



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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DENVER, CO 80202-1129
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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jim Goslin, Treasurer
Rivermeadows Water District
P.O. Box 510
Teton, Wyoming 83025

Mr. John Ryan, Chief Operator
Rivermeadows Water District
P.O. Box 1687
Jackson, Wyoming 83001

Re: Administrative Order Violation, Rivermeadows Water District Public Water System,
PWS ID # WY5600786, Docket No. SDWA-08-2018-0022

Dear Messrs. Goslin and Ryan:

On July 10, 2018, the U.S. Environmental Protection Agency issued an Administrative Order (Order), Docket No. SDWA-08-2018-0022, directing Rivermeadows Water District (District) and John Ryan, referenced in the Order as Respondents, as owner and operator of the Rivermeadows Water District Public Water System, to comply with various drinking water regulations issued by the EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that Respondents are in violation of the Order. Among other things, the Order included the following requirements (quoted from paragraph 13 on page 2 of the Order), which have not been fulfilled:

- Within 60 of days after receipt of this Order, Respondents shall complete corrective actions of the following significant deficiencies and notify the EPA within 30 days after their completion. Respondent shall provide sufficient evidence to the EPA, including photographs, of the corrective actions. Thereafter, Respondents shall complete corrective action of significant deficiencies and notification of their completion as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).
 - 1) Gravity Tank ID - ST01 – 100 K tank: Hatch on finished water storage tank improperly constructed. The tank hatch on below-ground tanks (buried or partially buried) must be elevated a minimum of 24 inches above the top of the tanks surface or ground surface, whichever is higher, and

- 2) Gravity Tank ID - ST01 – 100 K tank: Air vent on finished water storage tank improperly constructed. The vent must terminate in an inverted U construction at least 24 inches above the roof or ground surface, whichever is higher, to prevent rain or surface water from entering and to prevent inhalation of contaminants adjacent to the tank. *The manufactured vent with the #24-mesh screen, incorporated into the side of the concrete tank extending above the ground, is approximately 6" above ground level.*

The EPA has not received evidence of completion of corrective actions of the above significant deficiencies and notification of completion. The District must complete the following: within 30 days of receipt of this Administrative Order Violation, complete corrective actions of the above significant deficiencies and provide evidence to the EPA, including photographs, of completion and notification of completion. Enclosed are several forms and fact sheets to assist you in addressing the outstanding violation.

The EPA is considering additional enforcement action as a result of non-compliance with the Order. Violating the Order may lead to (1) a penalty of up to \$57,317 (as adjusted for inflation) per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions, please contact Jill Minter at (303) 312-6084 or (800) 227-8917 extension 6084. If the District is represented by an attorney, please ask the attorney to direct any questions or comments to Mia Bearley, Senior Assistant Regional Counsel, at (303) 312-6554 or at the following address:

Mia Bearley, Senior Assistant Regional Counsel
U.S. EPA, Region 8 (8ORC-R)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Colleen Rathbone, Chief
Water Enforcement Branch

cc: WY DEQ and DOH (via email)
Melissa Haniewicz, EPA Regional Hearing Clerk
Mr. John Ryan, Chief Operator (jryan@jacksonwy.gov)
Teton County Commissioners (mnewcomb@tetonwyo.org)



EPA Region 8 Drinking Water Unit Tech Tips

Sanitary Protection of Drinking Water Storage Tanks: Vents

Finished Water Storage Sanitary Protection: Vents release air and are a dynamic and integral part of tank operation. The air pressure inside of a tank is always trying to equalize with the air pressure outside as the water level rises and falls in the tank. When the tank is filling with water, displaced air has less space and puts pressure on the tanks. The air is forced out of the tank through the vent and overflow as well, if it is not overflowing with water (see Tech Tip on Overflows). When water is drawn out of the tank, the air has more space and creates a vacuum. Outside air is pulled into the tank through the vent and overflow. Thin walled metal tanks can be protected against excessive pressure and vacuum with a pressure/vacuum relief mechanism. Also, storage tank vents cannot serve as the overflow; tanks must have a vent separate from the overflow.

Downturned vent

Protection from contamination entering through the vent.



#24 mesh screen is needed to keep out contamination carried by insects, rodents, and birds. (See Tech Tip on #24 Mesh)

Not having a #24 mesh screen on a vent will trigger a significant deficiency

The #24 mesh screen can be installed between two flanges. The flanges allow the #24 mesh screen to set flush, which creates a better seal than wrapping the screen around the pipe and securing it with a band. Also, the flange will place the screen inside the vent to dissuade vandalism. A heating coil can be installed if freezing is a concern.



