



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

2019 JUL 11 PM 1:04
FILED
EPA REGION VIII
HEARING CLERK

JUL 11 2019

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Mark Hamilton
Circle J Ranch
P.O. Box 410
Thermopolis, Wyoming 82443

Re: Administrative Order issued to Circle J Ranch regarding Circle J Ranch Public Water System, PWS ID #WY5601165, Docket No. **SDWA-08-2019-0030**

Dear Mr. Hamilton:

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 Circle J Ranch (Company), as owner and operator of the Circle J Ranch Public Water System (System), has violated the National Primary Drinking Water Regulation (Drinking Water Regulation) at 40 C.F.R. part 141. EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with the Safe Drinking Water Act.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information the Company believes the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from the Company, the EPA will assume this information is correct.

If the Company complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to civil administrative penalties 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 Regulation. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, 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 Company's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at Bearley.Mia@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

Enclosures

cc: WY DEQ/DOH (via email)
Washakie County Commissioners (terrywolf@washakiecounty.net)
Melissa Haniewicz, EPA Regional Hearing Clerk
Mark Hamilton, Board Member (hrmfour4857@gmail.com)
Doris Anderson, Financial Secretary (andersondoris64@gmail.com)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

IN THE MATTER OF:)
)
Circle J Ranch)
PWS ID # WY5601165)
)
)
Respondent.)

2019 JUN 11 PM 1:04
Docket No. SDWA-08-2019-0030
ADMINISTRATIVE ORDER
EPA REGION VIII
HEARING CLERK

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 official.
2. Circle J Ranch (Respondent) is a Wyoming corporation that owns and operates the Circle J Ranch Public Water System (System), which provides piped water to the public in Washakie County, Wyoming for human consumption.
3. The System is supplied by a groundwater source accessed via two wells. The water is untreated at well # 2. There is a chlorinator that treats the water at well # 3. Well #2 provides water to the local residence and to the main lodge. Well #3 provides water to the bunkhouses and to the RV hookups. The System is operated seasonally from May to October.
4. The System has approximately 21 service connections and regularly serves an average of approximately 200 individuals daily at least 60 days out of the year. Therefore, the System is a “public water system” as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and 40 C.F.R. § 141.2. The System is also a “transient, non-community water system” as defined in 40 C.F.R. § 141.2.
5. Respondent is subject to the Act and 40 C.F.R. part 141 (Drinking Water Regulation). The Drinking Water Regulation is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The Drinking Water Regulation includes monitoring requirements. The EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.

VIOLATIONS

7. Respondent is required to monitor the System’s water for nitrite at every entry point to the distribution system which is representative of each well after treatment. 40 C.F.R. § 141.23(e). Respondent failed to monitor the System’s water for nitrite at sample point SS03/SP03 during the Fourth Quarter of 2018, and, therefore, violated this requirement.
8. Respondent is required to monitor the System’s water quarterly for nitrate at sample point SS03/SP03. 40 C.F.R. §§ 141.23(a) and (d). Respondent failed to monitor the System’s water for nitrate at sample point SS03/SP03 during the Fourth Quarter of 2018, and, therefore, violated this requirement.
9. Respondent is required to monitor the System’s water annually for nitrate at sampling point SS02/SP02. 40 C.F.R. §§ 141.23(a) and (d). Respondent failed to monitor the System’s water for nitrate during 2018, and, therefore, violated this requirement.

10. Respondent is required to complete corrective action of significant deficiencies in accordance with an EPA approved corrective action schedule or within 120 days of receiving written notification from EPA of significant deficiencies. 40 C.F.R. § 141.404(a). Respondent is required to notify the EPA within 30 days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). Respondent received a letter from the EPA on October 16, 2018, which detailed significant deficiencies, and the EPA approved a schedule for the System to complete the corrective actions by April 16, 2019. Respondent failed to complete all corrective actions by April 16, 2019 or failed to notify the EPA of corrective action completion by May 16, 2019, and, therefore, violated this requirement.

11. Respondent is required to monitor the System's water monthly for total coliform bacteria from May to October each year. 40 C.F.R. § 141.853-858. Respondent failed to monitor the System's water for total coliform bacteria during June and October 2018 and, therefore, violated this requirement.

