

a sanitary survey report dated December 21, 2022, which detailed significant deficiencies. The EPA approved a corrective action schedule for Respondent to complete corrective actions by July 6, 2023. The EPA's record reflects that the Respondent failed to complete all corrective actions by July 6, 2023, and failed to notify the EPA of corrective action completion by July 6, 2023, and therefore violated these requirements.

7. Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violation identified in paragraph 6, above, is classified as a violation requiring a Tier 2 public notice within 30 calendar days, with the public notice to be repeated every three months for as long as the violation or situation persists, according to 40 C.F.R. § 141.203. The EPA's records reflect that the Respondent failed to notify the public of the violation cited in paragraph 6, failed to submit a copy of the public notice and certification to the EPA, and therefore violated this requirement.
8. Respondent is required to report any failure to comply with Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violation cited in paragraph 6, above, to the EPA and therefore violated this requirement.

ORDER

Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

9. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.
10. Within 30 calendar days of receipt of this Order, Respondent shall consult with the EPA regarding action to correct significant deficiencies and shall submit a proposed schedule and plan to the EPA for completion of all corrective actions specified below. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the proposed schedule and any approved schedule (Schedule) shall be incorporated into this Order with each milestone to be

an enforceable requirement upon written approval by the EPA. Within 10 calendar days after completing all tasks included in the Schedule, Respondent shall notify the EPA of the project's completion. Respondent shall provide sufficient evidence of the project's completion to the EPA, including photographs of the corrective actions. Thereafter, if the EPA identifies any significant deficiency at the System, Respondent shall complete corrective action for each significant deficiency and provide notification to the EPA within 30 calendar days of completion, as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).

Corrective Actions:

- WL02- Hoy Well #2 Holes or openings observed in the well or its appurtenances. To prevent contamination of the well, all openings must be sealed and watertight
- WL02- Hoy Well #2 Well in floodplain. The well appears to be located in a designated floodplain and is potentially subject to periodic flooding. According to the Wyoming Department of Environmental Quality, Chapter 12, Section 9 (b) (iii) (C) (V) (4), when a well is located within a floodplain, the top of the well casing should terminate at least 3 feet above the 100-year flood level or the highest known flood elevation, whichever is higher. The water system should confirm if the well is within the designated floodplain, the flood elevation at the well and any well casing adjustments required and submit this information to EPA.
- WL02- Hoy Well #2 Unknown integrity of sanitary seal on the well casing. To prevent contamination, the well must be fitted with a functioning sanitary seal and a tightly bolted cap. The surveyor was unable to determine the integrity of the seal during the survey; photo documentation must be provided showing the competent seal
- ST01 - Storage Tank (16K) Storage tank not cleaned and inspected within the last 10 years. The tank must be cleaned and inspected. Please see the enclosed Finished Water Storage Tank Inspection/Cleaning Checklist for a list of items that must be evaluated during the inspection. Tanks need to be periodically cleaned and inspected to prevent the growth of potentially harmful pathogens in the accumulated sediments and to address construction issues before they require

major repairs. Inspections and cleaning may be done by a third-party professional or appropriately trained in-house staff. Please be aware that some tanks may be considered as confined spaces or hazardous environments; personnel working in or near the tanks should have all OSHA-required training, and proper safety equipment and procedures should be used at all times. After inspection and cleaning the tank must be disinfected according to AWWA standards (C652-92: Disinfection of Water Storage Facilities).

- In order to correct this significant deficiency, you must provide EPA with the following documentation:
 - A completed copy of the Finished Water Storage Tank Inspection/Cleaning Checklist.
 - A copy of inspection results and labeled photographs.
 - The date that any corrective actions needed to address deficiencies with the tank components will be completed.

11. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondent must report the violation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if Part 141 specifies a different time period for reporting the particular violation, Respondent must report the violation to the EPA within that different period.
12. Within 30 calendar days after receipt of this Order, and quarterly thereafter as long as the violation cited in paragraph six, above, persists, Respondent shall notify the public of this violation. Thereafter, following any future violation of Part 141, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). Templates and instructions are available at:
<https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>.
13. If the population or number of connections served by the System falls below 25 individuals or 15 connections, Respondent must notify the EPA in writing within 10

calendar days by submitting a completed basic information form. The form is available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#new>.

14. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent must, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondent will remain obligated to comply with this Order.
15. Respondent must send all reporting and notifications required by this Order to the EPA at:
Email: R8DWU@epa.gov, and
moore.jessica@epa.gov

GENERAL PROVISIONS

16. This Order is binding on Respondent, Respondent's assigns and heirs if an individual, and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondent.
17. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or Part 141. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.
18. Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$71,545 as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (January 8, 2025).

19. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: March 14, 2025.

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