



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
www.epa.gov/region08

June 15, 2020  
2:01 PM

June 15, 2020

Received by  
EPA Region VIII  
Hearing Clerk

Ref: 8ENF-W-SD

**SENT VIA EMAIL**  
**DIGITAL READ RECEIPT REQUESTED**

Mr. Rex Kelson, Board President  
Jeffrey City Water & Sewer District  
rexmarkel@gmail.com

Re: Administrative Order issued to Jeffrey City Water & Sewer District regarding  
Jeffrey City Water & Sewer District Public Water System, PWS ID #WY5600106,  
Docket No. SDWA-08-2020-0028

Dear Mr. Kelson:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that the Jeffrey City Water & Sewer District (District), as owner and/or operator of the Jeffrey City Water & Sewer District Public Water System (System), has violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141.

The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any pertinent information the District believes the EPA may not have (e.g., any monitoring that may have been done but not submitted, any public notices issued but not submitted, any updates to the number of service connections and/or individuals served, etc.). If the EPA does not hear from the District, the EPA will assume this information is correct.

Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$58,328 per day of violation, a federal court injunction ordering compliance, or both.

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 or Part 141. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

EPA acknowledges that the COVID-19 pandemic may be impacting your District and operation of the System. If the District has specific COVID-19 issues that would affect the timeframes listed herein, please contact Jill Minter, via email at [minter.jill@epa.gov](mailto:minter.jill@epa.gov), or by phone at (800) 227-8917, extension 6084, or (303) 312-6084. We will consider nationwide public health developments and your specific circumstances in determining an appropriate timeline for responding to this Administrative Order, while still pursuing regulatory compliance with the Safe Drinking Water Act as expeditiously as possible.

If you have any questions or to request an informal conference with the EPA, please contact Jill Minter via email or phone at the aforementioned contact information. Any questions from the District's attorney should be directed to Mia Bearley, Enforcement Attorney, via email at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov), or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,

**COLLEEN  
RATHBONE**

Digitally signed by COLLEEN  
RATHBONE  
Date: 2020.06.15 13:59:14  
-06'00'

Colleen Rathbone, Chief  
Water Enforcement Branch  
Enforcement & Compliance Assurance Division

Enclosures

cc: WY DEQ/DOH (via email)  
Fremont County Commissioners ([travis.becker@fremontcountywy.gov](mailto:travis.becker@fremontcountywy.gov))  
Melissa Haniewicz, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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June 15, 2020  
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IN THE MATTER OF:	)		
	)	Docket No. SDWA-08-2020-0028	Received by
Jeffrey City Water & Sewer District,	)		EPA Region VIII
	)	<b>ADMINISTRATIVE ORDER</b>	Hearing Clerk
Respondent.	)		
	)		
Jeffrey City Public Water System	)		
<u>PWS ID #WY5600106</u>	)		

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned official.
2. The Jeffrey City Water & Sewer District (Respondent) is a public body created by or pursuant to Wyoming law that owns and/or operates the Jeffrey City Water & Sewer District Public Water System (System), which provides piped water to the public in Fremont County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via two wells. The water is treated by chlorination. In late 2017, a new well was added to the System and a former well was inactivated, resulting in a change in the source water and subsequent monitoring requirements.
4. The System has approximately 28 service connections used by year-round residents and/or regularly serves an average of approximately 56 year-round residents. Therefore, the System is a "public water system" and a "community water system" as defined in 40 C.F.R. § 141.2 and section 1401 of the Act, 42 U.S.C. § 300f.
5. Respondent is a "person" as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and is subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an "applicable requirements" as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. Part 141 includes monitoring requirements. The EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.

**VIOLATIONS**

7. Respondent is required to monitor the System's water for lead and copper by collecting at least five samples during each monitoring period. 40 C.F.R. §§ 141.86(c) and (d). Respondent failed to collect the required number of samples of the System's water during the July 1 to December 31, 2019, monitoring period and therefore, violated this requirement. Only one of five samples was collected on November 7, 2019.

