



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2011 OCT -3 AM 9:51

FILED
EPA REGION VIII
RECORDING CLERK

Ref: 8 ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

OCT 03 2011

Honorable Jean Dixon
Mayor, Town of Wheatland
600 9th Street
Wheatland, WY 82201

Re: Violation of Administrative Order
Town of Wheatland
Public Water System
Docket No. SDWA-08-2011-0056
PWS ID #WY5600187

Dear Mayor Dixon:

On July 28, 2011, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2011-0056 ordering the Town of Wheatland (Respondent or the Town) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that the Town of Wheatland is in violation of the Order. Among other things, the Order included the following requirements (quoted from item 16 of the "Order" section on page 3 of the Order):

1. Respondent shall comply with the total coliform MCL. 40 C.F.R. § 141.63. If the system's water exceeds the total coliform MCL, Respondent shall report this violation to EPA by the end of the business day after discovering the violation, as required by 40 C.F.R. § 141.21(g)(1).

Respondent exceeded the total coliform MCL on August 4, 2011.

EPA appreciates Pete Delgado, operator, informing EPA of the cause of the August 2011 total coliform MCL. EPA strongly encourages the Town to take extra precautions to ensure compliance with the total coliform MCL in the future. EPA recommends several operation and management practices for systems that routinely disinfect with chlorine, including routinely (on a weekly basis) checking chlorinators for proper functioning and conducting regularly scheduled chlorine residual testing. EPA also recommends proper flushing or shock chlorination of the distribution system following any system maintenance, construction, or disruption to service. Please let EPA know if you would like additional information or assistance with any of these items.

EPA is considering additional enforcement action, including assessment of penalties, as a result of the ongoing 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 you have any questions or wish to have an informal conference with EPA, you may contact Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Marc Weiner, Enforcement Attorney, at 1-800-227-8917, extension 6913 or (303)312-6913 or at the following address:

Marc Weiner
Enforcement Attorney
U.S. EPA, Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk
Pete Delgado, Operator

