



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

SEP 12 2016

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Corporation Service Company
1821 Logan Avenue
Cheyenne, Wyoming 82001

Re: Administrative Order issued to the Solvay Chemicals, Inc., PWS ID # 5600914,
Docket No. **SDWA-08-2016-0020**

Dear Sir/Madam:

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 Solvay Chemicals, Inc., as owner and/or operator of the Solvay Soda Ash Joint Venture Public Water System (System) has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141.

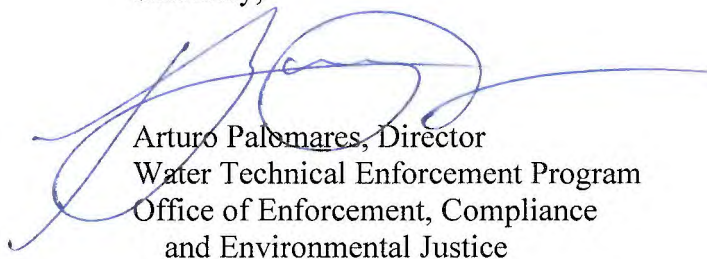
The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to treatment, etc.). If the EPA does not hear from you, the EPA will assume this information is correct.

If the System complies with the Order, the 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 the EPA, please contact Olive Hofstader at hofstader.olive@epa.gov or the above address (with the mailcode 8ENF-W), or by phone at (800) 227-8917, extension 6467, or (303) 312-6467. Any questions from the System's attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at bearley.mia@epa.gov or the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

Ms. Melissa Ellerbeck, Process Engineer (via email)
Mr. Todd Brichacek, Plant Manager (via email)
Mr. Tim Brown, Environmental Services Supervisor (via email)

WY DEQ/DOH (via email)
Melissa Haniewicz, EPA Regional Hearing Clerk



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SEP 12 2016

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sweetwater County Commissioners
Wally Johnson, Chair
80 West Flaming Gorge Way, Ste. 109
Green River, Wyoming 82935

Re: Notice of Safe Drinking Water Act Enforcement Action against the Solvay Soda Ash Joint Venture Public Water System, PWS ID # 5600914, Docket No. **SDWA-08-2016-0020**

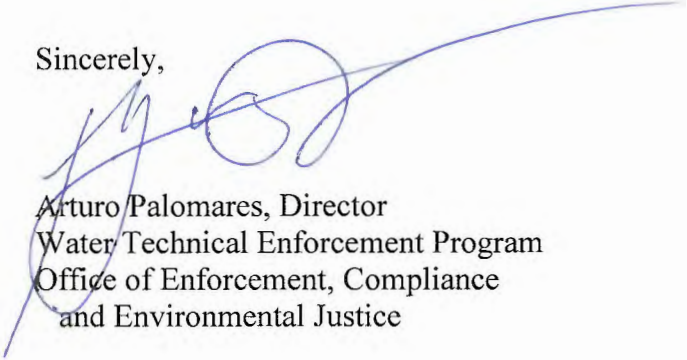
Dear Commissioners:

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

An Administrative Order (Order) is being issued to Solvay Chemicals, Inc. (Corporation), owner and operator of the Solvay Soda Ash Joint Venture Public Water System (System) located in Sweetwater County, Wyoming. This Order requires that the Corporation take measures to return the System to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include: exceedance of the MCL for disinfection byproducts, exceedance of maximum turbidity of 1.0 NTU, and failing to treat at least 95% of the water delivered to the public.

For more details, a copy of the Order is enclosed. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Olive Hofstader at (303) 312-6467.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure:
Order

Change House exceeded 0.060 mg/l during the 2nd quarter of 2015 (from the 3rd quarter of 2014 to the 2nd quarter of 2015), 3rd quarter of 2015 (from the 4th quarter 2014 to the 3rd quarter 2015), the 4th quarter of 2015 (from the 1st quarter of 2015 to the 4th quarter of 2015) and the 2nd quarter of 2016 (from the 3rd quarter of 2015 to the 2nd quarter of 2016), and, therefore, Respondent violated the HAA5 MCL.

