



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

DEC 28 2007

CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

Sweetwater County Commissioners  
c/o Wally Johnson, Chair  
P.O. Box 730  
80 West Flaming Gorge Way  
Green River, Wyoming 82935

Re: Notice of Safe Drinking Water Act  
Enforcement Action against  
FMC Corporation, FMC Granger PWS  
PWS ID# WY5600647

Dear County Commissioners:

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

An Administrative Order is being issued to the FMC Corporation, FMC Granger Public Water System, Green River, Wyoming. This Order requires that the public water system take measures to return its public water system to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include: failure to comply with the maximum contaminant level for total coliform; failure to maintain a minimum residual disinfection of 0.2 mg/L for more than 4 hours; and failing to report such violations to EPA.

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 Melanie Wasco at (303) 312-6540.

Sincerely,

A handwritten signature in cursive script, reading "Diane L. Sipe", is positioned above the printed name and title.

Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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DEC 28 2007

Ref: 8ENF-W

CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

FMC Corporation  
c/o C T Corporation System, Registered Agent  
1720 Carey Avenue  
Cheyenne, Wyoming 82001

Re: Administrative Order  
Docket No. **SDWA-08-2008-0010B**  
FMC Granger PWS  
PWS ID# WY5601522

To Whom It May Concern:

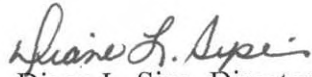
Enclosed is an Administrative Order issued by the United States Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300f et seq. Among other things, the Order describes how FMC Corporation, FMC Granger PWS has violated the National Primary Drinking 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 you comply with the Order for 12 months, 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 request an informal conference with EPA, please contact Melanie Wasco at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6540 or (303) 312-6540. For legal questions, the attorney assigned to this matter is Marc Weiner, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6913 or (303) 312-6913.

We urge your prompt attention to this matter.

Sincerely,



Diane L. Sipe, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures  
Order

cc: (via Certified Mail)  
Nathan Uhrig, Operator  
FMC Granger PWS

ec: Wyoming DEQ  
Wyoming DOH

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2007 DEC 26 AM 11:49

IN THE MATTER OF	)	
	)	
FMC Corporation, Owner	)	
FMC Granger Public Water System	)	
Green River, Wyoming	)	
PWS ID# WY5600647	)	ADMINISTRATIVE ORDER
	)	
Respondent	)	Docket No. <b>SDWA-08-2008-0010B</b>

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) in the Public Health Service Act (as amended by and hereafter referred to as the "Safe Drinking Water Act" or the "Act," 42 U.S.C. §§ 300f et seq.), as properly delegated to the undersigned officials.

2. FMC Corporation (Respondent) is a corporation that owns and/or operates the FMC Granger Public Water System (the system) in Sweetwater County, Wyoming, which provides piped water to the public for human consumption. The system is supplied by a surface water source, and serves a non-transient population of approximately 63 people per day through eight service connections year-round. The system is a "non-transient non-community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. part 141.

**VIOLATIONS**

3. Respondent is required to conduct monthly monitoring to determine compliance with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.63. According to 40 C.F.R. § 141.63(b), an acute MCL for total coliform bacteria is imposed and defined as a fecal coliform positive or E. coli positive repeat sample, or any total coliform positive repeat sample following a fecal coliform positive or E. coli positive routine sample. Monitoring results submitted by the Respondent for the public water system during August 2005 exceeded the acute MCL for total coliform bacteria, in violation of 40 C.F.R. § 141.63(b), and therefore violated this requirement.

4. Respondent is required, as a result of having a surface water source, to continuously monitor the residual disinfectant concentration of the water entering the distribution system (if serving 500 or fewer people, monitoring may be reduced to once per day). 40 C.F.R. § 141.74. Additionally, the residual disinfectant concentration cannot be less than 0.2 mg/L for more than 4 hours. 40 C.F.R. § 141.72(b)(2). Respondent failed to maintain a minimum residual disinfectant concentration of 0.2 mg/L in the water entering the distribution system for more than 4 hours in July and August 2007, and therefore violated this requirement.

5. Respondent is required to report any total coliform MCL violations to EPA as soon as

possible but no later than the end of the next business day after learning of the violation. 40 C.F.R. § 141.63. Respondent failed to report to EPA the total coliform acute MCL detailed in paragraph 3 above in August 2005, and therefore violated this requirement.

6. Respondent is required to report to EPA as soon as possible but no later than the end of the next business day any time the residual disinfectant concentration falls below 0.2 mg/L (for any period of time) in the water entering the distribution system. 40 C.F.R. § 141.75(b)(3)(iii). Respondent failed to timely report to EPA instances of noncompliance with the 0.2 mg/L requirement in July, August and September 2007, and therefore violated this requirement.

### **ORDER**

Based on the above violations, Respondent is ordered to perform the following actions:

7. Upon receipt of this Order, Respondent shall comply with all total coliform MCL requirements. 40 C.F.R. § 141.63. Respondent shall report analytical results to EPA within the first 10 days following the end of the monitoring period. 40 C.F.R. § 141.31(a). Respondent shall report any total coliform MCL violations to EPA as soon as possible but no later than the end of the next business day after learning of the violation. 40 C.F.R. § 141.63.

8. Upon receipt of this Order, Respondent shall comply with the requirements of 40 C.F.R. § 141.74 to continuously, or at least once per day, monitor residual disinfectant concentration of the water entering the distribution system and ensure the residual disinfectant concentration does not fall below 0.2 mg/L for more than 4 hours. 40 C.F.R. § 141.72(b)(2). Respondent shall report the monitoring results to EPA within 10 days after the end of each month. 40 C.F.R. § 141.75(b)(2). Respondent shall report to EPA as soon as possible but no later than the end of the next business day after discovery any time the residual disinfectant falls below 0.2 mg/L (for any period of time) in the water entering the distribution system. 40 C.F.R. § 141.75(b)(3)(iii).

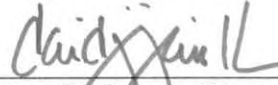
9. Reporting requirements specified in this Order shall be provided by certified mail to:

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

### **GENERAL PROVISIONS**

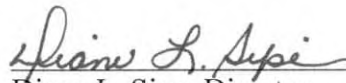
10. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

11. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondent to a civil penalty of up to \$32,500 (as adjusted for inflation) per day of violation, 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19.



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



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Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice