



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

Ref: 8ENF-W

JAN 14 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Converse County Commissioners
c/o Ed Werner, Chairman
107 No. 5th St., Suite 114
Douglas, WY 82633-2448

Re: Notice of Safe Drinking Water Enforcement
Action against Power Resources, Inc.,
Smith Ranch
PWS ID # WY5601500

Dear Commissioners:

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

EPA has issued an Administrative Order (Order) to Power Resources, Inc., Smith Ranch, located in Glenrock, WY, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: failing to monitor for total coliform bacteria; and exceeding the maximum contaminant level for total coliform bacteria.

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 Mario Mérida at (303) 312-6297.

Sincerely,

Darcy O'Connor, Acting Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure
Order



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Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William C. Salisbury, Registered Agent
Power Resources, Inc.
400 E. 1st Street, Ste. 308
Casper, WY 82601

Re: Administrative Order
Power Resources/Smith Ranch
Public Water System
Docket No. **SDWA-08-2010-0011**
PWS ID # WY5601500

Dear Mr. Salisbury:

Enclosed is an Administrative Order issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et seq.* Among other things, the Order alleges that Power Resources, Inc., (the company) has violated the National Primary Drinking Water Regulations (the drinking water regulations).

The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If the company complies with the Order, 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.

To submit information or to request an informal conference with EPA, please contact Mario Mérida at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6297 or (303) 312-6297. Any questions from the

company's attorney should be directed to David Janik, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6917 or (303) 312-6917.

We urge your prompt attention to this matter.

Sincerely,



Darcy O'Connor, Acting Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures
Order

cc: Tina Artemis, EPA Regional Hearing Clerk
WY DEQ (via e-mail)
WY DOH (via e-mail)
Mr. Tom Young, Vice President of Operations, Cameco Resources
Beverly Johnson, Environmental Specialist, Power Resources, Inc., Smith Ranch

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2010 JAN 14 AM 10: 22

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:)
)
Power Resources, Inc.,)
)
Respondent .)

Docket No. SDWA-08-2010-0011

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by the Safe Drinking Water Act, 42 U.S.C. § 300f *et seq.* (the Act), as properly delegated to the undersigned officials.
2. Power Resources, Inc. is a Wyoming corporation that owns and/or operates the Power Resources/Smith Ranch Water System (the system), which provides piped water to the public in Converse County, Wyoming, for human consumption.
3. The system is supplied by a groundwater source consisting of one well. The water is treated by chlorination (injection of a sodium hypochlorite solution.)
4. The system has approximately four service connections and/or regularly serves an average of at least 100 of the same individuals daily for at least 6 months out of the year. Therefore, the system is a "public water system" as defined in § 1401(4) of the Act, 42 U.S.C. § 300f (4), and 40 C.F.R. § 141.2. The system is also a "non-transient, non-community" water system as defined in 40 C.F.R. § 141.2.
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 § 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The drinking water regulations include monitoring requirements. 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 quarterly for total coliform bacteria. 40 C.F.R. § 141.21(a)(2) Respondent failed to monitor during the fourth quarter (October – December) of 2008 and, therefore, violated this requirement.
8. If more than one sample collected in any month from the system's water is positive for total coliform, the Respondent has violated the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.63(a)(2). More than one total coliform sample collected in

August and September of 2009 from the system was positive for total coliform. Therefore, Respondent violated this requirement.

9. Respondent is required to report any failure to comply with any coliform monitoring requirement to EPA within ten days of discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the violation listed in paragraph 7, above, to EPA and, therefore, violated this requirement.

10. Respondent is required to report any sampling results that exceeded the MCL for total coliform to EPA by the end of the next business day after it learns of the violation. 40 C.F.R. § 141.21(g)(1). Respondent failed to report to EPA the MCL violations listed in paragraph 8, above, 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):

11. Respondent shall monitor the system's water for total coliform bacteria each quarter as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to EPA within the first ten days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the total coliform monitoring requirements to EPA within ten days of discovery, as required by 40 C.F.R. § 141.21(g)(2).

12. If the system's water exceeds the total coliform MCL in 40 C.F.R. § 141.63, Respondent shall notify EPA of this violation by the end of the business day after Respondent discovers the MCL violation, as required by 40 C.F.R. § 141.21(g)(1).

13. Within 30 days of receipt of this Order, Respondent shall provide EPA with a compliance plan and schedule for the system to come into compliance with the MCL for total coliform as stated in 40 C.F.R. § 141.63(a). The plan shall include proposed operational or system modifications to ensure adequate chlorine levels, estimated costs of modifications, and a schedule for completion of the project and compliance with the total coliform MCL. The proposed schedule shall include specific milestone dates and a final compliance date. The final compliance date shall be within one month from the date of EPA's approval of the plan and schedule. The proposed plan and schedule must be approved by EPA before construction or system modifications may begin. EPA's approval of Respondent's plan and schedule does not substitute for any State of Wyoming approvals of plans and specifications that may also be required before modifications may be made to the system.

14. The plan and schedule required by paragraph 13, above, will be incorporated into this



Order as enforceable requirements upon written approval by EPA.

15. Within 10 days of completing all tasks included in the plan and schedule required by paragraph 14, above, Respondent shall notify EPA of the project's completion.
16. Respondent must achieve and maintain compliance with the total coliform MCL by the final date specified in the approved plan, or no later than one month after receiving EPA's approval of the plan and schedule required by paragraph 13, above, whichever is earliest. Respondent must meet that deadline even if the plan as approved does not achieve compliance. If the plan fails to achieve permanent compliance, EPA may order further steps and/or seek penalties for noncompliance.
17. Once operational and/or system modifications per paragraph 13, above, have been completed, Respondent shall collect a chlorine residual sample in the distribution system each day, submitting those results to EPA on a weekly basis. Respondent shall continue submitting residual results until notified by EPA that Respondent may discontinue doing so.
18. Respondent shall direct all reporting required by this Order to:

Mario Mérida, Environmental Protection Specialist
U.S. EPA Region 8 (8ENF-W)
1595 Wynkoop St.
Denver, CO 80202-1129

E-mail: merida.mario@epa.gov

GENERAL PROVISIONS

19. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.



20. 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.

Issued: January 14, 2019

David Pulli

Michael T. Risner, Director
David Rochlin, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Darcy O'Connor

Darcy O'Connor, Acting Director
Technical Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

