



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2015 SEP 28 AM 11:09

FILED  
EPA REGION VIII  
HEARING CLERK

SEP 28 2015

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Hon. Robb Phipps  
Mayor, Town of Wamsutter  
P.O. Box 6  
Wamsutter, Wyoming 82336

Re: Administrative Order issued to the Town of Wamsutter, Wyoming,  
PWS ID # WY5600105, Docket No. **SDWA-08-2015-0051**

Dear Mayor Phipps:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that the Town of Wamsutter (Town), as owner and/or operator of the Wamsutter Public Water System (System), has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any public notices issued but not provided to the EPA, etc.).

If the Town complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a federal court injunction ordering compliance.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or the Drinking Water Regulations.

The Order requires the Town to notify the public of having violated the Drinking Water Regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail. Also enclosed is a Finished Water Storage Tank Inspection/Cleaning Checklist that must be completed as detailed in the Order.

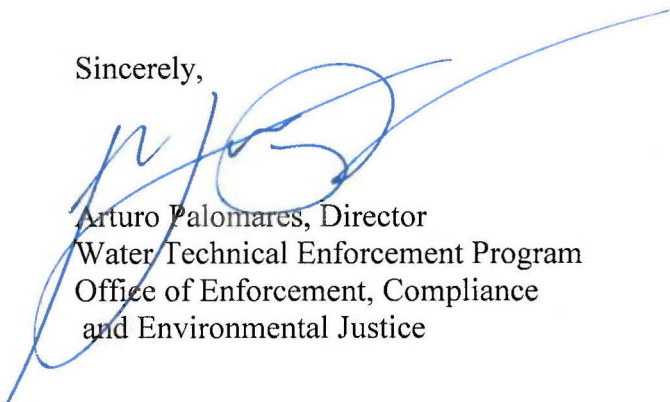
Please be aware that you are required to submit to the EPA a plan and schedule for bringing the System into compliance with the Drinking Water Regulations. The EPA's approval of the plan and schedule

does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages the Respondent to contact any such governmental agency or agencies regarding any applicable approval requirements.

To submit information or request an informal conference with the EPA, please contact Jill Minter at the above address (with the mailcode 8ENF-W) or by email at [minter.jill@epa.gov](mailto:minter.jill@epa.gov) or phone at (800) 227-8917, extension 6084, or (303) 312-6084. Any questions from the Town's attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by email at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov) or phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



Arturo Palomares, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures:

1. Order
2. SBREFA Information Sheet
3. Public Notice Template
4. Finished Water Storage Tank Inspection/Cleaning Checklist
5. Tech Tips: Vents and Overflows

cc: Mr. John Lenz, Administrative Contact,  
Wamsutter Public Water System

Mr. Jose Alonso, Operator,  
Wamsutter Public Water System

Ms. Tina Artemis, EPA Regional Hearing Clerk

WY DEQ/DOH (via email)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2015 SEP 28 AM 11:48

SEP 28 2015

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Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Sweetwater County Commissioners  
c/o Wally J. Johnson, Chairman  
Sweetwater County Courthouse  
80 W. Flaming Gorge Way  
Green River, Wyoming 82935

Re: Notice of Safe Drinking Water Act Enforcement Action against the Town of Wamsutter  
Public Water System, PWS ID # WY5600105 **DOCKET NO: SDWA-08-2015-0051**

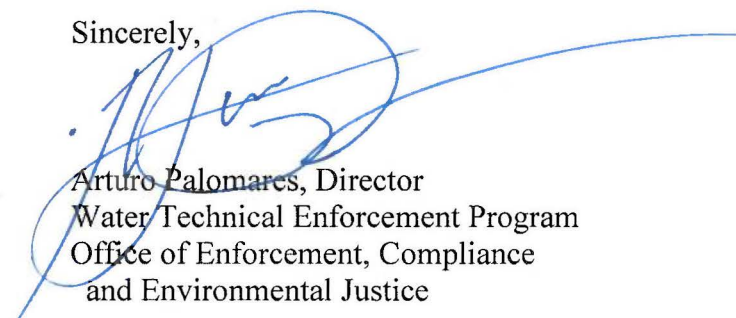
Dear Commissioners:

The Safe Drinking Water Act requires that the U.S. Environmental Protection Agency notify locally elected officials of certain enforcement actions taken in their area.