12. Respondent is required to notify the public of certain violations of the Drinking Water Regulations and, within 10 days after completing public notice, provide a copy of the public notice to the EPA. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the violation cited in paragraph 10, above or failed to submit a copy to the EPA, and, therefore, violated this requirement.

13. Respondent is required to notify the public of certain violations of the Drinking Water Regulations no later than 1 year after the System learns of the violation (Tier 3) and, within 10 days after completing public notice, provide a copy of the public notice to the EPA. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the 2018 violations cited in paragraphs 7, 8, 9 and 11, above, or failed to submit a copy to the EPA, and, therefore, violated this requirement.

14. 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 Regulation specify a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 7, 8, 9, 10 and 11 above, to the EPA and, therefore, violated this requirement.

15. Respondent is required to report to the EPA any failure to comply with the coliform monitoring requirement within 10 days after discovering the violation. 40 C.F.R. § 141.861(a). Respondent failed to report the violations cited in paragraph 11, 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):

16. Within 30 days of receipt of this Order, and thereafter as directed by the EPA, Respondent shall monitor the System's water for nitrite at sampling point SS03/SP03, as required by 40 C.F.R. § 141.23(e). Respondent shall report monitoring results to the EPA within the first 10 days following either (1) the month in which the result is received or (2) the end of the required monitoring period as stipulated by the EPA, whichever is shortest. 40 C.F.R. § 141.31(a).

17. Within 30 days after receipt of this Order, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor the System's water quarterly for nitrate at sampling point SS03/SP03, in accordance with 40 C.F.R. §§ 141.23(a) and (d). Respondent shall report monitoring results to the EPA within the first 10 days following either (1) the month in which the result is received or (2) the end of the required monitoring period as stipulated by the EPA, whichever is shortest. 40 C.F.R. § 141.31(a).

18. Within 30 days after receipt of this Order, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor the System's water for nitrate at sampling point SS02/SP02, in accordance with 40 C.F.R. § 141.23(a) and (d). Respondent shall report monitoring results to the EPA within the first 10 days following either (1) the month in which the result is received or (2) the end of the required monitoring period as stipulated by the EPA, whichever is shortest. 40 C.F.R. § 141.31(a).

19. Within 120 days of receipt of this Order, Respondent shall complete corrective action of the following significant deficiencies and notify the EPA within 30 days after their completion. Respondent shall provide sufficient evidence to the EPA including photographs, of the corrective actions. Thereafter, Respondent shall complete corrective action of significant deficiencies and notification of their completion as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).

- a) Circle J Well #2 and Circle J Well #3 are potentially ground water under the direct influence of surface water (GWUDISW). After completing any structural improvements to the wells to minimize surface water intrusion, as identified by the significant deficiencies above, Respondents shall allow an EPA contractor to conduct a raw water microscopic particulate analysis (MPA) in the spring or fall. The MPA must be collected during a "wet season" during the time when the wells are most susceptible to surface water influence (typically when a heavy rain or snow event occurs in spring or fall). Respondents shall be responsible for shipping and analysis costs associated with the MPA. The MPA must be conducted in 2019.
- b) No emergency response plan (ERP): Complete an ERP. Enclosed is an ERP form to fill out and return to the EPA to address this deficiency.
- c) Circle J Well #2: Unknown integrity of sanitary seal on well casing. To prevent contamination, the well must be fitted with a functioning sanitary seal and a tightly bolted cap.
- d) Circle J Well #2: Insufficient well height. Permanent casing for all wells must project at least 12 inches above the concrete floor or apron and at least 18 inches above the natural ground surface.

20. Respondent shall monitor the System's water monthly for total coliform bacteria from May through October each year. If a sample is positive for total coliform, within 24 hours of being notified of the positive result, Respondent shall collect a set of three repeat samples for each total coliform-positive sample. 40 C.F.R. § 141.853-858. Respondent shall report total coliform analytical results to the EPA within the first ten days following the end of the System's required monitoring period.

21. Within 30 days after receipt of this Order, Respondent shall notify the public of the violation cited in paragraph 10, above. 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. Within 10 days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 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.

22. Within 30 days after receipt of this Order, Respondent shall notify the public of the 2018 failure to monitor for nitrite, nitrate, and total coliform bacteria (Tier 3). 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>. Within 10 days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. Thereafter, following any future violation of the Drinking Water Regulation, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q.

