator of the Jeffrey City Water & Sewer District Public Water 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 requirements, quoted from paragraphs 15, and 16 on page 3 of the Order, which have not been fulfilled:

- Within 48 hours after receipt of this Order, Respondent shall collect at least one water sample from its groundwater source and have it analyzed for a fecal indicator (e.g. E. coli). If the sample is positive, Respondent shall notify the EPA immediately for appropriate assistance in meeting the requirement of 40 C.F.R. § 141.402(g) to provide public notice within 24 hours as required by 40 C.F.R. § 141.202. 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, Respondent shall specify that it is a triggered source water sample.
- By July 1, 2019, Respondent shall (1) prepare an annual CCR (to include all information required by 40 C.F.R. §§ 141.153 and 154) for the System for 2015 and 2018, and distribute the CCR to the System's customers and the EPA and (2) certify to the EPA that the CCR has been distributed to the System's customers and that its information is correct and consistent with monitoring data previously provided to the EPA. Respondent shall also provide a CCR certification to the EPA for the 2016 CCR. Thereafter, Respondent shall prepare and distribute annual CCRs by July 1st and provide certifications to the EPA by October 1<sup>st</sup> as required by 40 C.F.R. §§ 141.151- 155.

The EPA has not received a groundwater source sample result analyzed for a fecal indicator (e.g. E. coli). The EPA has not received the annual 2015 and 2018 Consumer Confidence Reports (CCRs) and the 2015, 2016 and 2018 CCR certifications.

The District must complete the following: 1) within 24 hours of receipt of this Administrative Order Violation, collect at least one water sample from each active groundwater source, have it analyzed for a fecal indicator (e.g. E. coli), and report the results to the EPA within 10 days, and 2) within 30 days of receipt of this Administrative Order Violation, prepare and distribute the 2015 and 2018 CCRs to the System's customers and the EPA and provide certifications to the EPA for the 2015, 2016 and 2018 CCRs.

Enclosed for your information is a *Triggered Groundwater Source Sampling Form* and a *Consumer Confidence Report (CCR) Certification for Wyoming Community Water Systems* form.

**The EPA is considering additional enforcement action as a result of non-compliance with the Order.** Violating the Order may lead to (1) a penalty of up to \$57,317 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions, please contact Jill Minter at (303) 312-6084 or (800) 227-8917 extension 312-6084. If the District is represented by an attorney, please ask the attorney to direct any questions or comments to Mia Bearley, Senior Assistant Regional Counsel, via email at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov), or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

Mia Bearley, Senior Assistant Regional Counsel  
U.S. EPA, Region 8 (8ORC-R)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Colleen Rathbone, Chief  
Water Enforcement Branch  
Enforcement & Compliance Assurance Division

Enclosures

cc: WY DEQ/DOH (via email)  
Fremont County Commissioners ([travis.becker@fremontcountywy.gov](mailto:travis.becker@fremontcountywy.gov))  
Melissa Haniewicz, EPA Regional Hearing Clerk  
Mr. Anthony M. Sowell, Board Member and Water System Operator ([asowell@blm.gov](mailto:asowell@blm.gov))  
Mr. Rex Kelson, Board Member and Administrative Contact ([rexmarkel@gmail.com](mailto:rexmarkel@gmail.com))

# WY and Tribal Ground Water Rule (GWR)

## TRIGGERED GROUNDWATER SOURCE SAMPLING FORM

### *Sampler(s) Section (For field sampler use only)*

**Reminder:** Collect GWR source samples anytime you have a routine RTRC positive result. Collect the same number of samples from each active groundwater source as the number of routine TC+ results received (e.g., if you have two routine TC+ results, you will need to collect two source water samples from each active groundwater source). Write the correct Sample Point Code on the form below (e.g. GWR WL), which may be found in the yearly Monitoring and Reporting Requirements document sent to all systems. The GWR source samples are **in addition** to your RTRC repeat samples. You **cannot** use RTRC samples as a GWR source sample, or vice versa.

