



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

December 2, 2020
3:49 PM

Received by

EPA Region VIII

Hearing Clerk

December 2, 2020

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Mrs. Rose Arndt, Mayor
tocmayor@allwest.net

Re: Violation of Town of Cokeville Emergency Administrative Order, Docket No. SDWA-08-2020-0031, Town of Cokeville Public Water System, PWS ID #WY5600015.

Dear Mayor Arndt,

On July 8, 2020, the U.S. Environmental Protection Agency (EPA) issued the above-referenced Emergency Administrative Order (Order) to the Town of Cokeville (Town). The Order was issued based on a finding that conditions at the Town of Cokeville Public Water System (System) may present an imminent and substantial endangerment to the health of persons. The Order directed the Town to submit a schedule to the EPA for corrective actions.

Among other things, the Order included the following requirement (summarized from paragraph 19 on page 3 of the Order and referring to the Town as the Respondent), which has not been completed:

- **Incomplete:** Within 15 days after the effective date of the Order, Respondent shall provide the EPA with a plan and schedule that outlines corrective actions taken and/or to be taken to prevent future *E. coli* contamination at the System. The plan shall identify the cause of the contamination, if possible, and include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project. The proposed schedule shall include specific milestone dates and a final completion date (to be within three months from the date of the EPA's approval of a schedule).

Please note the other requirements of the Order:

- Any person who violates or fails or refuses to comply with any order issued under subsection (a)(1) of this section may, in an action brought in the appropriate United States district court to enforce such order, be subject to a civil penalty of not to exceed \$24,386 for each day in which such violation occurs or failure to comply continues. 42 U.S.C. § 300i.

The EPA may choose not to file a judicial complaint seeking civil penalties if the Town does not incur any additional violations and if the Town provides the EPA with a properly completed plan and schedule regarding the above-referenced violations within 30 calendar days.


The EPA acknowledges that the COVID-19 pandemic may be impacting your business. If the Town has specific COVID-19 issues that would affect the timeframes listed herein, please contact Steven Latino by December 15, 2020. We will consider nationwide public health developments and your specific circumstances in determining an appropriate timeline for responding to this Emergency Administrative Order Violation, while still pursuing regulatory compliance with the Safe Drinking Water Act as expeditiously as possible.

For assistance with actions necessary to come into compliance, please contact Steven Latino via email at latino.steven@epa.gov, or by phone at (800) 227-8917, extension 6440, or (303) 312- 6440. Any questions from the Town's attorney should be directed to Matthew Castelli, Senior Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6491, or (303) 312-6491.

We urge your prompt attention to this matter.

Sincerely,

**COLLEEN
RATHBONE**

 Digitally signed by COLLEEN
RATHBONE
Date: 2020.12.02 14:05:15 -07'00'

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

cc: WY DEQ/DOH
Lincoln County Commissioners
Melissa Haniewicz, EPA Regional Hearing Clerk
Justin Pope, Operator
Mike Duran, Operator