An Administrative Order (Order) is being issued to the Town of Wamsutter, which owns the Wamsutter Public Water System, located in Sweetwater County, Wyoming, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include failing to complete corrective actions to correct a significant deficiency, failing to monitor for disinfection byproducts, failing to notify the public of certain violations, and failing to report certain violations to the EPA.

For more details, a copy of the Order is enclosed. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Jill Minter at (303) 312-6084 or [minter.jill@epa.gov](mailto:minter.jill@epa.gov).

Sincerely,



Arturo Palomares, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2015 SEP 28 AM 11:09

IN THE MATTER OF: \_\_\_\_\_ )  
 )  
Town of Wamsutter, \_\_\_\_\_ )  
 )  
Respondent. \_\_\_\_\_ )

Docket No. **SDWA-08-2015-0051**

FILED  
EPA REGION VIII  
HEARING CLERK

**ADMINISTRATIVE ORDER**

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.
2. The Town of Wamsutter (Respondent), Wyoming is a municipality that owns and/or operates the Wamsutter Public Water System (System), which provides piped water to the public in Sweetwater County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via three wells. The water is disinfected using 12% hypochlorite solution and stored in a 400,000-gallon elevated tank. Methane is present in one of the three wells, and for this well (Well #8), the water flows through a methane scrubber and is stored in a 10,000-gallon storage tank (ST02) prior to chlorination. Methane is not regulated under the National Primary Drinking Water Regulations.
4. Respondent is required to monitor disinfection byproducts in accordance with the System's Stage 2 Monitoring Plan dated March 20, 2014 (Monitoring Plan), pursuant to 40 C.F.R. § 141.622.
5. The System has approximately 125 service connections used by year-round residents and/or regularly serves an average of approximately 450 year-round residents. Therefore, the System is a "public water system" and a "community water system" as defined in 40 C.F.R. § 141.2 and section 1401 of the Act, 42 U.S.C. § 300f.
6. Respondent is subject to the Act and the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The Drinking Water Regulations are "applicable requirements" as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
7. The Drinking Water Regulations include monitoring requirements. The EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.

**VIOLATIONS**

8. Respondent is required annually to collect a set of total trihalomethane (TTHM) and haloacetic acid (HAA5) samples in the System's distribution system during the peak historical month (40 C.F.R. § 141.621) at the location and in the month identified in the Monitoring Plan (40 C.F.R. § 141.622(a)(1)). Respondent failed to monitor the System's water for TTHM and HAA5 during August 2014 and, therefore, violated this requirement.



9. Respondent is required to complete corrective actions to correct significant deficiencies, or be in compliance with an EPA approved corrective action schedule, within 120 days of receiving written notification from the EPA of any significant deficiency. 40 C.F.R. § 141.404(a). Respondent is also required to notify the EPA within 30 days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). The System received a letter from the EPA on August 21, 2014, that detailed six significant deficiencies. Respondent failed to complete all of the corrective actions for all of the significant deficiencies within 120 days after receiving the August 21, 2014, letter from the EPA, or by December 19, 2014, and therefore, violated these requirements. Specifically, Respondent failed to complete all corrective actions to correct significant deficiencies with the 10,000 gallon storage tank (ST02).

10. Respondent is required to notify the public of certain violations of the Drinking Water Regulations. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the significant deficiencies violation cited in paragraph 9, above, within 30 days after learning of the violation and quarterly for as long as the violation persists and, therefore, violated this requirement. Respondent did not notify the public of the significant deficiencies violation in its 2014 Consumer Confidence Report, or the 3<sup>rd</sup> quarter of 2015.

11. Respondent is required to report any failure to comply with any Drinking Water Regulation to the EPA within 48 hours (except where the Drinking Water Regulations specify a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 8, 9 and 10, above, to the EPA and, therefore, violated this requirement.

### **ORDER**

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

12. Respondent shall monitor the System's water annually for TTHM and HAA5 at the location and in the month identified in the Monitoring Plan, as required by 40 C.F.R. §§ 141.620-141.622. Respondent shall monitor at the specified location (900 Tipton Road) during the month of August, per the Monitoring Plan. Respondent shall submit the annual sampling results to the EPA within 10 days following the end of the quarter in which monitoring is required. 40 C.F.R. § 141.629.

13. Within 30 days of receipt of this Order, Respondent shall submit a corrective action schedule to the EPA addressing the significant deficiencies identified by the EPA. 40 C.F.R. §§ 141.403(a)(5).

- a) **The air vent on the 10,000 gallon finished water storage tank (ST02) is improperly constructed.** The air vent must be fitted with a #24-mesh, non-corrodible screen to prevent contamination (including contamination carried by insects, rodents and birds) from entering the



water system. The tank should be evaluated to determine whether or not a vacuum/pressure relief valve or mechanisms is needed to prevent damage to the tank.

- b) **The overflow on the 10,000 gallon finished water storage tank (ST02) is improperly constructed.** No dedicated overflow is present. The overflow must be fitted with a #24-mesh non-corrodible screen, or a properly sealed flapper or duckbill valve, to prevent contamination (including contamination carried by insects, rodents and birds) from entering the water system. The overflow must be piped to an elevation between 12 and 24 inches above the ground surface and discharge over a drainage inlet structure or splash pad. The overflow pipe must be located so that any discharge is visible. No overflow may be directly connected to a sanitary sewer, combined sewer or storm sewer drain. An air gap must be present such that the overflow pipe terminates at least three pipe diameters above the ground level at the sewer or storm drain or over a splash pad.
- c) **The drain on the 10,000 gallon finished water storage tank (ST02) is improperly constructed.** No drain is present. The drain may not be directly connected to a sanitary sewer, combined sewer or storm sewer drain. An air gap must be present such that the drain pipe terminates at least three pipe diameters above the ground level at the sewer or storm drain or over a splash pad.
- d) **The 10,000 gallon finished water storage tank (ST02) has not been cleaned and inspected within the last 10 years.** The 10,000 gallon finished water storage tank (ST02) must be cleaned and inspected. The enclosed *Finished Water Storage Tank Inspection/Cleaning Checklist* (Checklist) is a list of items that must be evaluated during the inspection. The completed Checklist and inspection report must also list any corrective actions needed to repair the tank, and the dates by which each corrective action will be completed.

14. The plan shall include proposed modifications to the System, estimated costs of such modifications and a proposed schedule for completion of corrective actions outlined in paragraph 13. The schedule shall include specific milestone deadlines and a final compliance deadline (which shall be within four months of the project start date). Respondent shall not begin construction or modifications to the System before the EPA has approved Respondent's corrective action schedule.

15. The schedule required by paragraph 13, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.

16. The System shall achieve compliance by completing corrective actions to address significant deficiencies by the final compliance deadline specified in the EPA-approved schedule. If the Respondent's plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.



17. Respondent shall notify the EPA within 30 days after completion of any corrective action, as required by 40 C.F.R. § 141.405(a)(2). Respondent shall provide evidence to the EPA, including photographs of the corrective actions and the following certification signed by a person of authority who represents the System, that the above corrective actions have been completed: "I certify under penalty of perjury that the Town of Wamsutter has completed corrective actions in accordance with the approved schedule to address the significant deficiencies at the Wamsutter Public Water System."

