

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8



1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region080>

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EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter J. Moore and Bonnie A. Smith-Moore  
Grasslands Mobile Home Park  
103 Hwy 59  
Douglas, WY 82633

RE: Emergency Administrative Order  
under Section 1431 SDWA  
Docket No. **SDWA-08-2011-0028**  
and Administrative Order  
Docket No. **SDWA-08-2011-0029**  
PWS ID #5601629

Dear Mr. and Mrs. Moore:

Enclosed is an Emergency Administrative Order (EAO) issued by the Environmental Protection Agency (EPA) under § 1431 of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300i. EPA has issued the EAO because EPA has made a finding that the level of uranium reported to be in the Grasslands Mobile Home Park's public water supply system may pose an imminent and substantial endangerment to the health of persons served by the system. The EAO is necessary to ensure adequate protection of public health.

The enclosed EAO directs you to take corrective actions to ensure that the people served by this system are provided with safe drinking water. The EAO requires, in part, that you issue a public notice, provide alternate water to residents, and submit a plan for correcting the problem with uranium. The penalties for failing to comply are set forth in the EAO.

Also enclosed is an Administrative Order (Order) issued by the EPA under the authority of § 1414 of the Act, 42 U.S.C. § 300g-3. Among other things, the Order describes how you, as owners and/or operators of the Grasslands Mobile Home Park, have violated the National Primary Drinking Water Regulations by exceeding the maximum contaminant level (MCL) for gross alpha, failing to monitor for radionuclides and total coliform, and failing to provide notice to the public and EPA of these violations. The Order requires you, among other things, to issue a public notice. A public notice template is enclosed to help you do this.

Although both the EAO and the Order require you to submit a corrective action plan to address the MCLs, you need only submit one plan to cover both uranium and gross alpha exceedances.

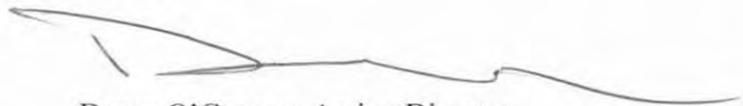
Although both the EAO and the Order require you to submit a corrective action plan to address the MCLs, you need only submit one plan to cover both uranium and gross alpha exceedances.

The Order and the EAO are effective upon the date received. Please review the Order and the EAO and within 10 days provide EPA with any information you believe EPA may not have. If you comply with the EAO and the Order, EPA may close them without further action. Failure to comply with the EAO or the Order may lead to substantial civil penalties and/or a federal court injunction ordering compliance.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order, the EAO, the Act, or the drinking water regulations.

If you have any questions or wish to discuss the Order and/or EAO, please contact Kathelene Brainich (800) 227-8917 extension 6481, or at (303) 312-6481. If you are represented by an attorney, please feel free to ask your attorney to call Peggy Livingston, Enforcement Attorney, at the above 800 number, extension 6858, or at (303) 312- 6858.

Sincerely,



Darcy O'Connor, Acting Director  
Technical Enforcement Program  
Office of Enforcement, Compliance and  
Environmental Justice

Enclosures

EAO  
Public Notices (2)  
Order  
SBREFA information sheet

cc: WY DOH & DEQ (via email)  
Converse County Commissioners  
Tina Artemis, EPA Regional Hearing Clerk



8. Respondents are required to monitor the system's water monthly for total coliform bacteria bacteria. 40 C.F.R. § 141.21. Respondents failed to monitor the system's water for total coliform bacteria during the months of February and March 2010 and, therefore, violated this requirement.

9. Respondents are required to notify the public of certain violations of the drinking water regulations, in the manner and within the timeframe specified by the regulations 40 C.F.R. § 141.201 *et seq.* Respondents failed to notify the public of the October 21, 2010, MCL violation listed in paragraph 6 above within 30 days, and, therefore, violated this requirement.