Protection from contamination being inhaled through the vent

Vents present a pathway for contamination to enter the tank. Having the vent opening at least 24 inches above the nearest horizontal surface protects against the inhalation of contamination (dried feces, dust, etc.). A bird dropping can contain thousands of salmonella.

Vents less than the 24 inches above the roof will trigger a significant deficiency. Also, if vents on buried or partially buried tanks are not downturned or facing the ground, it will trigger a significant deficiency.

Non-downturned vent (Elevated or Ground Level Tanks Only)



For elevated tanks, having fewer than 8 inches from the bottom of the #24 mesh to a horizontal surface will trigger a significant deficiency

The vent must have a watertight cover that extends down to the bottom of the #24 mesh screen. The cover will prevent the entry of rain and snow as well as minimize the entry of dust.

Not having a solid cover that extends to the bottom of the #24 mesh screen will trigger a significant deficiency



Bird spikes can be added to any intermediate horizontal surfaces. In some cases, the height of the vent should be raised higher than 24 inches to address severe problems with birds or other animals.

Vents not accessible for inspection can trigger a significant deficiency.



Recommendation only: Having the vent opening at least 24 inches above the horizontal surface protects against the inhalation of contamination (dried feces, dust, etc.). In addition to the #24 mesh screen, the vent should also have a bird screen to prevent any birds from nesting on top of a horizontally placed screen.



EPA Region 8 Drinking Water Unit Tech Tips

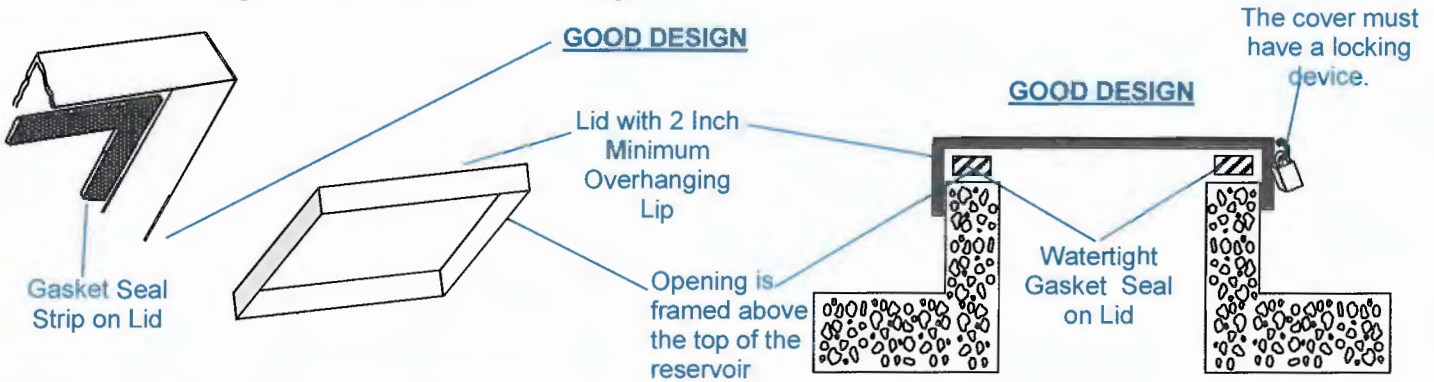
Sanitary Protection of Drinking Water Storage Tanks: Hatches

(Does not pertain to buried fiberglass tanks with dual hatches)

Access hatches must be as watertight as possible to exclude surface runoff, debris, bats, insects, birds, and other animals. You must install locks and keep them locked at all times to prevent unauthorized access. The lid must be fitted with a solid watertight cover which extends down around the frame at least 2", and have a rubber-type gasket seal on the hatch lid to prevent contamination from entering the water system.

On elevated and ground level tanks, where the bottom of the hatch is greater than 4 feet above the ground level, the hatch must be framed at least 4" above the surface of the tank roof.

On below ground (buried and partially buried) structures, the hatch must be elevated a minimum of 24" above the top of the tank surface or ground surface, whichever is higher.