23. Respondent shall report any violation of the Drinking Water Regulation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or the Drinking Water Regulation, Respondent shall report within that different period.

24. Respondent shall report any violation of coliform monitoring requirements to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.861(a)(4).

25. Respondent is ordered to comply with all provisions of the Act and the Drinking Water Regulation, including but not limited to each requirement cited above.

26. 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, within ten 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 shall remain obligated to comply with this Order.

27. Respondent shall send all reporting and notifications required by this Order to the EPA at:

Email: R8DWU@epa.gov, and latino.steven@epa.gov

GENERAL PROVISIONS

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

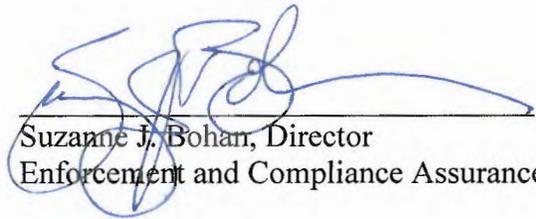
29. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulation. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

30. Violation of any part of this Order, the Act, or the Drinking Water Regulation may subject Respondent to a civil penalty of up to \$57,317 (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; 84 Fed. Reg. at 2059 (February 6, 2019).

31. 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: July 10, 2019.



Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

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.

Office of Small and Disadvantaged Business Utilization (OSDBU)

www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman (ASBO)

www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman or 1-800-368-5888

The EPA ASBO serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

EPA's Compliance Assistance Homepage

www.epa.gov/compliance

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

Compliance Assistance Centers

www.complianceassistance.net

EPA sponsored 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

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Surface Finishing

<http://www.sterc.org>

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines and Clearinghouses

www.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/catc or 1-919-541-0800

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

1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 1-734-214-4100

National Pesticide Information Center

www.npic.orst.edu or 1-800-858-7378

National Response Center Hotline to report oil and hazardous substance spills - <http://nrc.uscg.mil> or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/p2/pollution-prevention-resources#ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline or 1-800-426-4791

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<https://www.epa.gov/reg-flex/small-entity-compliance-guides>

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

www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons

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

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

<https://nationalsbeap.org/states/list>

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

The Portal helps users locate tribal-related information within EPA and other federal agencies.

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

www.epa.gov/enforcement/small-businesses-and-enforcement

EPA's Audit Policy

www.epa.gov/compliance/epas-audit-policy

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.



EPA Region 8 Drinking Water Unit - Tips for WY and Tribal Systems How to Stay in Compliance with Monitoring Requirements

Check your Monitoring Schedule

- Monitoring and Reporting Requirements (Schedules) are emailed to you in February of each year. This schedule notes all contaminants your water system must monitor for, along with the required number of samples, sampling point location(s), frequency and timeframe.
- For more detailed info on your Monitoring Schedule, please refer to “*What You Need to Do Next with Monitoring Requirements*” which can be found at: <https://www.epa.gov/region8-waterops/quick-guide-drinking-water-monitoring-requirements-wyoming-and-tribal-lands-epa>
- Suggestions: Post your Monitoring Schedule on your bulletin board. Note when you must sample on your desk or wall calendar. Use a scheduler on your computer (like Outlook) to identify sampling dates and set reminders.
- If you misplace your Monitoring Schedule, a copy can be found on Drinking Water Watch (DWW) or call EPA for a replacement copy.
- **Work with your Certified Lab** - Once you receive your Monitoring Schedule, share it with your lab(s).
- Schedule what bottles you will need for the sampling required for the year and ask for extra Total Coliform Rule (TCR) sample bottles just in case you have a total coliform (TC) positive and need to take repeats or source samples for the Ground Water Rule. It saves time!
- Check to see if your lab will copy EPA when they email you your results. This will save you a step! But ultimately, you are responsible for making sure that EPA receives your sample results.
- **Check your email for messages from EPA.** Every month EPA sends out a reminder to the administrative contact (and others who request to be opted-in) of what chemical (including radiological) samples remain to be collected for the monitoring period.
- Use DWW to print out your chemical sample collection form for the pending requirements. It will contain information to help your lab understand what to test your samples for.

