

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

**FILED**

**2/20/2024**

**2:13 PM**

**U.S. EPA REGION 8  
HEARING CLERK**

IN THE MATTER OF: )  
) Docket No. SDWA-08-2024-0018  
Town of Granger, )  
) **ADMINISTRATIVE ORDER**  
)  
Respondent. )  
)  
Town of Granger Public Water System )  
PWS ID #WY5600020 )

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. The Town of Granger, Wyoming (Respondent), is a municipality that owns and operates the Town of Granger 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 surface water source. Source water is collected from the intake on the Green River and pumped to the Granger pre-sedimentation pond. Water is then pumped to the treatment plant for full surface water treatment.
4. The System has approximately 70 service connections used by year-round residents and regularly serves an average of approximately 139 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.
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 complete corrective action of a significant deficiency in accordance with an EPA-approved corrective action schedule. 40 C.F.R. § 141.723(d). Respondent received letters from the EPA dated April 11, 2016, and January 19, 2023, which detailed significant deficiencies. The EPA approved a schedule for the System to complete the corrective actions by July 31, 2022, and September 2, 2023, respectively. Respondent failed to complete all corrective actions by the corresponding deadlines and therefore violated this requirement.

8. Respondent is required to maintain records of individual filter effluent turbidity results, recorded at least every 15 minutes, for a duration of at least three years. 40 C.F.R. §§ 141.560, 141.571. During a sanitary survey conducted on July 10, 2023, the operator reported that there was not a data historian installed on the treatment plant's computer and no historic individual filter effluent turbidity records were maintained as a result. Respondent failed to maintain the required individual filter effluent turbidity results and therefore violated this requirement.
9. Respondent is required to monitor the System's water for disinfection byproduct precursors, taking monthly paired samples of total organic carbon (TOC) in source water and treated water, with an alkalinity sample of the source water to be taken at the same time. 40 C.F.R. § 141.132(d). Respondent failed to monitor the System's water for disinfection byproduct precursors in October 2019 and therefore violated this requirement. (Note: Respondent sampled the systems water for disinfectant byproduct precursors on November 19, 2019.)
10. 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 violation identified in paragraph 7, above, is classified as a violation requiring Tier 2 public notice within 30 calendar days, according to 40 C.F.R. § 141.203. The EPA's records reflect that the Respondent failed to notify the public of the violation cited in paragraph 7 and failed to submit a copy of the public notice and certification to the EPA, and therefore violated these requirements.
11. 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 violation identified in paragraph 9, above, is classified as a violation requiring Tier 3 public notice within one year, according to 40 C.F.R. § 141.204. The EPA's records reflect that the Respondent failed to notify the public of this violation cited in paragraph 9 and failed to submit a copy of the public notice and certification to the EPA, and therefore violated these requirements.
12. Respondent is required to report any failure to comply with 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 9, 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):

13. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.

14. Within 30 calendar days of receipt of this Order, Respondent shall consult with the EPA regarding action to correct significant deficiencies and shall submit a proposed schedule and plan to the EPA for completion of all corrective actions. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the proposed schedule and any approved schedule (Schedule) shall be incorporated into this Order with each milestone to be an enforceable requirement upon written approval by the EPA. Within 10 calendar days after completing all tasks included in the Schedule, Respondent shall notify the EPA of the project's completion. Respondent shall provide sufficient evidence to the EPA including photographs of the corrective actions. Thereafter, if the EPA identifies any significant deficiency at the System, Respondent shall complete corrective action for each significant deficiency, as required by 40 C.F.R. § 141.723(d).

Corrective Actions:

- Survey year 2015: Gravity Tank ID: ST03 Clearwell: Overflow must be piped to an elevation between 12 and 24 inches above the ground surface and discharge over a drainage inlet structure, splash plate, or engineered rip-rap.
- Survey year 2020: Gravity Tank ID: ST02 North Tank: Unknown integrity of storage tank access hatch. The sanitary surveyor was unable to evaluate the tank access hatch since the key to open the hatch could not be found, and the water system was not able to produce documentation of the condition of these components. Each item that could not be inspected during the sanitary survey must be inspected and the structure/condition must be compared to the enclosed Tech Tips for Finished Water Storage Facilities to determine if corrective action is needed. Tank inspectors can be third party professionals or appropriately trained in-house staff. In order to correct this significant deficiency, you must provide the EPA with the following documentation: (1) A completed copy of the Unknown Integrity Checklist. (2) A copy of the inspection report. The inspection report must describe the condition of each specified tank component and include photographs. The EPA will review the inspection report and may require additional corrective actions.

15. Within 30 calendar days of receipt of this Order, Respondent shall submit a proposed schedule and plan to the EPA for initiating required recordkeeping for continuous individual filter effluent turbidity results. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the proposed schedule and any approved schedule (Schedule) shall be incorporated into this Order with each milestone to be an enforceable requirement upon written approval by the EPA. Within 10 calendar days after completing all tasks included in the Schedule, Respondent shall notify the EPA of the project's completion. Respondent shall provide sufficient evidence to the EPA that the required recordkeeping has been initiated. Thereafter, the system will maintain records of individual filter effluent turbidity results, recorded at least every 15 minutes, for a duration of at least 3 years. 40 C.F.R. §§ 141.560, 141.571.

16. Respondent shall monitor the System's water each month for disinfection byproduct precursors, as required by 40 C.F.R. § 141.132(d). Within the first 10 calendar days after the end of each monitoring period, Respondent shall report analytical results, including its calculation of the TOC removal percentage and all other information required by 40 C.F.R. § 141.134(d), to the EPA, as required by 40 C.F.R. § 141.132(d).
17. Within 30 calendar days after receipt of this Order, and quarterly thereafter as long as the violation cited in paragraph 7, above, persists, Respondent shall notify the public of this violation. 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>.
18. Within 30 calendar days after receipt of this Order, Respondent shall notify the public of the violation cited in paragraph 9, 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>.
19. 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.
20. 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.
21. Respondent must send all reporting and notifications required by this Order to the EPA at:

Email: [R8DWU@epa.gov](mailto:R8DWU@epa.gov), and [Bell.Marlon@epa.gov](mailto:Bell.Marlon@epa.gov)

#### **GENERAL PROVISIONS**

22. This Order is binding on Respondent and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondent.
23. 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.

24. Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$69,733 (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; 88 Fed. Reg. at 89309 (December 27, 2023).

25. 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: February 20, 2024.

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