



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2020 JAN -6 PM 1:33

JAN 06 2020

EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W-SD

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Roger Dailey, President  
Spencer Homesite Water Association  
14 Pleasant Drive  
Riverton, Wyoming 82501

Re: Administrative Order issued to Spencer Homesite Water Association and Roger Dailey regarding Spencer Homesite Water Association Public Water System, PWS ID # WY5600184, Docket No. **SDWA-08-2020-0013**

Dear Mr. Dailey:

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 you and Spencer Homesite Water Association (Respondents), as owners and/or operators of the Spencer Homesite Water Association Public Water System (System), have violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with the Safe Drinking Water Act.

The Order is effective upon the date received. Please review the Order and within 10 business 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 the number of service connections and/or individuals served). If the EPA does not hear from the you, the EPA will assume this information is correct. Additionally, the EPA is requesting you provide contact information including phone number, email address, and physical address for yourself and the System operator.

If you comply with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to civil administrative 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 or the Drinking Water Regulations. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, please contact Steven Latino via email at latino.steven@epa.gov, or by phone at (800) 227-8917, extension 6440, or (303) 312-6440. Any questions from your attorney should be directed to Shaula Eakins, Assistant Regional Counsel, via email at eakins.shaula@epa.gov or by phone at (800) 227-8917, extension 6317, or (303) 312-6317.

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Colleen Rathbone". The signature is written in a cursive style with a large initial "C".

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

Enclosures

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

IN THE MATTER OF: )

) Docket No. **SDWA-08-2020-0013**

2020 JAN 5 PM 1:33

Spencer Homesite Water Association and )  
Roger Dailey )

) **ADMINISTRATIVE ORDER**

EPA REGION VIII  
HEARING OFFICE

Respondents )

PWS ID #WY5600184 )  
\_\_\_\_\_ )

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. Spencer Homesite Water Association and Roger Dailey (Respondents) are an association and an individual, respectively, that own and/or operate the Spencer Homesite Water Association 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 untreated.
4. The System has approximately 17 service connections used by year-round residents and regularly serves an average of approximately 40 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. Respondents are “person(s)” as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and are subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

**VIOLATIONS**

6. Respondents are required to certify to the EPA that an annual Consumer Confidence Report (CCR) has been distributed to the System’s customers, and that the information is correct and consistent with compliance monitoring data previously submitted to the EPA. The certification is due within 3 months of distributing the CCR. 40 C.F.R. § 141.155. Respondents failed to provide CCR certification for calendar years 2016 and 2017. Therefore, Respondents violated this requirement.
7. Respondents are required to report any failure to comply with any Part 141 requirement to the EPA within 48 hours (except where Part 141 specify a different time period). 40 C.F.R. § 141.31(b). Respondents failed to report the violation cited in paragraph 6, above, to the EPA and, therefore, violated this requirement.

### **ORDER**

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

8. Respondents are ordered to comply with all provisions of the Act and Part 141 including, but not limited to, each requirement cited above.
9. Within 30 days after receipt of this Order, Respondents shall certify to the EPA that the CCRs for calendar years 2016 and 2017 have been distributed to the System's customers, and that the information is correct and consistent with compliance monitoring data previously submitted to the EPA. Thereafter, Respondents shall provide CCR certifications as required by 40 C.F.R. § 141.155.
10. Respondents shall report any violation of Part 141 to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or Part 141, Respondents shall report within that different period.
11. If Respondents (a) lease or sell the System to another person or entity, or (b) contract with or hire any other person or entity to operate the System, Respondents shall, within ten 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, Respondents shall remain obligated to comply with this Order.
12. Respondents shall send all reporting and notifications required by this Order to the EPA at:

Email: [R8DWU@epa.gov](mailto:R8DWU@epa.gov), and [latino.steven@epa.gov](mailto:latino.steven@epa.gov)

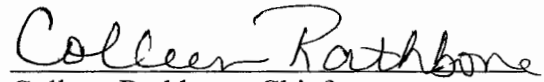
### **GENERAL PROVISIONS**

13. This Order shall be binding on Respondents, their successors and assigns, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondents.
14. 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.
15. Violation of any part of this Order, the Act, or Part 141 may subject Respondents to a civil penalty of up to \$57,317 (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; 84 Fed. Reg. at 2059 (February 6, 2019).

Spencer Homesite Water Association/Roger Dailey  
Spencer Homesite Water Association Water System  
Page 3 of 3

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

Issued: January 6, 2020.



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

# Consumer Confidence Report (CCR) Certification for Wyoming Community Water Systems Serving Fewer than 10,000 Persons

Community Water System Name: \_\_\_\_\_

Public Water System Identification No: \_\_\_\_\_ Year CCR Due: \_\_\_\_\_

**Important:** In 1999, Governor Jim Geringer exercised his authority under the Safe Drinking Water Act to waive the direct mailing requirement for CCRs for small community water systems in Wyoming. Small community water systems can instead meet their annual reporting requirements under the CCR Rule by the methods of report distribution listed below.

**Directions:** Please mark the boxes in the section relevant to your drinking water system and fill in the associated blanks. Then sign the form in the last section.

**Community Water Systems Serving Fewer than 10,000 Persons must complete all three (3) of the following actions:**

1. Notified customers by direct mailing\* that the CCR shall be printed in a local newspaper or made available on an internet web site.  
Specify date and method of direct notice to customers:  
\_\_\_\_\_

and

2. Published the CCR as an insert in one or more local newspapers serving the area of service or published the CCR on an internet web site.  
Specify newspaper and the date of publication, or specify the internet web site address:  
\_\_\_\_\_

and

3. Made paper copies of the CCR available to the public upon request.  
Describe what information was provided to the customer so that he/she could request a paper copy of the CCR, if desired:  
\_\_\_\_\_

\*Direct mailing can include mailing a paper notice or emailing a notice to your customers.

