



REGION 8

DENVER, CO 80202

FILED

Nov 19, 2025

4:22 pm

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

November 19, 2025

Ref: 8ECA-W-S

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Town of Wheatland
c/o The Honorable Brandon Graves, Mayor
Town of Wheatland Public Water System
b.graves@townofwheatlandwy.org

Subj: Violation of Town of Wheatland Administrative Order, Docket No. SDWA-08-2025-0014, Town of Wheatland Public Water System, PWS ID #WY5600187

Dear Mayor Graves:

The purpose of this letter is to notify the Town of Wheatland (Respondent) that civil penalties and/or a federal court injunction may be ordered against Respondent for violations of the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* (Act) at the Town of Wheatland Public Water System (System). Specifically, on April 28, 2025, the EPA issued the above-referenced Administrative Order (Order), directing Respondent to comply with the National Primary Drinking Water Regulations (Part 141) issued by the EPA under the Act. Our records indicate that the System is in violation of the Order.

Among other things, the Order included the following requirements, which have not been properly completed. Note: EPA received a copy of the engineering evaluation report for ST04 and subsequently provided comments to Respondent on June 5, 2025, noting that the exterior epoxy must be removed and replaced as recommended in the engineering evaluation. From paragraph 10 of the Order:

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 specified below. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the proposed schedule, and any approved

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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 (Note: Construction drawings for the "Settling Basin Overflow Modifications Project" were provided by Respondent in an email dated March 5, 2025, and EPA subsequently provided comments):

- *Gravity Tank ID: ST05 – North Settling Basin Storage Tank – the tank must be evaluated by a professional engineer familiar with the construction of water-storage tanks to determine the integrity of the tank's walls.*
- *Gravity Tank ID: ST04 – South Settling Basin Storage Tank – the tank must have an overflow that is separate from the vent.*
- *Gravity Tank ID: ST05 – North Settling Basin Storage Tank – the tank must have an overflow that is separate from the vent.*
- Violation: Failure to provide the EPA with the above referenced plan and schedule required by the Order.
 - Respondents did not provide the EPA with a plan and schedule within 30 calendar days after receipt of the Order. EPA records reflect the AO was transmitted to Respondent via email on April 28, 2025, and Respondent confirmed receipt on May 5, 2025.
 - This violation must be corrected by submitting a complete plan and schedule by December 19, 2025.

Violation of any part of the Order, the Act, or Part 141 may subject Respondent to an administrative civil penalty of up to \$71,545 (as adjusted for inflation) per day of violation,

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a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19; 90 Fed. Reg. at 1375 (January 8, 2025).

If you have any questions or to request an informal conference with the EPA, please contact Chris Brown via email at brown.christopher.t@epa.gov, or by phone at (303) 312-6669. Any questions from the Town's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at bearley.mia@epa.gov or by phone at (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,

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

ENCLOSURE

cc:

WY DEQ/DOH (via email)
Platte County Commissioners (sshockley@plattecountywyoming.com)
EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Rick Keck, Water Supervisor (r.keck@townofwheatlandwy.org)
Bryan Kraft, Water Foreman (b.kraft@townofwheatlandwy.org)
Candy Wright, Clerk (clerk@townofwheatlandwy.org)
Tabitha Enniss, Deputy Clerk (t.enniss@townofwheatlandwy.org)
Dennis Lewis, WY DEQ District Engineer (dennis.lewis@wyo.gov)