18. Within 90 days after receipt of the EPA's approval of the schedule required by paragraph 13, above, Respondent shall provide the EPA with quarterly reports on the progress made toward addressing significant deficiencies. Each quarterly report is due by the 10<sup>th</sup> day of the month following the relevant quarter.

19. Respondent shall complete any future significant deficiency corrective actions in compliance with an approved corrective action schedule or within 120 days of receiving written notification from the EPA of the significant deficiency. 40 C.F.R. § 141.404. Respondent shall notify the EPA within 30 days of completion of significant deficiency corrective actions. 40 C.F.R. § 141.405(a)(2).

20. During the 4<sup>th</sup> quarter of 2015 (October – December), Respondent shall notify the public of the significant deficiencies violation cited in paragraph 9, above, following the instructions provided with the public notice template enclosed with this Order, and continue to notify the public quarterly until corrective actions are completed. 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 the EPA.

21. For any future violation of the Drinking Water Regulations for which this Order does not specify a reporting period, Respondent shall 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 the Drinking Water Regulations specify a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.

22. This Order shall be binding on Respondent, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondent.

23. 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 shall, no later than the date of such lease, sale, or other contract, provide a copy of this Order to the lessee, purchaser, or contractor. No later than 10 days thereafter, Respondent shall notify the EPA in writing of the lease, sale, or other contract, with such notification to include the name and contact information of the person who has leased, bought, or contracted to operate the System. Respondent shall remain obligated to comply with this Order even if Respondent leases the System to another person or entity or hires another person or entity to operate the System.





24. Respondent shall send all reporting and notifications required by this Order in writing to:

U.S. EPA Region 8 (8P-W-DW)  
1595 Wynkoop  
Denver, Colorado 80202-1129

**GENERAL PROVISIONS**


25. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

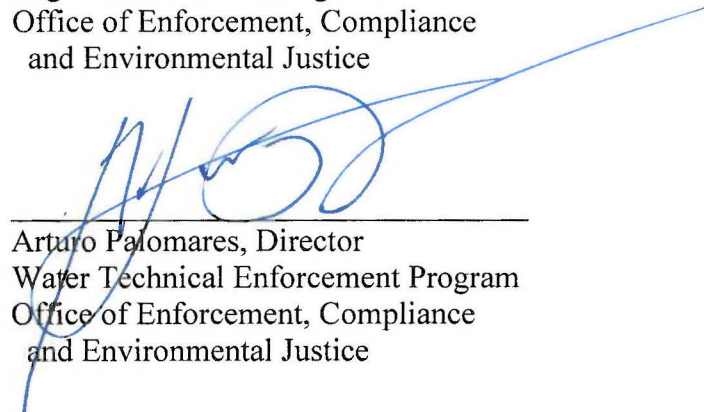
26. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

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

28. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 28, 2015.

  
James H. Eppers, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

  
Arturo Palomares, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



**EPA Region 8 Drinking Water Unit  
Finished Water Storage Tank Inspection/ Cleaning Checklist**

Fill out one checklist per storage tank & submit labeled photos of each tank component with this form

PWS Name: _____	PWS ID: _____		
Tank Name: _____	Tank ID: _____		
Proposed Inspection Date: _____	Actual Inspection Date: _____		
Name of Person Filling Out Form: _____	Title of Person Filling Out Form: _____		
I certify that this information is complete and accurate:		Date:	

**Inspector Qualifications (answer to all questions must be "yes")**

Name and contact information of inspector (if water system personnel) or inspection company: \_\_\_\_\_

<input type="checkbox"/> Yes <input type="checkbox"/> No	Has the inspector completed confined space training?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Did the inspector have a confined space entry permit?