8. Respondent is required to deliver a consumer notice of individual tap monitoring results for lead and copper to the persons served at each sampled site, in accordance with 40 C.F.R. § 141.85(d). Within 90 calendar days following the end of each monitoring period, Respondent is required to submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3). For monitoring periods from January 1 to June 30, 2019, and from July 1 to December 31, 2019, Respondent failed to deliver a consumer notice to the persons served at each sampled site and failed to submit a sample copy of the consumer notice to the EPA and therefore, violated this requirement.

9. Respondent is required to monitor the System's water for radionuclides once every quarter. 40 C.F.R. § 141.26(a)(2). Respondent failed to monitor the System's water for radionuclides during the third quarter 2018 and the second quarter 2019 and therefore, violated this requirement.

10. Respondent is required to monitor the System's water for volatile organic contaminants (VOCs) and synthetic organic contaminants (SOCs) during four consecutive quarters, initially from January 1, 2018 to December 31, 2018. 40 C.F.R. § 141.24(f)(4) and 141.24(h)(4). Respondent failed to monitor the System's water for VOCs and SOCs during the third quarter 2018 and again during the third quarter of 2019 and therefore, violated this requirement.

11. Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violations identified in paragraphs 7, 9, and 10, above, are classified as Tier 3 violations, requiring public notice within 1 year, according to 40 C.F.R. § 141.204. Respondent failed to notify the public of the violations cited in paragraphs 9 and 10 and/or failed to submit a copy to the EPA and therefore, violated this requirement. The deadline for public notice of the violation cited in paragraph 7 has not yet passed.

12. Respondent is required to report any failure to comply with Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 7, 8, 9, 10, and 11, above, to the EPA and therefore, violated this requirement.

### **ORDER**

Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

13. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited in this Order.

14. Respondent shall monitor the System's water for lead and copper between January 1 and June 30, 2020, collecting five samples during each monitoring period. 40 C.F.R. §§ 141.86(c) and (d). Within 10 calendar days following the end of each monitoring period, Respondent shall report analytical results to the EPA, as required by 40 C.F.R. § 141.90. Within 30 calendar days of receiving monitoring results, Respondent shall deliver a consumer notice of individual tap monitoring results to the persons served at each sampled site, in accordance with 40 C.F.R. § 141.85(d). Within 90 calendar days following the end of each monitoring period, Respondent shall submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3).

15. Within 90 calendar days after receipt of this Order, Respondent shall deliver a consumer notice of individual tap monitoring results to the persons served at each site sampled in 2019, in accordance with 40 C.F.R. § 141.85(d), and submit to the EPA a sample copy of the consumer tap sample result notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3).

16. Respondent shall monitor the System's water for radionuclides once every quarter, in accordance with 40 C.F.R. § 141.26(a). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

17. Respondent shall monitor the System's water for VOCs and SOCs during the third quarter of 2020, between July 1 and September 30, 2020, and thereafter in compliance with 40 C.F.R. § 141.24. Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

18. Within 30 calendar days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 7, 9, and 10, above. Templates and instructions are available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>. Thereafter, following any future violation of Part 141, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d).

19. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondent shall report the violation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if Part 141 specifies a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.

20. If the population or number of connections served by the System falls below 25 individuals or 15 connections, Respondent shall notify the EPA in writing within 10 calendar days by submitting a completed basic information form. The form is available at: <https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms#new>.

21. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent shall, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondent shall remain obligated to comply with this Order.

22. Respondent shall send all reporting and notifications required by this Order to the EPA at:

Email: R8DWU@epa.gov, and  
Minter.jill@epa.gov

### **GENERAL PROVISIONS**

23. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or Part 141. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.


24. Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$58,328 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 85 Fed. Reg. at 1754 (January 13, 2020).

25. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: \_\_\_\_\_, 20\_\_.

**COLLEEN  
RATHBONE**

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

 Digitally signed by COLLEEN  
RATHBONE  
Date: 2020.06.15 13:57:26 -06'00'

# Lead Consumer Notice Certification Form

This form is intended for use by public water systems in Wyoming and tribal lands in the following states: Colorado, Montana, North Dakota, South Dakota, Utah or Wyoming.

Please complete this Lead Consumer Notice Certification Form. Include one example of a completed Consumer Notice Form and send both pieces of documentation to: EPA Region 8, Lead/Copper Rule Manager, [r8dwu@epa.gov](mailto:r8dwu@epa.gov), or mail to 1595 Wynkoop Street, Denver, CO 80202-1129 or fax to: Attention Lead/Copper Rule Manager, 1-877-876-9101.

