



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, COLORADO 80202-1112
Phone 800-227-8917
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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND VIA EMAIL

Mr. David Woodward, Chairman and Operator
Warm Springs Water District
P.O. Box 1595
Dubois, Wyoming 82513

RE: Emergency Administrative Order under Section 1431 SDWA, Warm Springs Water District
Public Water System, PWS ID #WY5600861, Docket No. **SDWA-08-2016-0001**

Dear Mr. Woodward:

Enclosed is an Emergency Administrative Order (Order) issued by the EPA to the Warm Springs Water District (District) under section 1431 of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i. The EPA has determined that conditions exist at the District's Public Water System (System) that may present an imminent and substantial endangerment to the persons served by the System. The EPA has made this determination based on notification from the System's operator of a well pump failure leading to a loss of pressure in the System's distribution system.

Pursuant to its authority set forth in section 1431 of the Act, 42 U.S.C. § 300i, the EPA is authorized to take actions necessary to protect human health. This Order and its requirements are necessary to ensure adequate protection of public health at the System based on the EPA's primary enforcement responsibility under the Act.

The enclosed Order sets forth the actions that must be taken to ensure that the people served by the System are provided with safe drinking water. The Order requires the District to provide an alternate source of water; to issue a Boil Order and public notice until notified by EPA to discontinue; to repair or replace the System's well pump; to disinfect and flush the System's storage tank and distribution system; and to take additional total coliform bacteria samples, among other steps. The penalties for failing to comply are set forth in the Order.

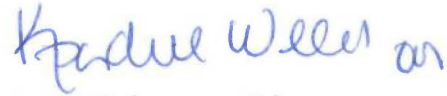
If you have any questions or wish to discuss this Order, please contact Jill Minter at (800) 227-8917 extension 6084 or 303-312-6084. Any questions from counsel for the District should be directed to



Peggy Livingston, EPA Enforcement Attorney, at the above 800 number, extension 6858, or at (303) 312-6858.

Thank you for your attention to this matter.

Sincerely,



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

Enclosures

Emergency Administrative Order
Boil Order Template

cc: Tina Artemis, EPA Regional Hearing Clerk
WY DEQ/DOH



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2016 JAN -7 PM 3:53

IN THE MATTER OF)
)
Warm Springs Water District)
PWS ID 5600861)
)
Respondent.)
_____)

Docket No. **SDWA-08-2016-0001**

FILED
EPA REGION VIII
HEARING CLERK

EMERGENCY ADMINISTRATIVE ORDER

AUTHORITY

1. This Emergency Administrative Order (Order) is issued by the Environmental Protection Agency (EPA) pursuant to the authority of section 1431(a) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300i(a). The undersigned officials have been properly delegated this authority.
2. Failure to comply with this Order may result in civil penalties of up to \$21,500 per day. 42 U.S.C. § 300i(b); 40 C.F.R. part 19.
3. The EPA may issue an order pursuant to section 1431(a) of the Act, 42 U.S.C. § 300i(a), when certain conditions exist which may present an imminent and substantial endangerment to the health of humans, and other state or local authorities have not acted, or do not have the authority to act, to protect human health.
4. The Warm Springs Water District (Respondent) is a public body created by or pursuant to Wyoming law.
5. Respondent is a “person” as that term is defined in the Act. 42 U.S.C. § 300f(2).
6. Respondent owns and/or operates the Warm Springs Water District Public Water System (System) located in Fremont County, Wyoming, which provides water to the public for human consumption.
7. Systems that have at least 15 service connections or regularly serve at least 25 people per day at least 60 days per year are “public water systems” as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and, therefore, are subject to the requirements of the Act and the National Primary Drinking Water Regulations (NPDWR) at 40 C.F.R. part 141.
8. The System has approximately 58 service connections, 20 of which are used by year round residents, and/or regularly serves an average of approximately 40 year round residents and 80 transient residents. The System currently has 23 service connections in use serving approximately 48 residents. The System is therefore, a public water system as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4).
9. The EPA has determined that this Order is necessary to protect human health.

10. Prior to issuing this Order, the EPA consulted with the System and State and/or local governmental authorities to confirm the facts stated in this Order and to confirm that State and local governments are unable to act to protect public health in this instance.

11. The EPA has determined that conditions exist at the System that may present an imminent and substantial endangerment to the health of humans, based on the facts indicated below.