10. The System's water may at no time exceed 5.0 Nephelometric Turbidity Unit (NTU). 40 C.F.R. § 141.551(b). The System's water exceeded 5.0 NTU during May 2015, and Respondent, therefore, violated this requirement.

11. The System's combined filter effluent (CFE) measurements each month must meet the 95th percentile limit of 1 NTU for alternative filtration. The System's CFE measurements met the 1 NTU limit in only 75.68% of the monthly 4 hour readings, and Respondent, therefore, violated this requirement.

12. Systems that use UV disinfection to meet the maximum treatment requirements of the Long Term 2 Enhanced Surface Water Treatment Rule (LT2) are required to treat at least 95% of the water delivered to the public each month. 40 C.F.R. § 141.720(d)(3)(ii). Respondent treated 73% of water delivered to the public during June 2015, May 2016 and June 2016, and, therefore, violated this requirement.

13. In 2014, Respondent's requirement to monitor the System's water triennially for lead and copper (and to collect at least 5 samples each time it monitors) became due. 40 C.F.R. § 141.86(d). Respondent failed to monitor the System's water for lead and copper during 2014, and, therefore, violated this requirement.

ORDER

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

14. Within 60 days after receipt of this Order, Respondent shall submit to the EPA a proposed plan and schedule to bring the System into and maintain simultaneous compliance with the requirements as stated in 40 C.F.R. §§ 141.64 and 141.620, 40 C.F.R. § 141.551(b), and 40 C.F.R. § 141.720(d)(3)(ii). The plan shall include proposed modifications to the System and estimated costs of such modifications. The schedule shall include a project start date, interim milestone deadlines, and a project completion and final compliance deadline (which shall be within one year of the project completion date). The Respondent shall not begin construction or modifications to the System before the EPA has approved Respondent's compliance schedule.

15. The schedule required by paragraph 14, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.

16. Within 90 days after receipt of the EPA's approval of the schedule required by paragraph 14, above, Respondent shall provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the cited requirements. Each quarterly report is due by the 10th day of the month following the relevant quarter.

17. Within 10 days after completing all tasks included in the schedule required by paragraph 14, above, Respondent shall notify the EPA of the project's completion.

18. The System shall achieve and maintain compliance with the MCL for HAA5, the maximum turbidity limit of 1.0 NTU, and the LT2 requirement to treat at least 95% of the water delivered to the public each month by the final compliance deadline specified in the EPA-approved schedule. If the Respondent's plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.

19. This Order shall be binding on Respondent, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondent.

20. 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, no later than the date of such lease, sale, or other contract, provide a copy of this Order to the lessee, purchaser, or contractor. No later than 10 days thereafter, Respondent shall notify the EPA in writing of the lease, sale, or other contract, with such notification to include the name and contact information of the person who has leased, bought, or contracted to operate the System. Respondent shall remain obligated to comply with this Order even if Respondent leases the System to another person or entity or hires another person or entity to operate the System.

21. Respondent shall send all reporting and notifications required by this Order in writing to:

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

GENERAL PROVISIONS

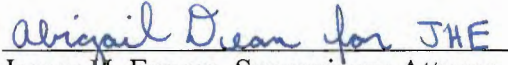
22. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

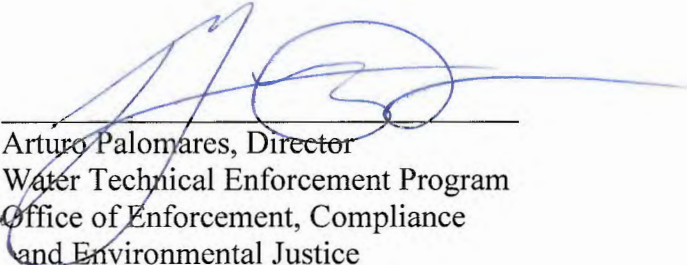
23. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$53,907 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

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

25. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 12, 2016.


James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice