



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region080>

2010 JUN -8 PM 3: 15

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Town of Dixon
Attn: Matthew Feldmann, Mayor
POB 26
Dixon, WY 82323

RE: Emergency Administrative Order
under Section 1431 SDWA
Docket No. **PWS-08-2010-0050**
PWS ID #5600059

Dear Mayor Feldmann:

Enclosed is an Emergency Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under section 1431 of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300i. This Order is based on the loss of pressure to the drinking water distribution system at the Town of Dixon on June 6 and 7, 2010. The Town's water may pose an imminent and substantial endangerment to the health of persons served by the system.

Pursuant to its authority set forth at section 1431 of the Act, 42 U.S.C. § 300i, EPA is authorized to take whatever actions it finds necessary to protect human health. This Order and the requirements set forth herein are necessary to ensure adequate protection of public health based on EPA's primary enforcement responsibility for the Act in the State of Wyoming.

The enclosed Order sets forth the compliance actions that must be taken to ensure that the people served by the water supply are provided with safe drinking water. The Order requires, in part, that the system issue a Boil Order and public notice until notified by EPA to discontinue, provide alternate water if the system cannot provide water through the distribution system, and submit a plan for correcting the situation and preventing future loss of pressure incidents. The penalties for failing to comply are set forth in the Order.

If you have any questions or wish to discuss this Order, please contact Kathelene Brainich (800) 227-8917 extension 6481 or 303-312-6481. If you are represented by an attorney, please

feel free to ask your attorney to call Sheldon Muller, Enforcement Attorney, at the above 800 number, extension 6916, or at (303) 312- 6916.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darcy O'Connor', with a long horizontal flourish extending to the right.

Darcy O'Connor, Acting Director
Technical Enforcement Program
Office of Enforcement, Compliance and
Environmental Justice

Enclosure

cc: WY DOH & DEQ (via email)
Carbon County Commissioners (FYI only)
Tina Artemis, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2010 JUN -8 PH 3: 15

 IN THE MATTER OF)
)
 Town of Dixon, Wyoming)
 PWS ID #WY5600059)
)
 Respondent.)
 _____)

EMERGENCY
ADMINISTRATIVE ORDER

FILED
EPA REGION VIII
HEARING CLERK

Docket No. **PWS-08-2010-0050**

AUTHORITY AND FINDINGS

This Order is issued by the United States Environmental Protection Agency (EPA) pursuant to the authority of § 1431 of the Safe Drinking Water Act (the Act 42 U.S.C. § 300i(a), which provides, in pertinent part, as follows: “Notwithstanding any other provision of this title, the Administrator, upon receipt of information that a contaminant which is present in or is likely to enter a public water system or an underground source of drinking water...which may present an imminent and substantial endangerment to the health of persons...may take such actions as he may deem necessary in order to protect the health of such persons.” The undersigned officials have been properly delegated this authority. By issuing this Order, EPA supports and seeks to continue the initial efforts to protect public health by State and local officials.

Failure to comply with this Order may result in civil penalties of up to \$16,500 per day. 42 U.S.C. § 300i(b).

The Town of Dixon (Respondent) is a municipality that owns and/or operates the Town of Dixon public water system (“system”), located in Carbon County, Wyoming, that provides water to the public for human consumption.

The system is supplied by an infiltration gallery in the Little Snake River that has been determined to be groundwater under the direct influence of surface water. The system’s treatment consists of a media filter followed by bag filters and disinfection.

The system serves an average daily population of 78 year-round residents through 53 service connections and, therefore, is subject to the requirements of the Act, 42 U.S.C. § 300g, *et seq.*, and its implementing regulations, 40 C.F.R. part 141, and EPA’s authority under 42 U.S.C. § 300i(a).

EPA has determined that conditions exist at Respondent’s system that may present an imminent and substantial endangerment to human health. EPA has made this determination based upon the system running out of water in the storage tank on June 6, 2010, leading to a loss of pressure in the distribution system. Respondent installed a new pump on June 6, 2010, as it was suspected that the original pump caused the loss of pressure. Respondent super-chlorinated

and flushed the system on the morning of June 7, 2010. That afternoon Respondent discovered the storage tank was again empty and therefore the cause of the pressure loss is still unknown. Loss of pressure may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Backsiphonage is also a condition resulting from low or no pressure. Such system failures carry a high potential that fecal contamination or other disease causing organisms could enter the distribution system.

Prior to issuing this Order, EPA consulted with the system and state governmental authorities to confirm the facts and the potential endangerment and has determined that this order is necessary to protect human health.

ORDER

INTENT TO COMPLY

1. Within 24 hours of receipt of this Order, Respondent shall notify EPA in writing, via e-mail or fax, of its intention to comply with the terms of this Order.

BOIL ORDER AND PUBLIC NOTICE

2. Within 24 hours of receipt of this Order, Respondent shall notify the public in the affected area of the problem described in this Order and distribute 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 EPA via email or fax within 24 hours of its distribution. Respondent shall continue the public notice as set forth in Attachment A until EPA provides written notification to discontinue public notice. Respondent shall carry out the public notice and other notice requirements that EPA directs. Respondent shall comply with this requirement in any future water outage event or any similar emergency situation.