When to Sample and When to Report Results to EPA - ALWAYS sample as early in the month or monitoring period as you can – on a Monday if possible! This way, if a sample is lost or exceeds a holding time, you will still have time to collect another sample before the weekend or end of the month. This is a super easy way to avoid a violation.

- If the lab is not copying EPA on your sample results, send them in to EPA as soon as you receive them. This way you can avoid getting a violation for Failure to Monitor. **Tip:** TCR results are due by the 10th of the month following the month you sampled. For all other samples, send results to EPA as soon as you receive them from the lab.
- Samples results can be emailed to: r8dwu@epa.gov or faxed to: 1-877-876-9101

Where to Sample – Take your samples according to your Monitoring Schedule during the correct time period and at the correct location(s). Some samples must be collected at the entry point while others must be collected in the distribution system. Use your approved sampling/monitoring plans for distribution system samples!

Surface Water Treatment Rule – For compliance guidance, please refer to the EPA Region 8 SWTR Fact Sheet located at: <https://www.epa.gov/region8-waterops/swtr-fact-sheet-epa-region-8-may-2018>

Total Coliform Rule

- Anytime you have a *E.coli* (EC+) sample **you must call EPA IMMEDIATELY at 1-800-227-8917** and ask to speak with the RTCR Manager. Then take repeat TCR samples, as well as Ground Water Rule source sample(s) (if applicable).
- If you have a TC Positive but an E. Coli Negative, follow the 5 steps outlined in “*Follow-up to an Unsafe/Total Coliform Positive Sample Tech Tip*”, which can be found at: <https://www.epa.gov/region8-waterops/addressing-total-coliform-positive-or-ecoli-positive-sample-results-epa-region-8>
- Avoid sampling at new faucets or newly repaired faucets, leaky faucets, outdoor faucets or those faucets connected to softeners, hot water heaters, or pressure tanks; setting down the bottle lid or exposing the inside of the lid or bottle to anything other than the sample water (do not rinse or remove powder); and rushing your sample collection. The TCR samples must be taken at specified locations throughout the distribution system as designated by your sampling plans.

Disinfection Byproducts Rule (DBPR)

- Sample according to your approved monitoring plan – you can also find what month(s) you are required to monitor and locations on your Monitoring Schedule.
- Submit your sample results and your LRAA forms (applicable to quarterly sampling) as a package as soon as you receive the results from your lab.
- Complete and submit the TTHM HAA5 OEL Calculator, which can be found on Drinking Water Online at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#dbpr2> , together with your compliance reports if the TTHM or HAA5 MCL is exceeded during any quarter.

Nitrates – This is an acute contaminant. If your nitrate sample result is over 10 mg/L you must take a confirmation sample within 24 hours and call EPA IMMEDIATELY at 303-312-6791.

Lead and Copper Rule

- Be sure to check your Monitoring Schedule, as lead and copper samples must be collected during certain months. Also, be sure to follow your lead and copper sample siting plan when collecting samples. You must collect samples from approved locations. If you don't have to sample this year, your Monitoring Schedule will tell you that.
- **Always** collect a first-draw sample from a tap where the water has been standing in the pipes for at least 6 hours. Avoid sample locations that have been vacant for weeks or months. The goal is to sample at homes and taps in these homes that are routinely used. Always follow your monitoring plan.

Other Rules - Check your sample results as soon as you receive them from the lab. If you see any sample has exceeded an MCL or *E. coli* positive, contact EPA immediately.

Drinking Water Online - This is where you can find the link to DWW and general info, including: emergencies, what to do if you lose pressure in your system, sanitary survey info, certified lab info, sampling and treatment techniques, reporting forms and instructions, rules and guidance and much more: Be sure to check this very helpful website: <https://www.epa.gov/region8-waterops>

Drinking Water Watch - This online system allows you view data we maintain about your water system(s). The information includes the following:

- size and type of population served
- contact information
- water system facilities, such as wells, intakes, treatment plant, storage tanks, and distribution
- treatment used
- monitoring schedules
- sampling results reported to EPA
- violations
- plus, even more...