**Overall Tank Condition**

Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the tank appear to be structurally sound?	If no, what repairs are suggested by the tank inspector? _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Are there any unprotected openings in the tank (breaches, leaks, daylight coming through tank in spots, etc)	If yes, indicate type of breach and how it should be repaired. _____	_____	_____

**Air Vent**

Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<b>Above Ground Tanks (Ground Level or Elevated)</b> <input type="checkbox"/> Check if NA				
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<u>Downturned vent</u> : Is the vent at least 24" or 3 pipe diameters above the roof?	If no reconfigure vent to provide proper air gap.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<u>Non-downturned vent</u> : Is there a solid cover down to the bottom of the vent screen?	If no, indicate deficiency and proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<u>Non-downturned vent</u> : Is the screen at least 8" above the roof surface? What is the height of the start of the screening above the tank? _____	If no, indicate deficiency and proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the vent covered with #24 mesh corrosion resistant screening (some exceptions apply)? Mesh Size: _____	If no, indicate deficiency and proposed correction: _____	_____	_____

Buried or Partially Buried Tanks <input type="checkbox"/> Check if NA				
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the vent covered with #24 mesh corrosion resistant screening?	If no, install proper #24 mesh corrosion resistant screening.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the air vent terminate downward?	If no, re-configure the vent so that it terminates downward.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the air vent at least 24" above the tank roof or ground surface (whichever is higher)? What is the height of the vent above the roof or ground surface? _____	If no, raise air vent to provide for an appropriate air gap.	_____	_____

Access Hatch				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the hatch raised at least 4" above the roof (for ground level or elevated tanks) or at least 24 inches above the roof or ground, whichever is higher (for buried or partially buried tanks)? What is the height of the access hatch above the roof or ground surface? _____	If no, the hatch should be raised to the appropriate height above the tank roof or ground.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the hatch have a shoe box lid?	If no, a properly designed shoe box type lid should be installed.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the lid water tight and sealed with a rubber gasket?	If no, the reason for the lack of a seal should be investigated and repaired.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the hatch locked?	If no, the hatch should be equipped with a lock.	_____	_____

Overflow				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Discharge has #24 mesh corrosion resistant screen OR a duckbill valve OR a properly sealed flapper valve with a screen inside (EPA recommends #24 mesh screen)?	If no, indicate proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Overflow terminates between 12 and 24 inches above the ground surface? At what height does the overflow discharge? _____	If no, modify overflow to provide for an appropriate air gap.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Overflow discharges over an inlet structure, splash plate, or engineered rip-rap?	If no, indicate proposed correction: _____	_____	_____



<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the overflow directly connected to a sanitary sewer or storm drain?	If yes, indicate proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is there blockage in the overflow, an inadequately sized overflow, a malfunction of the level control system, or other issue that is causing the tank to overflow through the hatch or vent?	If yes, indicate what is causing the problem and how it should be repaired: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the overflow discharge point visible? If no, it is recommended that the discharge point be moved to a location that is visible.		<u>Not Required</u>	

Drain					
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date	
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the drain pipe have an air gap of 3 or more pipe diameters above the entrance to any storm or sanitary sewers?	If no, indicate proposed correction: _____	_____	_____	
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the discharge have a #24 mesh corrosion resistant screen OR a duckbill valve OR a properly sealed flapper valve with a screen inside? If no, EPA recommends that a #24 mesh screen be installed.		<u>Not Required</u>		
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the drain terminate between 12 and 24 inches above the ground surface and discharges over an inlet structure or splash plate? If no, it is recommended that the discharge point be modified to provide for the appropriate air gap.		<u>Not Required</u>		

Cleaning and Other Items					
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date	
Describe any other items noted by the inspector that have the potential to cause contamination of the finished drinking water: _____		What repairs are suggested to prevent or eliminate the source of contamination? _____	_____	_____	
Depth of sediment found in the tank before cleaning (inches): _____					
How was the storage tank cleaned? _____					
How was the storage tank disinfected after cleaning? _____					
List any objects found inside the tank during cleaning that may have introduced contamination into the water system (examples: debris, animals, etc): _____					
Please attach tank as-built drawings (if available) or a sketch of the tank's configuration and dimensions including the location, layout and dimensions of all major components (i.e. access hatch, vent, overflow, drain)					