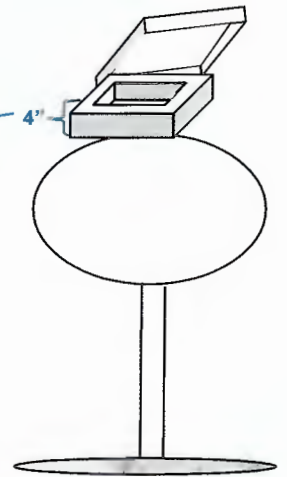
GOOD DESIGN

On buried and partially buried tanks, the hatch must be elevated a minimum of 24" above the top of the tank surface or ground surface, whichever is higher.



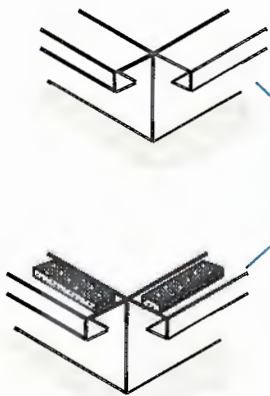
GOOD DESIGN

On elevated and ground level tanks, the hatch must be framed at least 4" above the top of the tank surface or ground surface, whichever is higher.



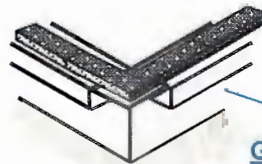
POOR DESIGNS

Insects and spiders can enter the reservoir between the framed section and cover. A seal strip can improve sanitary protection.



GOOD DESIGN

Make sure the gasket seal provides a tight connection by filling in the corner area when installing the seal. The preferred location to install the seal is on the lid.



Instructions for GWR Failure to Take Corrective Action Within Required Time

Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a fecal indicator-positive ground water source sample or significant deficiency under the Ground Water Rule is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [40 CFR 141.203(b)]. You must issue a repeat notice every three months for as long as the violation persists. Your primacy agency may have more stringent requirements for treatment technique violations. Check with your agency to make sure you meet all requirements.

If this notice is for failing to address a fecal indicator-positive source sample, a Tier 1 notice for detecting a fecal indicator in the source water should have already been issued. Consider providing the history of the situation in this notice (i.e., what events lead to requiring corrective action) to avoid confusing the public when this second notice is issued.

Community systems must use one of the following methods [40 CFR 141.203(c)]:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Noncommunity systems must use one of the following methods [40 CFR 141.203(c)]:

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition both community and noncommunity systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)]. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on your system's letterhead if available.

The notice on the reverse is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

Mandatory Language

Mandatory language on health effects (from Appendix B to Subpart Q) must be included as written (with blanks filled in) and is presented in this notice in italics and with an asterisk on either end.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable [40 CFR 141.205(d)]. This language is also presented in this notice in italics and with an asterisk on either end.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. Depending on the corrective action you are taking, you can use one or more of the following statements, if appropriate, or develop your own text:

- Although we did not meet our deadline, we are now in consultation with the state to develop a corrective action plan.
- The [source of contamination/significant deficiency] has been identified and addressed.
- We have implemented a short term plan to address the immediate issue while we pursue the long-term solution.

Repeat Notices

For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out any previous notices. If you are making progress with correcting the significant deficiency or addressing the fecal indicator-positive source sample, describe it. Alternatively, if funding or other issues are delaying corrective action, let consumers know.

After Issuing the Notice

Send a copy to EPA Region 8 Drinking Water Unit (8WP-SDA), Attn: GWR Manager, 1595 Wynkoop Street, Denver, CO 80202 or email a copy of the PN and the certification to R8DWU@epa.gov.

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all public notification requirements within ten days after issuing the notice [40 CFR 141.31(d)].

**GWR Failure to Take Corrective Action Within Required Time Frame
Public Notice**

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

**_____ (PWS Name) Failed to Correct a Significant Deficiency
Within Required Time Frame.**

Our water system recently violated a drinking water requirement. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

A routine sanitary survey conducted on (provide survey date) _____ by the Environmental Protection Agency Region 8 (EPA) found (describe significant deficiency in our water system) _____

As required by EPA's Ground Water Rule, we were required to take action to correct this deficiency. However, we failed to take this action by the deadline established by EPA.

What should I do?

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours.
Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. **These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.**

What is being done?

(Describe corrective action) _____

We anticipate resolving the problem within (estimated time frame) _____.
For more information, please contact (name of system contact) _____ at (phone number) _____ or (mailing address) _____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. 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 (system name) _____.
Public Water System ID#: _____.
Date distributed: _____.

