

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

FILED

Apr 22, 2025
3:55 pm

U.S. EPA REGION 8
HEARING CLERK

IN THE MATTER OF:)	
)	Docket No. SDWA-08-2025-0013
Sweetwater County School District #1,)	
)	ADMINISTRATIVE ORDER
Respondent.)	
)	
Farson Eden School Public Water System)	
PWS ID #WY5600113)	

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. Sweetwater County School District #1 is a public body created by or pursuant to Wyoming law that owns and operates the Farson Eden School 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 two wells. The water is treated by a reverse osmosis unit and chlorination.
4. The System has approximately 16 service connections used by year-round residents and regularly serves an average of approximately 30 year-round residents. The System also regularly serves an average of approximately 500 individuals daily at least 60 calendar days out of the year. 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.
5. Respondent is a “person” as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and is subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. Part 141 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 collect total trihalomethanes (TTHM) and haloacetic acids (HAA5) samples in the System's distribution system during the month(s) of the highest disinfectant byproduct concentrations at the location(s) and on the date(s) identified in the System's monitoring plan. 40 C.F.R. §§ 141.621 & 141.622(a)(1). Respondent failed to monitor the System's water for TTHM and HAA5 during August of 2024, and therefore, violated this requirement.
8. Respondent is required to monitor the System's water annually for nitrate at every entry point to the distribution System which is representative of each well after treatment. 40 C.F.R. §§ 141.23(a) and (d). Respondent failed to monitor the System's water for nitrate during 2023 and 2024, and therefore, violated this requirement.
9. Respondent was required to monitor the System's tap water for lead and copper triennially beginning on June 1, 2022 through September 30, 2024. 40 C.F.R. § 141.86(d). Respondent failed to monitor the System's water for lead and copper during June 1, 2022, through September 30, 2024, and therefore, violated this requirement. Due to Respondent's failure to monitor during June 1, 2022, through September 30, 2024, reduced triennial monitoring has been revoked and Respondent must now monitor for lead and copper annually.
10. Respondent is required to monitor the System's water for radionuclides once every sixth year 141.26(a)(3). Respondent failed to monitor the System's water for radionuclides during the 2019 to 2024 monitoring period, and therefore, violated this requirement.
11. Respondent is required to certify to the EPA that an annual Consumer Confidence Report (CCR) has been distributed to the System's customers, and that the information is correct and consistent with compliance monitoring data previously submitted to the EPA. The certification is due within three months of distributing the CCR. 40 C.F.R. § 141.155. Respondent failed to provide the CCR certification for calendar year 2022. Therefore, Respondent violated this requirement.

12. For each calendar year, Respondent is required, no later than July 1st of the following year, to prepare and distribute a Consumer Confidence Report (CCR) to the EPA and the System's customers. Within three months thereafter, Respondent is required to certify to the EPA that it has distributed the CCR to the System's customers. 40 C.F.R. §§ 141.151-141.155. Respondent failed to prepare and distribute an annual CCR by July 1, 2024, for calendar year 2023 to the System's customers and to the EPA. Therefore, Respondent violated these requirements. Respondent submitted the CCR report for calendar year 2023 on September 30, 2024.
13. Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The 2023 nitrate violation identified in paragraph 8, above, is classified as a violation requiring Tier 3 public notice within 1 year, according to 40 C.F.R. § 141.204. The EPA's records reflect that the Respondent failed to notify the public of the 2023 nitrate violation cited in paragraph 8, and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement this requirement. The deadline for public notice of the violations cited in paragraphs 7, the 2024 nitrate violation cited in paragraph 8, and violation cited in paragraph 9, and 10, above, have not yet passed.
14. Respondent is required to report any failure to comply with any Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 7 through 12, 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):

15. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.
16. Respondent shall monitor the System's water annually for TTHM and HAA5 at the

specific location during the month identified in the System's monitoring plan, as required by 40 C.F.R. §§141.620-141.622. Respondent shall submit the sampling results to the EPA within 10 calendar days following the end of the monitoring period, as specified by 40 C.F.R. § 141.629.

17. Within 30 calendar days after receipt of this Order, and as required by Part 141 thereafter, Respondent shall monitor the System's water for nitrate, in accordance with 40 C.F.R. §§ 141.23(a) and (d). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).
18. Between June 1, 2025, and September 30, 2025, Respondent shall monitor the System's water for lead and copper, and thereafter as directed by the EPA, in accordance with 40 C.F.R. §§ 141.86(b), (c) and (d). Respondent shall monitor the System's water for lead and copper according to a tap sample site plan that has been submitted to the EPA, in accordance with 40 C.F.R. § 141.86(a). Within 30 calendar days of receiving monitoring results, Respondent shall deliver a consumer notice of individual tap results from lead tap water monitoring to the persons served at each sampled site, in accordance with 40 C.F.R. 141.85(d). Within 90 calendar days following the end of each monitoring period, Respondent shall submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. 141.90(f)(3).
19. Respondent shall report any violation of lead and copper monitoring requirements to the EPA within 48 hours, as required by 40 C.F.R. § 141.31(b).
20. Within 30 calendar days after receipt of this Order, and as required by Part 141 thereafter, Respondent shall monitor the System's water for radionuclides in accordance with 40 C.F.R. § 141.26(a). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).
21. Within 30 calendar days after receipt of this Order, Respondent shall certify to the EPA that the CCR for calendar year 2022 has been distributed to the System's customers, and that the information is correct and consistent with compliance

monitoring data previously submitted to the EPA. Thereafter, Respondent shall provide CCR certifications as required by 40 C.F.R. § 141.155.

22. For each calendar year, Respondent shall prepare and distribute a CCR by July 1st of the following year and provide a certification to the EPA within three months, as required by 40 C.F.R. §§ 141.151-155.
23. Within 30 calendar days after receipt of this Order, Respondent shall notify the public of the violation cited in paragraph 8, above. Thereafter, following any future violation of Part 141, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). Templates and instructions are available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>.
24. Respondent shall report any violation of Part 141 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 Part 141, Respondent shall report within that different period.
25. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent must, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondent will remain obligated to comply with this Order.
26. Respondent must send all reporting and notifications required by this Order to the EPA at:

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

GENERAL PROVISIONS

27. This Order is binding on Respondent and any person (e.g., employee, contractor, or other agent) acting in concert with Respondent.
28. This Order does not constitute a waiver, suspension, or modification of any

requirement of the Act or Part 141. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

29. Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$71,545 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 90 Fed. Reg. at 1375 (January 8, 2025).
30. 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: April 22, 2025.

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