# EPA Region 8 Drinking Water Unit Tech Tips

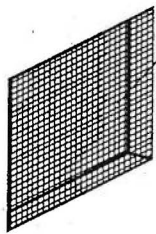
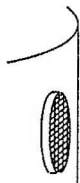
*With special thanks to the Washington State Department of Health's Office of Drinking Water*

## Sanitary Protection of Reservoirs (Tanks)- Vents and Overflows

**Finished Water Storage Sanitary Protection:** Storage tanks must have dedicated vents, overflow and discharge pipes, and drain lines to operate. However, to prevent the water supply from being contaminated, you must protect these openings from birds, bats, other animals, insects, rain, and windborne contaminants. Be sure to consider the potential for vandalism, physical damage, and ice buildup when choosing a design.

### Vents

You must screen all vents with 24-mesh non-corrodible screen. For below ground (buried or partially buried) storage tanks, vent openings should be 24 to 36 inches above the roof or ground, terminate in an inverted U construction, and be covered with 24-mesh non-corrodible screen. For above ground tanks with non-inverted vents, the vents on flat roof tanks must be elevated at least 24 inches or 3 pipe diameters above the roof; on domed or curved roofs, the vent must be elevated at least 6 inches above the tank roof.

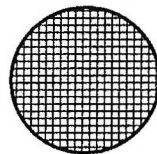
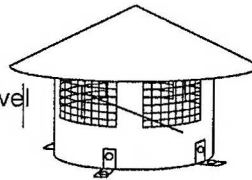


#### Poor Designs

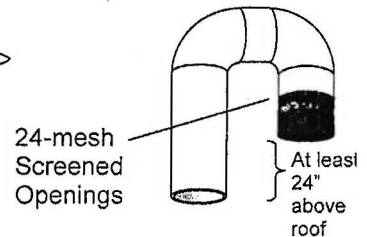
Vents are screened but not protected from rain and windborne contaminants.

It is important to inspect all screens for damage at least weekly.

**Non-inverted U** design acceptable solely for ground level or elevated tanks.



**24-Mesh**  
non-corrodible screen  
(0.03 inch openings)



#### Good Design

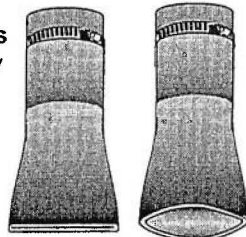
Vents are inverted U construction, screened and are adequately protected from rain and windborne contamination.

### Overflow Lines

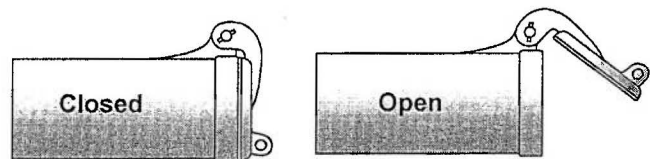
**Overflow lines** must be protected with 24-mesh screen OR a mechanical device, such as a properly sealed flapper valve or duckbill valve. If a flapper valve is used, a screen of any size must be placed inside the valve. Overflow lines should extend down to an elevation between 12 and 24 inches above ground level and discharge onto a splash plate or rocked area. Do not connect overflow or drain lines directly to a sewer or storm drain without a properly designed air-gap. Discharge end pipes must be located where they can be routinely inspected.

#### Flexible "Duckbill" Check Valves

Rubber check valves are commercially available for overflow and drain lines. Some of the valves are designed to fit inside the pipe and should be installed in the vertical position.



**Closed**      **Open**



#### Flapper Valves

Flapper valves are commercially available for overflow and drain lines. They help to exclude birds, bats and other animals and still allow the free flow of water. 24 mesh screen is still recommended inside the flapper valve.