PWS Name: \_\_\_\_\_ PWS No. \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Phone :(\_\_\_\_) \_\_\_\_\_  
Today's Date: \_\_\_\_\_

Monitoring period to which the notice applies (e.g., June – September 2016): \_\_\_\_\_

The last result for the period was received from the laboratory on: \_\_\_\_\_

All results were provided to consumers by (date): \_\_\_\_\_

The water system also certifies that the template contained the following information and was delivered within 30 days of receiving the test results from the laboratory to such persons:

- Individual tap results from lead tap water monitoring
- An explanation of the health effects of lead
- Steps that consumers can take to reduce exposure to lead in drinking water
- Contact information for your water utility
- The maximum contaminant level goals and action levels for lead, and the definitions of these two terms

## DELIVERY METHOD

The result/information notice was distributed by the following method, check all that apply:

- By Direct Mail \_\_\_\_\_
- By Hand Delivery \_\_\_\_\_
- By Electronic mail \_\_\_\_\_
- Other (e.g. posting) \_\_\_\_\_

## Signature of Owner, Administrative Contact, or Official Custodian

I, \_\_\_\_\_, hereby certify that the lead consumer notice has been provided to each person it serves at the specific sampling site from which the sample was tested.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

## Consumer Notice of Lead Tap Water Results

Public Water System Name: \_\_\_\_\_ Public Water System ID: \_\_\_\_\_

Sample Location: \_\_\_\_\_ Date Collected: \_\_\_\_\_

Dear \_\_\_\_\_,

We would like to thank you for your participation in the lead tap monitoring program. Below is the lead result for the sample location listed above. Additional general information concerning lead in drinking water follows. For more information on reducing lead exposure around your home and the health effects of lead, visit EPA's Web site at [www.epa.gov/lead](http://www.epa.gov/lead), call the National Lead Information Center at 800-424-LEAD, or contact your health care provider.

If you need more information concerning this result, please call the \_\_\_\_\_ community water supply at \_\_\_\_\_ and ask for \_\_\_\_\_.

### **ONLY the statement that is checked below is applicable to your sample location.**

Lead was NOT DETECTED at this sample location.

Lead was detected at \_\_\_\_\_ mg/L. This result is BELOW the lead action level of 0.015 mg/L.

Lead was detected at \_\_\_\_\_ mg/L. This result is ABOVE the lead action level of 0.015 mg/L.

### **What Does This Mean?**

Under the authority of the Safe Drinking Water Act, EPA set the action level for lead in drinking water at 0.015 mg/L. This means utilities must ensure that water from the customer's tap does not exceed this level in at least 90 percent of the homes sampled (90th percentile value). The action level is the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow. If water from the tap does exceed this limit, then the utility must take certain steps to correct the problem. Because lead may pose serious health risks, the EPA set a Maximum Contaminant Level Goal (MCLG) of zero for lead. The MCLG is the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

If detected, your lead level may be due to conditions unique to your home, such as the presence of lead solder or brass faucets, fittings and valves that may contain lead. Our system works to keep the corrosivity of our water as low as possible (corrosive water can cause lead to leach from plumbing materials that contain lead) and there are actions you can take to reduce exposure. We recommend that you to take the steps below to reduce your exposure to lead in drinking water.

Should the lead 90<sup>th</sup> percentile for this water supply exceed the lead action level, we would take a number of steps to correct the problem. Such steps include; monitor our source water for lead content, initiate controls to reduce the corrosivity of our water, and initiate lead service line replacement if needed.



### **What Are The Health Effects of Lead?**

Lead can cause serious health problems if too much enters your body from drinking water or other sources. It can cause damage to the brain and kidneys, and can interfere with the production of red blood cells that carry oxygen to all parts of your body. The greatest risk of lead exposure is to infants, young children, and pregnant women. Scientists have linked the effects of lead on the brain with lowered IQ in children. Adults with kidney problems and high blood pressure can be affected by low levels of lead more than healthy adults. Lead is stored in the bones, and it can be released later in life. During pregnancy, the child receives lead from the mother's bones, which may affect brain development.