10. Respondents are required to report any failure to comply with any of the drinking water regulations to EPA within 48 hours (except where the drinking water regulations specify a different reporting period). 40 C.F.R. § 141.31(b). Respondents failed to report the violations listed in paragraphs 6, 7, and 9, above, to EPA and, therefore, violated this requirement.

11. Respondents are required to report any failure to comply with any coliform monitoring requirement to EPA within ten days of discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondents failed to report the violations listed in paragraph 8, above, to EPA and, therefore, violated this requirement.

### **ORDER**

Based on the above violations, Respondents are ordered to perform the following actions upon Respondents' receipt of this Order (unless a different deadline is specified below):

12. Upon receipt of this Order, Respondents shall sample for gross alpha, total uranium, and total radium quarterly until a different sampling frequency is determined by EPA, to determine compliance with the radionuclide MCLs. 40 C.F.R. § 141.26. Respondents shall report any analytical results to the EPA within the first 10 days following the end of the monitoring period. 40 C.F.R. § 141.31(a). Respondents shall report any violation of radionuclide regulations to EPA within 48 hours of the violation occurring or, if another time period for reporting is specified in this Order or the drinking water regulations, within that other time period. 40 C.F.R. § 141.31(b).

13. Within 30 days of receipt of this Order, Respondents shall provide EPA with a compliance plan and schedule for the system to come into compliance with the gross alpha MCL as stated in 40 C.F.R. § 141.66(c). The plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with the gross alpha MCL. The proposed schedule shall include specific milestone dates and a final compliance date. The final compliance date shall be within 6 months from the date of EPA's approval of the plan and schedule. The proposed plan and schedule must be approved by EPA before construction or modifications may begin. EPA's approval of Respondents' plan and schedule does not substitute for any State of Wyoming approvals of plans and specifications that may also be required before modifications may be made to the system.

14. The plan and schedule required by paragraph 13, above, will be incorporated into this Order as enforceable requirements upon written approval by EPA.

15. Within 10 days of completing all tasks included in the plan and schedule required by paragraph 13, above, Respondents shall notify EPA of the project's completion.

16. Respondents must achieve and maintain compliance with the gross alpha MCL by the final date specified in the approved plan, or no later than 6 months after receiving EPA's approval of the plan and schedule required by paragraph 13 above, whichever is earliest. Respondents must meet that deadline even if the plan as approved does not achieve compliance. If the plan fails to achieve permanent compliance, EPA may order further steps and/or seek penalties for noncompliance.

17. Respondents shall monitor the system's water for total coliform bacteria monthly, as required by 40 C.F.R. § 141.21. Respondents shall report analytical results to EPA within the first ten days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the total coliform monitoring requirements to EPA within 10 days of discovery, as required by 40 C.F.R. § 141.21(g)(2).

18. Within 30 days of receiving this Order, Respondents shall notify the public of the violations cited in paragraphs 6, 7, and 8 above, as required by 40 C.F.R. part 141, subpart Q. The public notice must be repeated every three months for the gross alpha MCL violation as long as the violation persists. Following any future violation of the drinking water regulations, Respondents shall comply with the applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days of providing public notice, Respondents shall submit a copy of the notice and certification of completion to EPA. The annual consumer confidence report (CCR) may be used as the public notice for failure to monitor (Tier 3) violations that occurred during the previous twelve months.

19. Respondents shall direct all reporting required by this Order to:

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

#### **GENERAL PROVISIONS**

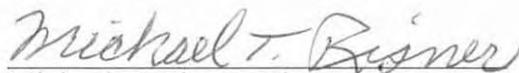
20. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

21. Violation of any part of this Order or the drinking water regulations may subject Respondents to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

Issued: March 3, 2011.



Darcy O'Connor, Acting Director  
Water Technical Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



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

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER  
Elevated Levels of Gross Alpha and Monitoring Requirements Not Met  
GRASSLANDS MOBILE HOME PARK**

Our water system has violated several drinking water standards. Even though **these were not emergencies**, as our customers, you have a right to know what happened and what we are doing/have done to correct these situations.