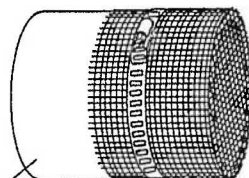
#### Poor Design



#### Good Design



Overflow end is screened with splash plate to direct water away from base of tank.



Bats can squeeze into very small spaces and birds may damage screens to gain entrance into a storage tank.





## U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

### **Small Business Programs**

[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)  
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

### **EPA's Asbestos Small Business Ombudsman**

[www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888  
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

### **EPA's Compliance Assistance Homepage**

[www2.epa.gov/compliance](http://www2.epa.gov/compliance)  
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

### **EPA's Compliance Assistance Centers**

[www.assistancecenters.net](http://www.assistancecenters.net)  
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

### **Agriculture**

[www.epa.gov/agriculture/](http://www.epa.gov/agriculture/)

### **Automotive Recycling**

[www.ecarcenter.org](http://www.ecarcenter.org)

### **Automotive Service and Repair**

[ccar-greenlink.org/](http://ccar-greenlink.org/) or 1-888-GRN-LINK

### **Chemical Manufacturing**

[www.chemalliance.org](http://www.chemalliance.org)

### **Construction**

[www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911

### **Education**

[www.campuserc.org](http://www.campuserc.org)

### **Food Processing**

[www.fpeac.org](http://www.fpeac.org)

### **Healthcare**

[www.hercenter.org](http://www.hercenter.org)

### **Local Government**

[www.lgean.org](http://www.lgean.org)

### **Metal Finishing**

[www.nmfrc.org](http://www.nmfrc.org)

### **Paints and Coatings**

[www.paintcenter.org](http://www.paintcenter.org)

### **Printing**

[www.pneac.org](http://www.pneac.org)

### **Ports**

[www.portcompliance.org](http://www.portcompliance.org)

### **Transportation**

[www.tercenter.org](http://www.tercenter.org)

### **U.S. Border Compliance and Import/Export Issues**

[www.bordercenter.org](http://www.bordercenter.org)

### **EPA Hotlines, Helplines and Clearinghouses**

[www2.epa.gov/home/epa-hotlines](http://www2.epa.gov/home/epa-hotlines)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

### **Clean Air Technology Center (CATC) Info-line**

[www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800

### **Superfund, TRI, EPCRA, RMP and Oil Information Center**

[www.epa.gov/superfund/contacts/infocenter/index.htm](http://www.epa.gov/superfund/contacts/infocenter/index.htm) or 1-800-424-9346

### **EPA Imported Vehicles and Engines Public Helpline**

[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or 734-214-4100

### **National Pesticide Information Center**

[www.npic.orst.edu/](http://www.npic.orst.edu/) or 1-800-858-7378

### **National Response Center**

**Hotline** to report oil and hazardous substance spills - [www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802

### **Pollution Prevention Information Clearinghouse (PPIC) -**

[www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or 1-202-566-0799

### **Safe Drinking Water Hotline -**

[www.epa.gov/drink/hotline/index.cfm](http://www.epa.gov/drink/hotline/index.cfm) or 1-800-426-4791



### Stratospheric Ozone Protection Hotline

[www.epa.gov/ozone/comments.htm](http://www.epa.gov/ozone/comments.htm) or 1-800-296-1996

### Toxic Substances Control Act (TSCA) Hotline

[tsc-hotline@epa.gov](mailto:tsc-hotline@epa.gov) or 1-202-554-1404

### Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>  
EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

### Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>  
The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

### State Resource Locators

[www.envcap.org/statetools](http://www.envcap.org/statetools)  
The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

### State Small Business Environmental Assistance Programs (SBEAPs)

[www.epa.gov/sbo/507program.htm](http://www.epa.gov/sbo/507program.htm)  
State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

### EPA's Tribal Portal

[www.epa.gov/tribalportal/](http://www.epa.gov/tribalportal/)  
The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

### EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

### EPA's Small Business Compliance Policy

[www2.epa.gov/enforcement/small-businesses-and-enforcement](http://www2.epa.gov/enforcement/small-businesses-and-enforcement)  
This Policy offers small businesses special incentives to come into compliance voluntarily.