### **What Are The Sources of Lead?**

The primary sources of lead exposure for most children are deteriorating lead-based paint, lead-contaminated dust, and lead-contaminated residential soil. Exposure to lead is a significant health concern, especially for young children and infants whose growing bodies tend to absorb more lead than the average adult. Lead is rarely found in source water, but enters tap water through corrosion of plumbing materials. Homes built before 1988 are more likely to have lead pipes, fixtures and solder.

### **What Can I Do To Reduce Exposure to Lead in Drinking Water?**

If you are concerned about the lead levels at your location, there are several things you can do:

- ***Run your water to flush out lead.*** If water hasn't been used for several hours, run water for 15-30 seconds or until it becomes cold or reaches a steady temperature before using it for drinking or cooking. This will help flush lead-containing water from the pipes.
- ***Use cold water for cooking and preparing baby formula.*** Do not cook with or drink water from the hot water tap; lead dissolves more easily into hot water. Do not use water from the hot water tap to make baby formula.
- ***Do not boil water to remove lead.*** Boiling water will not reduce lead.
- ***Look for alternative sources or treatment of water.***
- ***Test your water for lead.*** Call us at the number above to find out how to get your water tested for lead.

***Identify if your plumbing fixtures contain lead.*** Brass faucets, fittings, and valves, including those advertised as "lead-free," may contribute lead to drinking water. The law currently allows pipes, fittings, and fixtures with up to .25 percent weighted average of lead to be identified as "lead-free."

**Suggested Directions for Homeowner Tap Sample Collection Procedures**  
*Revised Version: May 2019*

These samples are being collected to determine the lead and copper levels in your tap water. This sampling effort is required by the U.S. Environmental Protection Agency and your State under the Lead and Copper Rule, and is being accomplished through a collaboration between the public water system and their consumers (e.g. residents).

Collect samples from a tap that has not been used for at least 6 hours. To ensure the water has not been used for at least 6 hours, the best time to collect samples is either early in the morning or in the evening upon returning from work. Be sure to use a kitchen or bathroom cold water tap that has been used for drinking water consumption in the past few weeks. The collection procedure is described below.

1. Prior arrangements will be made with you, the customer, to coordinate the sample collection. Dates will be set for sample kit delivery and pick-up by water system staff.
2. There must be a minimum of 6 hours during which there is no water used from the tap where the sample will be collected and any taps adjacent or close to that tap. Either early mornings or evenings upon returning home are the best sampling times to ensure that the necessary stagnant water conditions exist. Do not intentionally flush the water line before the start of the 6 hour period.
3. Use a kitchen or bathroom cold-water faucet for sampling. If you have water softeners on your kitchen taps, collect your sample from the bathroom tap that is not attached to a water softener, or a point of use filter, if possible. Do not remove the aerator prior to sampling. Place the opened sample bottle below the faucet and open the cold water tap as you would do to fill a glass of water. Fill the sample bottle to the line marked "1000-mL" and turn off the water.
4. Tightly cap the sample bottle and place in the sample kit provided. Please review the sample kit label at this time to ensure that all information contained on the label is correct.
5. If any plumbing repairs or replacement has been done in the home since the previous sampling event, note this information on the label as provided. Also if your sample was collected from a tap with a water softener, note this as well.
6. Place the sample kit in the same location the kit was delivered to so that water system staff may pick up the sample kit.
7. Results from this monitoring effort and information about lead will be provided to you as soon as practical but no later than 30 days after the system learns of the tap monitoring results. However, if excessive lead and/or copper levels are found, immediate notification will be provided (usually 1-2 working days after the system learns of the tap monitoring results).

Call \_\_\_\_\_ at \_\_\_\_\_ if you have any questions regarding these instructions.

Public Water Systems must retain these signed records for a minimum of 12 years. Please include one copy of this form with your Consumer Notice certification to the EPA.

