



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

2011 NOV 21 AM 8:46

FILED
EPA REGION VIII
HEARING CLERK

NOV 21 2011

Ref: 8 ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Richard Schroeder, Mayor
Town of Manville
P.O. Box 107
Manville, WY 82227

Re: Violation of Administrative Order
Docket No. SDWA-08-2011-0071
PWS ID # WY5600110

Dear Mr. Schroeder:

On August 26, 2010, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2011-0071, ordering the Town of Manville (the Town) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq.

Our records indicate that the Town is in violation of the Administrative Order (the Order). Among other things, the Order included the following requirements (quoted from paragraphs 11 and 18 on pages 2, 3 and 4 of the Order):

1. *Respondent shall monitor the system's water for uranium no later than September 30, 2010, and thereafter every quarter until a different sampling frequency is determined by EPA, as required by 40 C.F.R. § 141.26(a)(3)(v). Respondent shall report analytical results to EPA within the first 10 days following the month in which each sample result is received, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the radionuclide monitoring requirements to EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).*

The Town sampled the system's water for uranium on August 24, 2011, but did not forward the results to EPA. On November 7, 2011, EPA obtained results for this sample directly from the laboratory used by the Town.

2. *Within 30 days after receiving this Order, Respondent shall notify the public of the violations cited in paragraph 7, above, following the instructions provided with the public notice templates provided to Respondent with this Order. Further, Respondent shall notify the public of unreported violations of the uranium MCL cited in paragraph 9 and shall repeat the notice every three months as long as the uranium MCL situation persists or Respondent is advised by EPA that it may discontinue doing so. Thereafter, following any future violation of the drinking water regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to EPA.*


The Town did not submit a copy to EPA of any repeat public notice for the persisting uranium MCL violations during the 1st quarter or the 3rd quarter of 2011.

EPA is considering additional enforcement action, including assessment of penalties, as a result of the non-compliance with the Order detailed above. 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 the Town has any questions or wishes to have an informal conference with EPA, it may contact Mario Mérida at 1-800-227-8917, extension 6297 or (303) 312-6297. If the Town's attorney has questions, she/he may contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858 or (303) 312-6858 or at the following address:

Peggy Livingston
Enforcement Attorney
U.S. EPA, Region 8 (8-ENF-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 DOH & DEQ (via email)
Tina Artemis, EPA Regional Hearing Clerk
Linda Matlock, Clerk/Treasurer, Town of Manville (via email)
Murray Schroeder, Civil Engineer, Branch Manager, WWC Engineering