### EPA's Audit Policy

[www2.epa.gov/compliance/epas-audit-policy](http://www2.epa.gov/compliance/epas-audit-policy)  
The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

### Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*

# IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

## Wamsutter Pubic Water System Failed to Correct Significant Deficiencies

Our water system recently violated a drinking water requirement. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we are doing to correct this situation.

A routine sanitary survey conducted on August 23, 2013, by the U.S. Environmental Protection Agency (EPA) Region 8, found six significant deficiencies in our water system. We have completed corrective actions for two significant deficiencies, including inspecting the 400,000 gallon elevated finished water storage tank. We have not completed all corrective actions needed to address the significant deficiencies associated with the 10,000 gallon water storage tank. These significant deficiencies include: 1) the air vent, overflow and drain on the 10,000 gallon storage tank are improperly constructed and 2) the 10,000 gallon storage tank has not been cleaned and inspected within the last 10 years.

These significant deficiencies were reported to us in a letter from the EPA on August 21, 2014. As required by EPA's Ground Water Rule, we were required to take action to correct these deficiencies. However, we failed to take this action by the deadline established by the EPA.

### What should I do?

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water.
- General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

### What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours.

*\*Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.\**

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

### What is being done?

The EPA has issued an Administrative Order requiring submittal of a corrective action plan and schedule to address the significant deficiencies associated with the 10,000 gallon storage tank.

For more information, please contact John Lenz, Administrative Contact, or Jose Alonso, Operator, at 307-320-6040, or wamsutterpw@yahoo.com.

*\*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly.\**

This notice is being sent to you by the Town of Wamsutter, PWS ID# WY5600105.

Date distributed: \_\_\_\_\_.



## Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state/EPA-approved corrective action plan and schedule for a significant deficiency under the Ground Water Rule is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [40 CFR 141.203(b)].

You must issue a repeat notice every three months for as long as the violation persists. Your primacy agency may have more stringent requirements for treatment technique violations. Check with your agency to make sure you meet all requirements.

Community systems must use one of the following methods [40 CFR 141.203(c)]:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

In addition, you must use *another* method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)]. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on your system's letterhead if available. The notice on the reverse is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

### Mandatory Language

Mandatory language on health effects (from Appendix B to Subpart Q) must be included as written (with blanks filled in) and is presented in this notice in italics and with an asterisk on either end.

This template also includes mandatory language to encourage the distribution of the public notice to all persons served, where applicable [40 CFR 141.205(d)]. This language is also presented in this notice in italics and with an asterisk on either end.

### Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. Depending on the corrective action you are taking, you can use one or more of the following statements, if appropriate, or develop your own text:

- Although we did not meet our deadline, we are now in consultation with the state/EPA to develop a corrective action plan.
- The significant deficiency has been identified and addressed.
- We have implemented a short term plan to address the immediate issue while we pursue the long-term solution.

### Repeat Notices

For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out any previous notices. If you are making progress with correcting the significant deficiencies, describe it. Alternatively, if funding or other issues are delaying corrective action, let consumers know.

### After Issuing the Notice

Make sure to send your primacy agency a copy of each public notice and a certification that you have met all public notification requirements within ten days after issuing the notice [40 CFR 141.31(d)]. Public Notification Handbook 107 March 2010. Issue a repeat notice every three months. Each time, complete and sign below and send a copy to the EPA at 1595 Wynkoop St., Attn: Jill Minter, 8ENF-W, Denver, CO 80202 or minter.jill@epa.gov. Your July 2015 CCR, to include information on this and any other violations, will count as the 3Q 2015 Public Notice.

### Certification:

Method and Date distributed: \_\_\_\_\_ Signature: \_\_\_\_\_