<b>TO BE COMPLETED BY RESIDENT</b>	
Water was last used:	Time _____ Date _____
Sample was collected:	Time _____ Date _____
Street Address: _____	
Sample Location & faucet (e.g. Bathroom sink): _____	
I have read the above directions and have taken a tap sample in accordance with these directions.	
Printed Name _____	
Signature _____ Date _____	

# IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

## Monitoring Requirements Not Met for \_\_\_\_\_ (Public Water System Name)

Our water system violated several drinking water regulations over the compliance period shown below. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are indicators of whether or not your drinking water meets health standards. During \_\_\_\_\_, we did not monitor for \_\_\_\_\_,  
(compliance period) (contaminant(s))  
and therefore cannot be sure of the quality of your drinking water during that time.

### What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the compliance period, how often we are supposed to sample and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were taken.

Contaminant	Required sampling frequency	Number of samples taken	When samples should have been taken	When samples were taken

### What happened? What is being done? (describe corrective action.)

For more information, please contact \_\_\_\_\_ at \_\_\_\_\_  
(name of contact) (phone number)  
or \_\_\_\_\_. Please share this information  
(mailing address)

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 hands or mail.

This notice is being sent to you by \_\_\_\_\_. Public Water System ID#: \_\_\_\_\_.  
(system)

Date distributed: \_\_\_\_\_.

**ATTENTION: PWS Operator/Responsible Party**

For monitoring violations, you must provide public notice to persons served within one year after you learn of the violation (141.204(b)).

Community systems must use one of the following methods of delivery (141.204(c)):

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

Non-community systems must use one of the following methods of delivery (141.204(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newspapers, email, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

**Corrective Actions**

In your notice, describe corrective actions you took or are taking. This could include information stating that you have since taken or are in the process of taking the required samples.

**After Issuing the Notice**

Within ten days after issuing the notice, you must send to EPA a copy of each type of notice, along with a certification (see example below) that you have met all the public notice requirements. Mail copies to:

PN RULE MANAGER  
 US EPA REGION 8  
 PUBLIC WATER SYSTEM PROGRAM - 8P-W-DW  
 1595 Wynkoop Street  
 DENVER CO 80202-1129

Or, you can fax a copy toll-free to **1-(877) 876-9101**.

**Certification of Public Notification**

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

from \_\_\_\_\_ to \_\_\_\_\_.  
(Date) (Date)

The attached notice was issued by \_\_\_\_\_.  
(Method of delivery)

Signature \_\_\_\_\_ Date \_\_\_\_\_



## EPA Region 8 Drinking Water Unit - Tips for WY and Tribal Systems How to Stay in Compliance with Monitoring Requirements

### Check your Monitoring Schedule

- Monitoring and Reporting Requirements (Schedules) are emailed to you in February of each year. This schedule notes all contaminants your water system must monitor for, along with the required number of samples, sampling point location(s), frequency and timeframe.
- For more detailed info on your Monitoring Schedule, please refer to "*Quick Guide To Drinking Water Monitoring Requirements in Wyoming and on Tribal Lands in EPA Region 8*" which can be found at: <https://www.epa.gov/region8-waterops/quick-guide-drinking-water-monitoring-requirements-wyoming-and-tribal-lands-epa>
- Suggestions: Post your Monitoring Schedule on your bulletin board. Note when you must sample on your desk or wall calendar. Use a scheduler on your computer (like Outlook) to identify sampling dates and set reminders.
- If you misplace your Monitoring Schedule, a copy can be found on Drinking Water Watch (DWW) or call EPA for a replacement copy.
- **Work with your Certified Lab** - Once you receive your Monitoring Schedule, share it with your lab(s).
- Schedule what bottles you will need for the sampling required for the year and ask for extra Total Coliform Rule (TCR) sample bottles just in case you have a total coliform (TC) positive and need to take repeats or source samples for the Ground Water Rule. It saves time!
- Check to see if your lab will copy EPA when they email you your results. This will save you a step! But ultimately, you are responsible for making sure that EPA receives your sample results.
- **Check your email for messages from EPA.** Every month EPA sends out a reminder to the administrative contact (and others who request to be opted-in) of what chemical (including radiological) samples remain to be collected for the monitoring period.
- Use DWW to print out your chemical sample collection form for the pending requirements. It will contain information to help your lab understand what to test your samples for.

**When to Sample and When to Report Results to EPA - ALWAYS sample as early in the month or monitoring period as you can – on a Monday if possible!** This way, if a sample is lost or exceeds a holding time, you will still have time to collect another sample before the weekend or end of the month. This is a super easy way to avoid a violation.