The Public Access Version of DWW (DWWPUB) allows anyone who is interested to view much of the available information for each regulated Public Water System (PWS) in Wyoming and within EPA R8 Tribal Lands, without the need to register or remember passwords. The Public Access Version of DWW can be found at: <https://sdwrs8.epa.gov/Region8DWWPUB/default.jsp>

Emergencies (After Hours) - If you need to report an emergency (flooding or loss of your water source, contamination in your drinking water, loss of pressure in the distribution system, or anything else that could require immediate public notice), after hours call the Region 8 Emergency Hotline at 303-293-1788. Inform the operator that you are a drinking water system in EPA Region 8.

Emergency Response Plan for Transient Ground Water Systems

All public water systems must have an Emergency Response Plan (ERP) that details emergency operations procedures for possible foreseeable emergencies such as power outage, loss of water, equipment failure, development of unsafe conditions, and other emergency conditions. When a sanitary surveyor conducts a sanitary survey on your system they will ask if you have an ERP. Please fill this form out now, and keep it handy.

System Name: _____
Public Water System (PWS) Number: WY56
Operator Name/Cell #: _____
Back-up Operator Name/Cell #: _____
Owner Name/Cell #: _____
Population Served: _____ Number of Service Connections: _____
Chemicals Used to Treat the Water: _____
Name/# of Chemical Supplier: _____

Life Threatening Emergency #: _____
County Sheriff #: _____
Critical/Vulnerable Customer Contact #s: _____

EPA Emergency Contact (Monday - Friday 9-4 pm Mountain Time) #: 1-800-227-8917
EPA After Hours Emergency Contact #: 1-800-424-8802 (Inform the operator you are a drinking water system operator in EPA Region 8)

Wyoming Association of Rural Water Systems #: 307-436-8636
WY DEQ District Engineer Name and #: _____
Alternate Sources of Drinking Water _____
Power Company #: _____ Electrician #: _____
Plumber #: _____ Parts Supplier #: _____
Wyoming Water Agency Response Network #: 307-235-7535 Website: www.wyowarn.org

LOSS OF PRESSURE/WATER OUTAGE ACTION PLAN***

WATER CONTAMINATION ACTION PLAN***

Shut-off valve location and instructions: _____

Location of spare or repair parts: _____

Please see the following website for more detailed information on Emergency Response for
Drinking Water and Wastewater Utilities: <https://www.epa.gov/waterutilityresponse>
**ALWAYS CALL THE EPA TOTAL COLIFORM RULE OR GROUND WATER RULE MANAGER
IF YOU HAVE A TOTAL COLIFORM RULE (TCR) POSITIVE/UNSAFE SAMPLE AT 1-800-227-8917**

*****Emergency preparedness assistance, Public Notices for Loss of Pressure, Boil Orders, Do Not Drink, etc., can be found at: <https://www.epa.gov/region8-waterops/emergency-preparedness-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8>**

PUBLIC NOTICE

Date of Release: _____ PWS Number: _____

FAILURE TO MONITOR VIOLATION TOTAL COLIFORM BACTERIA

To All _____ Water Users
(Name of water system/business)

We are required to monitor your drinking water for total coliform bacteria on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During _____ we did not complete all monitoring for total coliform (compliance period) bacteria and therefore cannot be sure of the quality of our drinking water during that time.

The table below lists the failure to monitor violations we received for total coliform monitoring during the last year. (Please check the ones that apply to your system.)

Monitoring Period (Month/Year)	Failure to Monitor	No Replacement Sample after a Routine sample was invalidated	Insufficient Number of Routine Samples

What happened? What is being done?

If you have any questions, please contact _____ at _____.
(Water system contact person) (Phone)

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.

Optional: If applicable, you may also include the statement that "Subsequent water samples have been analyzed as safe."

SAMPLE: Suggested public notice language for FAILURE TO MONITOR FOR TOTAL COLIFORM.
You may use the above notice sample or write your own but the text in italics must be included in any notification.

PWS Operator/Responsible Party:

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation. Multiple monitoring violations can be serious, and your primacy agency may have more stringent requirements. Check with your primacy agency to make sure you meet its requirements.

Community Systems must use one of the following methods:

- hand or direct delivery
- mail, as a separate notice or included with the bill

Non-Community Systems must use one of the following methods:

- posting in conspicuous locations
- hand delivery
- mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved but in no case less than seven (7) days, even if the violation is resolved. If the violation has been resolved, you must post the notice for at least one week. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for distribution after each violation or collectively at the end of the calendar year. If you choose to wait until the end of the year to give notice, the enclosed form can be issued or it can be inserted into your CCR as long as public notification requirements are met.

