



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

DEC - 1 2014

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Robert Strickland, Director
Sweetwater Improvement and Service District
P.O. Box 879
Newcastle, Wyoming 82701

Re: Administrative Order issued to Sweetwater Improvement and Service District,
PWS ID #5601675, Docket # **SDWA-08-2015-0003**

Dear Mr. Strickland:

Enclosed is an Administrative Order (Order) issued by the U.S. Environmental Protection Agency (EPA) 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 Sweetwater Improvement and Service District (District), as owner and/or operator of the Sweetwater Improvement and Service District 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 information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the numbers of connections and/or individuals served, etc.). If the EPA does not hear from you, the EPA will assume this information is correct.

If the District 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.

Please be aware that the District is required to submit to the EPA a plan and schedule for bringing the System into compliance with the Drinking Water Regulations. The EPA encourages the District to contact any other governmental agency or agencies that may require approval of the plan and/or schedule prior to modifying the System.

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.

To submit information or to request an informal conference with the EPA, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W), via email at brainich.kathelene@epa.gov, or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. Any questions from your attorney should be directed to Peggy Livingston, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L), via email at livingston.peggy@epa.gov, or by phone at (800) 227-8917, extension 6858, or (303) 312-6858.

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

cc: Gary Thurner, Co-Director, Sweetwater I&SD (via email)
WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk





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DEC - 1 2014

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Weston County Commissioners
c/o Lenard D. Seeley, Chair
1 W. Main Street
Newcastle, Wyoming 82701

Re: Notice of Safe Drinking Water Act Enforcement Action against Sweetwater Improvement and Service District, PWS ID WY5601675

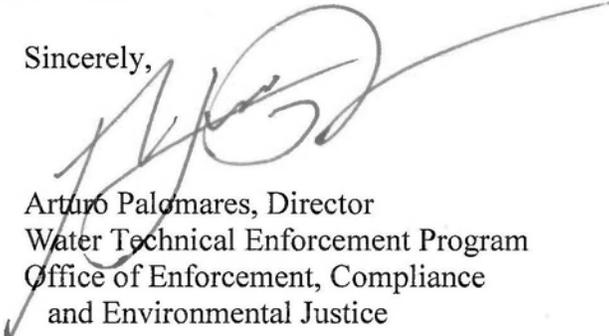
Dear Commissioners:

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

An Administrative Order (Order) is being issued to the Sweetwater Improvement and Service District, as owner and/or operator of the Sweetwater Improvement and Service District Water System, located in Weston County, directing it to comply with the National Primary Drinking Water Regulations. The violation alleged in the Order is failure to comply with the Surface Water Treatment Rule filtration and disinfection requirements.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,



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

Enclosure



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2014 DEC -1 PM 1:28

IN THE MATTER OF:)
)
Sweetwater Improvement and Service District,)
)
Respondent.)

Docket No. SDWA-08-2015-0003

FILED
DECEMBER 1, 2014
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 (the Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.
2. Sweetwater Improvement and Service District (Respondent) is a public body created by or pursuant to Wyoming law that owns and/or operates the Sweetwater Improvement District System (the System), which provides piped water to the public in Weston County, Wyoming, for human consumption.
3. The System is supplied by an impoundment on Sweetwater Creek, a surface water source, via the Horton Pipeline. The System’s water is not centrally treated; individual homeowners use various point-of-entry treatment systems.
4. The System has approximately 17 service connections used by year-round residents and/or regularly serves an average of approximately 46 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. The EPA identified the System as a public water system in May 2014.
5. 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).

VIOLATIONS

6. Because the System obtains its water from a surface water source, Respondent is required to comply with the filtration and disinfection requirements in 40 C.F.R. §§ 141.70-141.76, 141.500-141.571 and 141.700-141.723 (40 C.F.R. part 141, subparts H, T and W). Respondent has not done so and, therefore, has violated these requirements.

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):

7. Within 90 days after receipt of this Order, Respondent shall provide the EPA with a plan and schedule for Respondent to come into compliance with 40 C.F.R. part 141, subparts H, T and

W, either by meeting the filtration and disinfection requirements that apply to surface water sources or by switching permanently to an alternate source of water that is not subject to these requirements. The plan shall include proposed modifications to the System, estimated costs of modifications, and a schedule for completion of the project and compliance with 40 C.F.R. part 141, subparts H, T and W or connection to an alternate source of water that is not subject to these requirements. The proposed schedule shall include specific milestone dates and a final compliance date. The schedule must be approved by the EPA before construction or modifications can begin.

8. Each deadline in the schedule required by paragraph 7, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.

9. Within 90 days after receipt of the EPA's approval of the schedule required by paragraph 7, above, Respondent shall provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the plan. Each quarterly report is due by the 10th day of the month following the end of the relevant quarter.

10. Within 10 days after completing all tasks included in the schedule required by paragraph 7, above, Respondent shall notify the EPA of the project's completion.

11. No later than the final date specified in the approved schedule, or no later than 2 years after receipt of the EPA's approval of the schedule required by paragraph 7, above, whichever is earlier, Respondent shall either (a) achieve and maintain compliance with 40 C.F.R. part 141, subparts H, T and W, or (b) permanently switch to an alternate source of water that is not subject to these requirements. If Respondent's plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.

12. If the population or number of connections served by the System falls below 25 individuals or 15 connections, Respondent will notify the EPA in writing within 10 days.

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

14. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent 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 and, no later than 10 days thereafter, 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.

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

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

GENERAL PROVISIONS

16. 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.

17. 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.

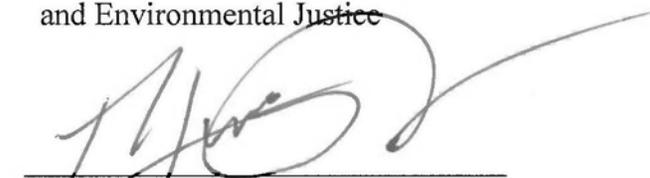
18. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

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

Issued: 12/01, 2014.



James H. Eppers, Supervisory Attorney
Regulatory Enforcement Unit
Office of Enforcement, Compliance
and Environmental Justice



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

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, 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.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to 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

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/

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 or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrf.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrf.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

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

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

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

Emergency Planning and Community Right-To-Know Act

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

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
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

www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

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

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996