- If the lab is not copying EPA on your sample results, send them in to EPA as soon as you receive them. This way you can avoid getting a violation for Failure to Monitor. **Tip:** TCR results are due by the 10<sup>th</sup> of the month following the month you sampled. For all other samples, send results to EPA as soon as you receive them from the lab.
- Samples results can be emailed to: [r8dwu@epa.gov](mailto:r8dwu@epa.gov) or faxed to: 1-877-876-9101

**Where to Sample** – Take your samples according to your Monitoring Schedule during the correct time period and at the correct location(s). Some samples must be collected at the entry point while others must be collected in the distribution system. Use your approved sampling/monitoring plans for distribution system samples!

**Surface Water Treatment Rule** – For compliance guidance, please refer to the EPA Region 8 SWTR Fact Sheet located at: <https://www.epa.gov/region8-waterops/swtr-fact-sheet-epa-region-8>

### **Total Coliform Rule**

- Anytime you have a *E.coli* (EC+) sample **you must call EPA IMMEDIATELY at 1-800-227-8917** and ask to speak with the RTRC Manager. Then take repeat TCR samples, as well as Ground Water Rule source sample(s) (if applicable).
- If you have a TC Positive but an E. Coli Negative, follow the 5 steps outlined in “*Addressing Total Coliform Positive or E.coli Positive Sample Results in EPA Region 8*”, which can be found at: <https://www.epa.gov/region8-waterops/addressing-total-coliform-positive-or-ecoli-positive-sample-results-epa-region-8>
- Avoid sampling at new faucets or newly repaired faucets, leaky faucets, outdoor faucets or those faucets connected to softeners, hot water heaters, or pressure tanks; setting down the bottle lid or exposing the inside of the lid or bottle to anything other than the sample water (do not rinse or remove powder); and rushing your sample collection. The TCR samples must be taken at specified locations throughout the distribution system as designated by your sampling plans.

### **Disinfection Byproducts Rule (DBPR)**

- Sample according to your approved monitoring plan – you can also find what month(s) you are required to monitor and locations on your Monitoring Schedule.
- Submit your sample results and your LRAA/OEL forms (applicable to quarterly sampling) as soon as you receive the results from your lab. The form can be found on Drinking Water Online at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#dbpr2>. Also include your compliance reports if the TTHM or HAA5 MCL is exceeded during any quarter.

**Nitrates – This is an acute contaminant.** If your nitrate sample result is over 10 mg/L you must take a confirmation sample within 24 hours and call EPA IMMEDIATELY at 303-312-6791.

### **Lead and Copper Rule**

- Be sure to check your Monitoring Schedule, as lead and copper samples must be collected during certain months. Also, be sure to follow your lead and copper sample siting plan when collecting samples. You must collect samples from approved locations. If you don't have to sample this year, your Monitoring Schedule will tell you that.
- **Always** collect a first-draw sample from a tap where the water has been standing in the pipes for at least 6 hours. Avoid sample locations that have been vacant for weeks or months. The goal is to sample at homes and taps in these homes that are routinely used. Always follow your monitoring plan.

**Other Rules** - Check your sample results as soon as you receive them from the lab. If you see any sample has exceeded an MCL or *E. coli* positive, contact EPA immediately.

**Drinking Water Online** - This is where you can find the link to DWW and general info, including: emergencies, what to do if you lose pressure in your system, sanitary survey info, certified lab info, sampling and treatment techniques, reporting forms and instructions, rules and guidance and much more: Be sure to check this very helpful website: <https://www.epa.gov/region8-waterops>

**Drinking Water Watch** - This online system allows you view data we maintain about your water system(s). The information includes the following:

- size and type of population served
- contact information
- water system facilities, such as wells, intakes, treatment plant, storage tanks, and distribution
- treatment used
- monitoring schedules
- sampling results reported to EPA
- violations
- plus, even more...

The Public Access Version of DWW (DWWPUB) allows anyone who is interested to view much of the available information for each regulated Public Water System (PWS) in Wyoming and within EPA R8 Tribal Lands, without the need to register or remember passwords. The Public Access Version of DWW can be found at:

<https://sdwizr8.epa.gov/Region8DWWPUB/default.jsp>

**Emergencies (After Hours)** - If you need to report an emergency (flooding or loss of your water source, contamination in your drinking water, loss of pressure in the distribution system, or anything else that could require immediate public notice), after hours call the Region 8 Drinking Water Emergency Hotline at 303-312-6327.