12. On the evening of January 3, 2016, the System's operator became aware that the pump for the System's water supply well failed, leading to a loss of pressure in the distribution system. On January 4, 2016, residents were notified not to drink the water without first boiling it for 10 minutes. On January 6, 2016, Respondent began providing bottled water to the homes impacted by the pressure loss for drinking and cooking. On January 4, 2016, Respondent began trucking treated water from the Town of Dubois's Public Water System and putting it into the System's storage tank in order to maintain water in the System for flushing toilets. Respondent has advised the EPA that it will continue to provide water until the pump is replaced, which is estimated to take two to three weeks. The System has informed the EPA that it has ordered a new pump.

13. Respondent notified the EPA on January 6, 2016, of the failed pump and subsequent loss of pressure.

14. Loss of pressure in a drinking water distribution system may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Backsiphonage is also a condition resulting from low or no pressure. Such system failures carry a high potential that fecal contamination or other disease causing organisms could enter a distribution system.

15. On January 7, 2016, the EPA provided Respondent with a template for a boil water advisory. The EPA has been advised that Respondent has issued an advisory to the homes impacted by the pressure loss.

ORDER

INTENT TO COMPLY

16. Within 24 hours of receipt of this Order, Respondent shall notify the EPA in writing of its intention to comply with the terms of this Order. Notification by e-mail is acceptable.

BOIL ORDER AND PUBLIC NOTICE

17. Upon receipt of this Order, Respondent shall continue to provide information to the public of the situation described in this Order in the affected area and notify the public that a boil water advisory is still in effect for the homes impacted by the pressure loss. The boil water advisory will continue until the System's well pump is repaired or replaced and monitoring of

the water is conducted. Respondent shall submit a copy of the notice to EPA within 24 hours of its distribution. Respondent shall continue providing the public notice until EPA provides written notice that public notice may be discontinued.

ALTERNATE WATER SUPPLY

18. Upon receipt of this Order Respondent shall continue to notify the public that an alternate potable water supply is available. Respondent shall provide at least two liters of potable water daily per person at a central location that is accessible to all persons served by the System. Respondent may also opt to provide an alternate water supply that is either 1) provided by a licensed water distributor, 2) purchased bottled water, or 3) provided by another public water system that meets the requirements of the NPDRWs. In that case, the alternate water supply shall be made available at no cost to all users of the System as needed for drinking and cooking until water service is restored to affected users of the System.

DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS

19. Within 48 hours of repairing or replacing the well pump, Respondent shall properly disinfect and flush the System's storage tank and distribution system and return pressure to normal, following the guidance that will be emailed to Respondent by Jill Minter of EPA Region 8 by January 13, 2016.

20. Within 24 hours after flushing and disinfecting the System as required by paragraph 19, above, Respondent shall collect consecutive daily (one sample per day) special purpose (defined in 40 C.F.R. § 141.21(a)(6)) samples from the System's distribution system. Respondent shall ensure that each sample is analyzed for total coliform and *E. coli*.

21. After Respondent receives written notification from the EPA that it may discontinue daily total coliform sampling, Respondent must collect weekly bacteriological samples (one sample per week) to determine compliance with the total coliform maximum contaminant level as stated in 40 C.F.R. § 141.63.

22. After Respondent receives written notification from the EPA that it may discontinue weekly total coliform sampling, Respondent shall thereafter resume monthly total coliform sampling as required by 40 C.F.R. §§ 141.21.

23. Respondent shall monitor and report the System's chlorine residual at the same time and same location as all special and routine total coliform samples.

24. Respondent shall remain obligated to comply with all applicable requirements of 40 C.F.R. part 141, including, but not limited to the requirements in 40 C.F.R. § 141.21 to collect four repeat samples within 24 hours of being notified of a total coliform-positive sample result and to collect five routine total coliform samples in the month following a total coliform-positive sample result.

25. Respondent shall collect all total coliform sampling at sites that are representative of water throughout the distribution system. Additionally, Respondent shall report all sampling results to the EPA by telephone or fax immediately upon (i.e., as soon as practicable, and in no event more than 24 hours after) receiving the results.

26. The EPA may require Respondent to increase total coliform and chlorine residual sampling at any time while this Order is in effect.