Public Water System (PWS) Name:		Sampler's Name:	
PWS Identification Number (PWSID):		Cell Phone Number:	
PWS Street Address:		City:	State: Zip Code:
Comments: (List sources that were inactive or any other information regarding why all groundwater sources were not sampled)			
Sample Collection		Sample Point Code	Groundwater Sample Type- Check One
Date	Time	(Found in the yearly Monitoring and Reporting Requirements document in the GWR section.)	Triggered - 1st source sample(s) after being notified of a routine RTRC positive Additional Routines - Required 5 source samples after a GWR EC+ routine result Replacement- If a sample wasn't analyzed previously (e.g. over holding time)
			<input type="checkbox"/> Triggered <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement
			<input type="checkbox"/> Triggered <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement
			<input type="checkbox"/> Triggered <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement
			<input type="checkbox"/> Triggered <input type="checkbox"/> Additional Following EC+ <input type="checkbox"/> Replacement
			<input type="checkbox"/> Triggered <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):*

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	
Comments: (e.g. chlorine residual present, over 30 hour holding time)									
Analyst(s) Name:					Date:				

**Send Copies of Completed Forms to:** EPA Region 8 Ground Water Rule Manager  
 Email: [r8dwu@epa.gov](mailto:r8dwu@epa.gov)  
 Fax: 1-877-876-9101

# Consumer Confidence Report (CCR) Certification for Wyoming Community Water Systems Serving Fewer than 10,000 Persons

Community Water System Name: \_\_\_\_\_

Public Water System Identification No: \_\_\_\_\_ Year CCR Due: \_\_\_\_\_

Important: In 1999, Governor Jim Geringer exercised his authority under the Safe Drinking Water Act to waive the direct mailing requirement for CCRs for small community water systems in Wyoming. Small community water systems can instead meet their annual reporting requirements under the CCR Rule by the methods of report distribution listed below.

Directions: Please mark the boxes in the section relevant to your drinking water system and fill in the associated blanks. Then sign the form in the last section.

**Community Water Systems Serving Fewer than 10,000 Persons must complete all three (3) of the following actions:**

1. Notified customers by direct mailing\* that the CCR shall be printed in a local newspaper or made available on an internet web site.  
Specify date and method of direct notice to customers:

\_\_\_\_\_

and

2. Published the CCR as an insert in one or more local newspapers serving the area of service or published the CCR on an internet web site.  
Specify newspaper and the date of publication, or specify the internet web site address:

\_\_\_\_\_

and

3. Made paper copies of the CCR available to the public upon request.  
Describe what information was provided to the customer so that he/she could request a paper copy of the CCR, if desired:

\_\_\_\_\_

\*Direct mailing can include mailing a paper notice or emailing a notice to your customers.

**Community Water Systems Serving 500 Persons or Fewer must complete both of the following actions:**

1. Provided direct notice\* to each customer that the annual CCR is available.  
Specify the date and method of direct notice to customers, and where the report was made available:

\_\_\_\_\_

and

- 2. Made paper copies of the CCR available to the public upon request or through an internet web site.

Describe what information was provided to the customer so that he/she could request a paper copy of the CCR, or specify the internet web site address:

\_\_\_\_\_

\*Direct notice can include mailing a paper notice to or emailing a notice to your customers.

The community water system named above hereby confirms that its Consumer Confidence Report (CCR) has been distributed to customers or that appropriate notices of availability have been given as specified on this form. Further, the system certifies that the information contained in the report is correct and consistent with the compliance monitoring data previously submitted to EPA Region 8.

**CERTIFIED BY:**

Name (please print): \_\_\_\_\_

Title: \_\_\_\_\_ Phone #: \_\_\_\_\_

Signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Please sign and send your completed certification by mail, fax, or email for receipt no later than October 1st of each year for the CCR due that same year:

**MAILING ADDRESS:**

US Environmental Protection Agency, Region 8  
 Drinking Water Program (8WP-SDA)  
 Attn: CCR Rule Manager  
 1595 Wynkoop St.  
 Mailcode: 8WP-SDA  
 Denver, CO 80202-1129

**EMAIL:**

To: [R8DWU@epa.gov](mailto:R8DWU@epa.gov)  
 Subject: CCR Certification

**FAX:**

1-(877) 876-9101  
 Attn: CCR Certification