ALTERNATE WATER SUPPLY

3. If the system were to be unable to supply water through the distribution system, Respondent shall provide an alternative potable water supply to all persons served by the system until Respondent receives written notification from EPA that providing alternative water is no longer necessary. Respondent shall use the public notice required in paragraph 2 above to notify the public that an alternative potable water supply is available. The alternative 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. 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

4. Once the pressure of 25 pounds per square inch (psi) is regained, Respondent shall clean and flush the system which shall include disinfection of the distribution system and any storage tanks that are part of the system.
5. Once the system has been flushed and disinfected, Respondent shall collect consecutive daily (1 sample per day) special purpose total coliform samples Monday through Thursday, at sites which are representative of water throughout the distribution system, to determine compliance with the total coliform maximum contaminant level (MCL). 40 C.F.R. § 141.63.
6. After Respondent collects a sufficient number of consecutive daily total coliform samples that are negative and receives written notification from EPA to discontinue daily total coliform sampling, Respondent shall collect weekly special purpose bacteriological samples (1 sample per week), at sites which are representative of water throughout the distribution system, to determine compliance with the total coliform MCL. 40 C.F.R. § 141.63.
7. After Respondent collects a sufficient number of weekly total coliform samples that are negative and receives written notification from EPA to discontinue weekly total coliform sampling, Respondent shall thereafter resume monthly total coliform sampling to determine compliance with the total coliform MCL. 40 C.F.R. §§ 141.21 and 141.63.
8. 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).
9. Respondent shall monitor the chlorine residual at the same time and same location as the total coliform samples (as required in paragraphs 5 and 6 above) until Respondent receives notification from EPA to discontinue chlorine residual monitoring.
10. Respondent shall continue increased monitoring of total coliform bacteria and chlorine residual as required in paragraphs 5, 6 and 9 above until receiving written notice from EPA to discontinue increased sampling. 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 EPA by telephone or fax immediately upon receiving the results.

11. For the total coliform sampling in paragraph 6 above, Respondent shall designate 1 sample as the monthly compliance sample to determine compliance with the MCL for total coliform. 40 C.F.R. § 141.63.
12. By providing oral or written notification, EPA may require Respondent to increase and/or decrease total coliform sampling and chlorine residual sampling at any time while the Order is in effect.

COMPLIANCE MEASURES

13. Within 30 calendar days of the effective date of this Order, Respondent shall provide EPA with a written compliance plan and schedule that outlines actions to be taken that will correct the existing situation and that will ensure that there is no future loss of pressure to the system. The plan shall identify the cause of the pressure loss and describe efforts that Respondent will take to prevent a recurrence of pressure loss 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 that is within 3 months from the date of EPA's approval of the plan. The plan and schedule must be approved by EPA before construction or modifications may commence. 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.
14. The plan and schedule required by paragraph 13, above, will be incorporated into this Order as enforceable requirements upon written approval by EPA. EPA may incorporate the above required plans into a new administrative order. If implementation of the plan fails to achieve permanent compliance, EPA may order further steps and/or seek penalties for noncompliance.
15. Respondent shall submit written monthly reports to EPA on the status of all corrective measures until notified in writing by EPA to discontinue reports. Reports shall be postmarked by the 15th of each month.
16. Within 10 calendar days of completion of the approved plans and schedule required in paragraph 13, Respondent shall notify EPA in writing of project completion.

REPORTING

17. Respondent shall give daily (Monday through Friday) updates prior to 4:00 p.m. to EPA on progress of returning the system to compliance. Daily updates must be submitted to EPA until EPA notifies the system that reports may be discontinued. These reports may be submitted via phone, fax, or e-mail. This Order constitutes final agency action.

18. All contact with EPA shall be to:

Kathelene Brainich, 8ENF-W
US Environmental Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129
Telephone (800)227-8917 X 6481 or (303) 312-6481
Fax (303) 312-7518
e-mail: brainich.kathelene@epa.gov

19. This Order does not affect any legal requirement or EPA's legal enforcement options in this matter.

20. Issued and effective this 8 day of June, 2010



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



Darcy O'Connor, Acting Director
Technical Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

PUBLIC NOTICE INSTRUCTIONS

You must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation/situation (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 coliform MCL violations. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)): Radio; Television; Hand or direct delivery. 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 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. Use one or more of the following actions, if appropriate, or develop your own:

We are chlorinating and flushing the water system OR repairing the wellhead seal OR repairing the storage tank.

We are switching to an alternate drinking water source.

We are increasing sampling for coliform bacteria to determine the source of the contamination.

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 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.

Send a copy of your notice and dates posted to: Kathelene Brainich, EPA Region 8 ENF-W
1595 Wynkoop Street, Denver, CO 80202-1129 Or fax a copy at 303-312-7518.

Certification of Public Notification: _____ certify that the attached
(PWS Operator / Responsible Party)
public notification was issued from _____ to _____ via _____
(Date) (Date) (Method of delivery)

Signature _____ Date _____

DRINKING WATER WARNING

Town of Dixon water system lost pressure in the distribution system

BOIL YOUR WATER FOR THREE MINUTES BEFORE USING

The Town of Dixon water system ran out of water in the storage tanks on June 6 & 7, 2010. This led to a loss of pressure in the distribution system, which may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. These conditions may pose an imminent and substantial health endangerment to persons served by the system.

What should I do?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, **let it boil for three minutes**, 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 & other organisms in the water.
- A loss of pressure in the distribution system may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Backsiphonage is also a condition resulting from low or no pressure. Such system failures carry a high potential that contamination or other disease causing organisms could enter the distribution system.
- Bacteria and other organisms can cause 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.
- 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 from their health care providers.

What happened? What is being done? [Give a description of what is being done, where consumers may get an alternate source of water (if necessary), etc.]

For more information, please contact _____ at _____.
(name of responsible party) (phone number)

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.