CORRECTIVE MEASURES

27. Within 14 days of the effective date of this Order, Respondent shall provide the EPA with a plan and schedule that outlines actions taken or to be taken that will ensure that there is no future loss of pressure to the system. The plan shall identify the cause of the well pump failure, if possible, and describe efforts that Respondent will take repair or replace the well pump, restore pressure to the System and prevent a recurrence of pressure loss in the System. If applicable, the plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project. The proposed schedule shall include specific milestone dates and a final completion date (to be within three months from the date of EPA's approval of the plan). The schedule must be approved by the EPA before construction or modifications may commence. The EPA's approval of Respondent's schedule does not substitute for any State of Wyoming approval of plans and specifications (engineering plans) that may also be required before modifications can be made to the System.

28. The schedule required by paragraph 27, above, will be incorporated into this Order as an enforceable requirement upon written approval by the EPA. The EPA may incorporate the above required schedule into a new administrative order. If implementation of the plan fails to correct and/or prevent pressure loss, the EPA may order further steps.

REPORTING

29. Respondent must give weekly updates to the EPA on progress of its corrective actions. Weekly updates must be submitted to the EPA until the EPA notifies the System that reports may be discontinued. These reports may be submitted via phone, fax, or e-mail.

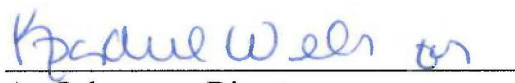
30. Any notices or reports required by this Order to be submitted to the EPA shall be submitted to:

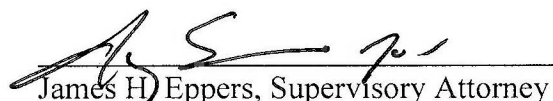
Jill Minter, 8ENF-W
US Environmental Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129
Telephone (800)227-8917, ext. 6084, or (303) 312-6084
Fax (303) 312-7518
e-mail: minter.jill@epa.gov

31. This Order does not relieve Respondent from complying with any applicable federal, state, or local law.

32. This Order constitutes final agency action. Respondent may seek federal judicial review of this Order under section 1431 of the SDWA, 42 U.S.C. § 300(i), pursuant to section 1448(a) of the SDWA, 42 U.S.C. 300j-7(a).

33. Issued and effective this 7th day of January, 2016.


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


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

DRINKING WATER WARNING

Warm Springs Water District water system
lost pressure in the distribution system

BOIL YOUR WATER FOR THREE MINUTES BEFORE USING

The operator for the Warm Springs Water District Public Water System was notified that the well pump failed on January 3, 2016. This led to a loss of pressure in the distribution system, which may cause backpressure, backsiphonage, or a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Such a system failure carries with it a high potential that fecal contamination or other disease-causing organisms could enter the distribution system. These conditions may pose an imminent and substantial health endangerment to persons served by the system.

What should I do?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a rolling boil for at least (3) three minutes, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation **until further notice**. Boiling kills bacteria and other organisms in the water. **ALL STORED WATER, DRINK OR ICE MADE RECENTLY FROM THIS SUPPLY SHALL BE DISCARDED.**
- *Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly and people with severely compromised immune systems.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice. People at increased risk should seek advice about drinking water from their health care providers.

What happened? What is being done?

- We have ordered a replacement well pump.
- We are providing bottled water for drinking, cooking, brushing teeth, etc. Bottled water can be obtained at _____.
- We are hauling treated water from the City of Dubois Public Water System and putting it into our storage tank for boiling as well as for flushing toilets, doing laundry, etc.
- We will chlorinate and flush the water system after installation of the new well pump.
- We will inform you when you no longer need to boil your water.

For more information, please contact David Woodward at 520-219-0189 or at Warm Springs Water District, P.O. Box 1595, Dubois, Wyoming 82513.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by David Woodward. Water System ID#: 5600861. Date distributed: _____

ATTENTION: PWS Operator/Responsible Party

You must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation or loss of pressure (141.202(b)). During this time, you must also contact your primacy agency. You should also coordinate with your local health department. This public notice shall be posted in conspicuous locations throughout the area served by the water system and hand delivered to persons served by the water system. Also, you should use radio or television to deliver the notice to consumers.

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). If you post or hand deliver, print your notice on letterhead, if you have it.

Population Served

Make sure it is clear who is served by your water system - you may need to list the areas you serve.

After Issuing the Notice

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of contamination so they can use bottled water.

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

Please send a copy of your notice and dates posted to:

Jill Minter
US EPA Region 8 (8ENF-W)
1595 Wynkoop Street
Denver, CO 80202-1129
Email: minter.jill@epa.gov. Fax: 303-312-7518

Certification of Public Notification

I _____ certify that the attached public notification was issued from
(PWS Operator / Responsible Party)

_____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____