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U.S. EPA REGION 8
HEARING CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:	)	
	)	Docket No. SDWA-08-2025-0046
Town of Pavillion,	)	
	)	**ADMINISTRATIVE ORDER**
Respondent.	)	
	)	
Town of Pavillion Public Water System PWS ID #WY5600039	)	

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 Pavillion, Wyoming, (Respondent) is a municipality that owns and operates the Town of Pavillion Public Water System (System), which provides piped water to the public in Fremont County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via five wells. The water is treated with sodium hypochlorite. The System is operated year-round.
4. The System has approximately 126 service connections and regularly serves an average of approximately 230 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 or comply with an EPA-approved corrective action plan and schedule within 120 calendar days (or earlier if instructed by the EPA) of receiving written notification from the EPA of a significant deficiency. 40 C.F.R. § 141.404(a). Respondent is required to notify the EPA within 30 calendar days of completion of a significant

deficiency corrective action. 40 C.F.R. § 141.405(a)(2). The EPA sent the Respondent reports for the 2021 Sanitary Survey and the 2024 Sanitary Survey, which detailed significant deficiencies. The EPA approved Respondent's corrective action schedule to complete corrective actions by July 5, 2024, and April 23, 2025, for the 2021 and 2024 Sanitary Surveys, respectively. The EPA's record reflects that Respondent failed to complete all corrective actions by July 5, 2024, and April 23, 2025, for the 2021 and 2024 Sanitary Surveys, respectively, and failed to notify the EPA of corrective action completion by August 4, 2024, and May 23, 2025, for the 2021 and 2024 Sanitary Surveys, respectively, and therefore, violated these requirements.

8. Respondent is required to monitor the System's water monthly for total coliform bacteria. 40 C.F.R. §§ 141.853-858. Respondent failed to monitor the System's water for total coliform bacteria during May 2022, and therefore, violated this requirement.

9. Respondent is required to report total coliform analytical results to the EPA no later than either (1) the first 10 calendar days following the month in which the result is received, or (2) the first 10 calendar days following the end of the required monitored period, whichever is earlier. 40 C.F.R. § 141.31(a). Respondent failed to report the May 2025 monitoring results for total coliform to the EPA within this time period, and therefore, violated this requirement.

10. 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 2022 and therefore, violated this requirement. Note: Respondent subsequently monitored the Systems water annually for nitrate in 2023 and 2024.

11. Respondent is required to monitor the residual disinfectant level in the System's distribution System at the same time and place as total coliforms are to be sampled under 40 C.F.R. § 141.21. 40 C.F.R. § 141.132(c)(1). Respondent failed to monitor the System's water for residual disinfectant in October 2022, and therefore, violated this requirement.

12. 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. In 2020 and 2021, the certification was due within three months of distributing the CCR. 40 C.F.R. § 141.155.[1] Respondent failed to provide CCR certification for calendar year 2020 and therefore, violated this requirement.

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.

    a. The violations identified in paragraph 7, above, are classified as violations requiring Tier 2 public notice within 30 calendar days, with the public notice to be repeated every three months and for notice to remain in place for as long as the violation or situation persists, 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 this requirement.

    b. The violations identified in paragraphs 8 and 9, above, are classified as violations 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 2022violation cited in paragraphs 8 and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement. The deadline for public notice of the May 2025 violation cited in paragraph 9 has not yet passed.

14. Respondent is required to report any violation of total coliform monitoring requirements to the EPA within 10 calendar days after discovering the violation. 40 C.F.R. § 141.861(a)(4). Respondent failed to report the violations listed in paragraphs 8 and 9, above, to the EPA and therefore, violated this requirement.

15. Respondent is required to report any failure to comply with Part 141 to the

[1] In 2024, the regulations were revised, and the certification is now due 10 days after the date the system is required to distribute the report to its customers. 89 Fed. Reg. 46012 (May 24, 2024).

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, 10, 11 and 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):

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

17. Within 30 calendar days of receipt of this Order, Respondent shall consult with the EPA regarding action to correct significant deficiencies and shall submit an updated proposed schedule and plan to the EPA for completion of all outstanding corrective actions specified below. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the updated 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 of the project's completion 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 and provide notification to the EPA within 30 calendar days of completion, as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).
    Corrective Actions:
    - Well ID: WL01 - Well 1 - A raw water sample tap must be installed.
    - Well ID: WL03 - Well 4 - A raw water sample tap must be installed.
    - Storage Tank ID: ST02 - 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.
    - Leaking system components - The Reduce Pressure Zone (RPZ) device at the bulk fill station was leaking and must be repaired or replaced.

18. Respondent shall monitor the System's water monthly for total coliform bacteria. 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 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).
19. Unless a different reporting requirement is specified by Part 141 or this Order, Respondent must report monitoring results to the EPA within the first 10 calendar days following the end of the required monitoring period as stipulated by the EPA. 40 C.F.R. § 141.31(a).
20. 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).
21. Respondent shall monitor the residual disinfectant level in the System's water in the distribution System at the same time and place it collects total coliform samples, as required by 40 C.F.R. §§ 141.132(c)(1) and 141.21. No later than 10 calendar days after the end of each month, Respondent shall report residual disinfectant sample results to the EPA, as required by 40 C.F.R. § 141.134.
22. Respondent shall certify to the EPA annually by October 1 each year that the 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. 40 C.F.R. § 141.155.
23. 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 the 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.

24. Within 30 calendar days after receipt of this Order, Respondent shall notify the public of the 2022violation 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.

25. Respondent shall report any violation of total coliform monitoring requirements to the EPA within 10 calendar days after discovering the violation and notify the public in accordance with subpart Q of this part, as required by 40 C.F.R. § 141.861(a)(4).

26. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondent must report the violation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if Part 141 specifies a different time period for reporting the particular violation, Respondent must report the violation to the EPA within that different period.

27. If Respondent either (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.

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

Email: R8DWU@epa.gov, and
brown.christopher.t@epa.gov

GENERAL PROVISIONS

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

30. 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.

31. 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).

32. 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: September 29, 2025.

COLLEEN RATHBONE

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Date: 2025.09.29 06:45:47 -06'00'

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