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 within ten days after issuing the notice.

Send the copy of your notice and dates posted to:

RTCR MANAGER
 US EPA REGION 8
 PUBLIC WATER SYSTEM PROGRAM - 8WD-SDA
 1595 WYNKOOP ST.
 DENVER CO 80202

Or, you can fax a copy to: Attn: RTCR Manager at **877-876-9101**.

If you have questions about your RTCR FTM violation call 1-800-227-8917 and ask to speak with the RTCR Manager.

Certification of Public Notification

I _____ certify that the attached public notification was issued
(PWS Operator/Responsible Party)

from _____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for _____ (Public Water System Name)

Our water system violated several drinking water regulations over the compliance period shown below. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are indicators of whether or not your drinking water meets health standards. During _____, we did not monitor for _____,
(compliance period) (contaminant(s))
and therefore cannot be sure of the quality of your drinking water during that time.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the compliance period, how often we are supposed to sample and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were taken.

Contaminant	Required sampling frequency	Number of samples taken	When samples should have been taken	When samples were taken

What happened? What is being done? (describe corrective action.)

For more information, please contact _____ at _____
(name of contact) (phone number)
or _____.
(mailing address) 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 hands or mail.

This notice is being sent to you by _____ Public Water System ID#: _____
(system)

Date distributed: _____.

ATTENTION: PWS Operator/Responsible Party

For monitoring violations, you must provide public notice to persons served within one year after you learn of the violation (141.204(b)).

Community systems must use one of the following methods of delivery (141.204(c)):

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

Non-community systems must use one of the following methods of delivery (141.204(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newspapers, email, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

Corrective Actions

In your notice, describe corrective actions you took or are taking. This could include information stating that you have since taken or are in the process of taking the required samples.

After Issuing the Notice

Within ten days after issuing the notice, you must send to EPA a copy of each type of notice, along with a certification (see example below) that you have met all the public notice requirements. Mail copies to:

PN RULE MANAGER
 US EPA REGION 8
 PUBLIC WATER SYSTEM PROGRAM - 8P-W-DW
 1595 Wynkoop Street
 DENVER CO 80202-1129

Or, you can fax a copy toll-free to **1-(877) 876-9101**.

Certification of Public Notification

I _____ certify that the attached public notification was issued
(PWS Operator/Responsible Party)

from _____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____

Instructions for GWR Failure to Take Corrective Action Within Required Time

Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a fecal indicator-positive ground water source sample or 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.

If this notice is for failing to address a fecal indicator-positive source sample, a Tier 1 notice for detecting a fecal indicator in the source water should have already been issued. Consider providing the history of the situation in this notice (i.e., what events lead to requiring corrective action) to avoid confusing the public when this second notice is issued.

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

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

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition to both community and noncommunity systems 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.

You must also include standard 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 to develop a corrective action plan.
- The [source of contamination/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 deficiency or addressing the fecal indicator-positive source sample, describe it. Alternatively, if funding or other issues are delaying corrective action, let consumers know.

After Issuing the Notice

Send a copy to EPA Region 8 Drinking Water Unit (8WP-SDA), Attn: GWR Manager, 1595 Wynkoop Street, Denver, CO 80202 or email a copy of the PN and the certification to R8DWU@epa.gov.

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all public notification requirements within ten days after issuing the notice [40 CFR 141.31(d)].

**GWR Failure to Take Corrective Action Within Required Time Frame
Public Notice**

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

**_____ (PWS Name) Failed to Correct a Significant Deficiency
Within Required Time Frame.**

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 did (are doing) to correct this situation.

A routine sanitary survey conducted on (provide survey date) _____ by the Environmental Protection Agency Region 8 (EPA) found (describe significant deficiency in our water system) _____

As required by EPA's Ground Water Rule, we were required to take action to correct this deficiency. However, we failed to take this action by the deadline established by 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?

(Describe corrective action) _____

We anticipate resolving the problem within (estimated time frame) _____.
For more information, please contact (name of system contact) _____ at (phone number) _____ or (mailing address) _____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by (system name) _____.
Public Water System ID#: _____.
Date distributed: _____.