# U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

## Office of Small and Disadvantaged Business Utilization (OSDBU)

<https://www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu>

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

## EPA's Asbestos Small Business Ombudsman (ASBO)

<https://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman> or 1-800-368-5888

The EPA ASBO serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

## Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

## EPA's Compliance Assistance Homepage

<https://www.epa.gov/compliance>

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

## Compliance Assistance Centers

<https://www.complianceassistance.net>

EPA-sponsored Compliance Assistance Centers provide the information you need, in a way that helps make sense of environmental regulations. Each Center addresses real world issues faced by a specific industry or government sector. They were developed in partnership with industry, universities and other federal and state agencies.

## Agriculture

<https://www.epa.gov/agriculture>

## Automotive Recycling

<http://www.ecarcenter.org>

## Automotive Service and Repair

<https://ccar-greenlink.org/> or 1-888-GRN-LINK

## Combustion—Boilers, Generators, Incinerators, Wood Heaters

<https://www.combustionportal.org/>

## Construction

<http://www.cicacenter.org>

## Education

<https://www.nacubo.org/>

## Healthcare

<http://www.hercenter.org>

## Local Government

<https://www.lgean.net/>

## Oil/ Natural Gas Energy Extraction

<https://www.eciee.org/>

## Paints and Coatings

<https://www.paintcenter.org/>

## Ports

<https://www.portcompliance.org/>

## Surface Finishing

<http://www.sterc.org/>

## Transportation

<https://www.tercenter.org/>

## U.S. Border Compliance and Import/Export Issues

<https://www.bordercenter.org/>

## Veterinary Care

<https://www.vetca.org/>

## EPA Hotlines and Clearinghouses

[www.epa.gov/home/epa-hotlines](http://www.epa.gov/home/epa-hotlines)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

## Clean Air Technology Center (CATC) Info-line

[www.epa.gov/catc](http://www.epa.gov/catc) or 1-919-541-0800

## Superfund, TRI, EPCRA, RMP, and Oil Information Center

1-800-424-9346

## EPA Imported Vehicles and Engines Public Helpline

[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or 1-734-214-4100

## National Pesticide Information Center

[www.npic.orst.edu](http://www.npic.orst.edu) or 1-800-858-7378

## National Response Center Hotline to report oil and hazardous substance spills -

<http://nrc.uscg.mil> or 1-800-424-8802

## Pollution Prevention Information Clearinghouse (PPIC) -

[www.epa.gov/p2/pollution-prevention-resources#ppic](http://www.epa.gov/p2/pollution-prevention-resources#ppic) or 1-202-566-0799

## Safe Drinking Water Hotline -

[www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline](http://www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline) or 1-800-426-4791

## Toxic Substances Control Act (TSCA) Hotline

[tsc hotline@epa.gov](mailto:tsc hotline@epa.gov) or 1-202-554-1404



## Small Entity Compliance Guides

<https://www.epa.gov/reg-flex/small-entity-compliance-guides>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

## Regional Small Business Liaisons

[www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons](http://www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons)

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

## State Resource Locators

[www.envcap.org/statetools](http://www.envcap.org/statetools)

The Locators provide state-specific information on regulations and resources covering the major environmental laws.

## State Small Business Environmental Assistance Programs (SBEAPs)

<https://nationalsbeap.org/states/list>

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

## EPA's Tribal Portal

<https://www.epa.gov/tribal>

The Portal helps users locate tribal-related information within EPA and other federal agencies.

## EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has several such policies that may apply to small businesses. More information is available at:

- **EPA's Small Business Compliance Policy**
- <https://www.epa.gov/compliance/small-business-compliance>
- **EPA's Audit Policy**
- [www.epa.gov/compliance/epas-audit-policy](http://www.epa.gov/compliance/epas-audit-policy)

## Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a Small Business Administration (SBA) National Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the SBA's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, you can call the SBA National Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or submit a comment online at <https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman>.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

## Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*