**1)** We routinely monitor for the presence of drinking water contaminants. We took a sample for radionuclides during October 2010 and the results showed an exceedance of the maximum contaminant level for gross alpha.

**What This Means:** This was not an emergency. Some people who drink water in excess of the CML over many years may have an increased risk of getting cancer.

**You may drink the water.** However, if you have specific health concerns, consult your doctor.

**2)** *We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During 2010 we did not complete all monitoring or testing for radionuclides and bacteriological quality and therefore cannot be sure of the quality of our drinking water during that time.*

**What should I do?** There is nothing you need to do at this time.

The table below lists the contaminants we did not properly test for, how often we are supposed to sample for these contaminants and how many samples we are supposed to take, how many we took, when samples should have been taken, and the date when the situation was corrected.

<b>Contaminant</b>	<b>Required sampling frequency</b>	<b>Number of samples taken</b>	<b>When all samples should have been taken</b>	<b>When samples were or will be taken</b>
Bacteriological routine	Each quarter	0	February & March 2010	All other required quarters
Radionuclides (gross alpha, uranium, and radium)	Initially 4 consecutive quarters	0	1 <sup>st</sup> , 2 <sup>nd</sup> , and 3 <sup>rd</sup> quarters of 2010	Sampled 11/21/10

**What happened? What is being done?**

For the MCL violation, we are submitting a plan to EPA to address the MCL..

We will sample as required in future. Call \_\_\_\_\_ at \_\_\_\_\_ if you have questions.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (visitors for example). You can do this by posting this notice in a public place or distributing copies by hand or mail. Note: send copy to EPA after public notice is complete with the date distributed and signature.*



Office of Enforcement and Compliance Assurance  
**INFORMATION SHEET**

## U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### Compliance Assistance Centers

([www.assistancecenters.net](http://www.assistancecenters.net))

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

#### Agriculture

([www.epa.gov/agriculture](http://www.epa.gov/agriculture) or 1-888-663-2155)

#### Automotive Recycling Industry

([www.ecarcenter.org](http://www.ecarcenter.org))

#### Automotive Service and Repair

([www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK)

#### Chemical Industry

([www.chemalliance.org](http://www.chemalliance.org))

#### Construction Industry

([www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911)

#### Education

([www.campuserc.org](http://www.campuserc.org))

#### Healthcare Industry

([www.hercenter.org](http://www.hercenter.org) or 1-734-995-4911)

#### Metal Finishing

([www.nmfrc.org](http://www.nmfrc.org) or 1-734-995-4911)

#### Paints and Coatings

([www.paintcenter.org](http://www.paintcenter.org) or 1-734-995-4911)

#### Printed Wiring Board Manufacturing

([www.pwbrc.org](http://www.pwbrc.org) or 1-734-995-4911)

#### Printing

([www.pneac.org](http://www.pneac.org) or 1-888-USPNEAC)

#### Transportation Industry

([www.transource.org](http://www.transource.org))

#### Tribal Governments and Indian Country

([www.epa.gov/tribal/compliance](http://www.epa.gov/tribal/compliance) or 202-564-2516)

#### US Border Environmental Issues

([www.bordercenter.org](http://www.bordercenter.org) or 1-734-995-4911)

The Centers also provide State Resource Locators ([www.envcap.org/statetools/index.cfm](http://www.envcap.org/statetools/index.cfm)) for a wide range of topics to help you find important environmental compliance information specific to your state.

### EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

#### EPA's Home Page

[www.epa.gov](http://www.epa.gov)

#### Small Business Gateway

[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

#### Compliance Assistance Home Page

[www.epa.gov/compliance/assistance](http://www.epa.gov/compliance/assistance)

#### Office of Enforcement and Compliance Assurance

[www.epa.gov/compliance](http://www.epa.gov/compliance)

#### Voluntary Partnership Programs

[www.epa.gov/partners](http://www.epa.gov/partners)