**Community Water Systems Serving 500 Persons or Fewer must complete both of the following actions:**

1. Provided direct notice\* to each customer that the annual CCR is available.  
Specify the date and method of direct notice to customers, and where the report was made available:  
\_\_\_\_\_

and

2. Made paper copies of the CCR available to the public upon request or through an internet web site.

Describe what information was provided to the customer so that he/she could request a paper copy of the CCR, or specify the internet web site address:

---

\*Direct notice can include mailing a paper notice to or emailing a notice to your customers.

The community water system named above hereby confirms that its Consumer Confidence Report (CCR) has been distributed to customers or that appropriate notices of availability have been given as specified on this form. Further, the system certifies that the information contained in the report is correct and consistent with the compliance monitoring data previously submitted to EPA Region 8.

**CERTIFIED BY:**

Name (please print): \_\_\_\_\_

Title: \_\_\_\_\_ Phone #: \_\_\_\_\_

Signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Please sign and send your completed certification by mail, fax, or email for receipt no later than October 1st of each year for the CCR due that same year:

**MAILING ADDRESS:**

US Environmental Protection Agency, Region 8  
 Drinking Water Program (8WP-SDA)  
 Attn: CCR Rule Manager  
 1595 Wynkoop St.  
 Mailcode: 8WP-SDA  
 Denver, CO 80202-1129

**EMAIL:**

To: [R8DWU@epa.gov](mailto:R8DWU@epa.gov)  
 Subject: CCR Certification

**FAX:**

1-(877) 876-9101  
 Attn: CCR Certification

## Consumer Confidence Report (CCR) Certification for Wyoming Community Water Systems Serving Fewer than 10,000 Persons

Community Water System Name: \_\_\_\_\_

Public Water System Identification No: \_\_\_\_\_ Year CCR Due: \_\_\_\_\_

**Important:** In 1999, Governor Jim Geringer exercised his authority under the Safe Drinking Water Act to waive the direct mailing requirement for CCRs for small community water systems in Wyoming. Small community water systems can instead meet their annual reporting requirements under the CCR Rule by the methods of report distribution listed below.

**Directions:** Please mark the boxes in the section relevant to your drinking water system and fill in the associated blanks. Then sign the form in the last section.

**Community Water Systems Serving Fewer than 10,000 Persons must complete all three (3) of the following actions:**

1. Notified customers by direct mailing\* that the CCR shall be printed in a local newspaper or made available on an internet web site.  
Specify date and method of direct notice to customers:  
\_\_\_\_\_

and

2. Published the CCR as an insert in one or more local newspapers serving the area of service or published the CCR on an internet web site.  
Specify newspaper and the date of publication, or specify the internet web site address:  
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\*Direct mailing can include mailing a paper notice or emailing a notice to your customers.

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1. Provided direct notice\* to each customer that the annual CCR is available.  
Specify the date and method of direct notice to customers, and where the report was made available:  
\_\_\_\_\_



and

- 2. Made paper copies of the CCR available to the public upon request or through an internet web site.

Describe what information was provided to the customer so that he/she could request a paper copy of the CCR, or specify the internet web site address:

\_\_\_\_\_

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The community water system named above hereby confirms that its Consumer Confidence Report (CCR) has been distributed to customers or that appropriate notices of availability have been given as specified on this form. Further, the system certifies that the information contained in the report is correct and consistent with the compliance monitoring data previously submitted to EPA Region 8.

**CERTIFIED BY:**

Name (please print): \_\_\_\_\_

Title: \_\_\_\_\_ Phone #: \_\_\_\_\_

Signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Please sign and send your completed certification by mail, fax, or email for receipt no later than October 1st of each year for the CCR due that same year:

**MAILING ADDRESS:**

US Environmental Protection Agency, Region 8  
 Drinking Water Program (8WP-SDA)  
 Attn: CCR Rule Manager  
 1595 Wynkoop St.  
 Mailcode: 8WP-SDA  
 Denver, CO 80202-1129

**EMAIL:**

To: [R8DWU@epa.gov](mailto:R8DWU@epa.gov)  
 Subject: CCR Certification

**FAX:**

1-(877) 876-9101  
 Attn: CCR Certification



## 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 “*What You Need to Do Next with Monitoring Requirements*” 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-may-2018>

### 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 RTCR 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 *“Follow-up to an Unsafe/Total Coliform Positive Sample Tech Tip”*, 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 forms (applicable to quarterly sampling) as a package as soon as you receive the results from your lab.
- Complete and submit the TTHM HAA5 OEL Calculator, which 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> , together with 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 Emergency Hotline at 303-293-1788. Inform the operator that you are a drinking water system in EPA Region 8.

## 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)

[www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu](http://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)

[www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman](http://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

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

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

EPA sponsored Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

### Agriculture

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

### Automotive Recycling

[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 Manufacturing

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

### Construction

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

### Education

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

### Food Processing

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

### Healthcare

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

### Local Government

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

### Surface Finishing

<http://www.sterc.org>

### Paints and Coatings

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

### Printing

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

### Ports

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

### Transportation

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

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

[www.bordercenter.org](http://www.bordercenter.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 contacts, 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

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

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 two such policies that may apply to small businesses:

#### EPA's Small Business Compliance Policy

[www.epa.gov/enforcement/small-businesses-and-enforcement](http://www.epa.gov/enforcement/small-businesses-and-enforcement)

#### 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 SBREFA 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 Small Business Administration'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, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

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.*