



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

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2008 JAN -7 AM 8:24

Ref: 8ENF-W

JAN - 7 2008

EPA REGION VIII  
HEARINGS OFFICE

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Honorable Lon Johnson, Mayor  
Town of Albin  
POB 188  
Albin, Wyoming 82050

Re: Administrative Order Violation  
Docket No. SDWA-08-2007-0074  
PWS ID # 5600189

Dear Mayor Johnson:

On August 23, 2007, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order ("Order"), Docket No. SDWA-08-2007-0074, ordering the Town of Albin ("the Town") to comply with various regulations issued by the EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300f et seq.

Our records indicate that the Town is in violation of the Order. Among other things, the Order included the following requirements:

1. Upon the effective date of this Order, Respondent [the Town of Albin] shall comply with the requirement of 40 C.F.R. § 141.21(a) to perform monthly bacteriological monitoring. Respondent shall report analytical results to EPA within the first 10 days of the end of the monitoring period, as required by 40 C.F.R. § 141.31(a). [No.2 on page 5 of the Order]

EPA has not received total coliform samples for September 2007. **If monitoring was completed, submit results to EPA immediately. If a total coliform sample was not taken in September 2007, public notice must be performed (via your 2008 CCR if you wish).**

2. Within 30 days of the date of this Order, and quarterly thereafter until notified by EPA in writing of a different monitoring schedule, Respondent [the Town of Albin] shall monitor the System's water for radionuclides, as required by 40 C.F.R. § 141.26(a), to determine compliance with the MCLs stated at 40 C.F.R. § 141.66. Respondent shall monitor for radionuclides according to the regulations once no longer required to sample quarterly. Respondent shall report analytical results to EPA within the first 10 days of the end of the monitoring period, as required by 40 C.F.R. § 141.31(a). [No. 3 on pages 5-6 of the Order]

EPA has not received radionuclide monitoring results for 3<sup>rd</sup> (July-September) quarter 2007. **If monitoring was completed, submit results to EPA immediately or, if compositing, notify EPA in writing. If radionuclide monitoring was not completed, public notice must be performed (via your 2008 consumer confidence report if you wish) and the Town must begin taking quarterly radionuclide samples beginning 4<sup>th</sup> (October-December) quarter 2007.**

3. Upon the effective date of this Order, Respondent shall comply with 40 C.F.R. § 141.21(g)(2) by reporting any failure to comply with coliform monitoring requirements under 40 C.F.R. § 141.21 to EPA within ten days after the system discovers the violation. [No. 6 on page 6 of the Order]

The Town did not report the failure to monitor for total coliform in September 2007 to EPA. **The Town must report any future failure to monitor total coliform violations to EPA.**

4. Upon the effective date of this Order, Respondent shall comply with 40 C.F.R. § 141.31(b) by reporting any failure to comply with any NPDWR (40 C.F.R. Part 141) to EPA within 48 hours. [No. 5 on page 6 of the Order]

The Town did not report the failure to monitor for radionuclides during 3<sup>rd</sup> quarter 2007 violation to EPA. **The Town must report any future violations to EPA.**

EPA is considering additional enforcement action as a result of the non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$32,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions you may contact Kathelene Brainich at (303) 312-6481. If you are represented by an attorney, please ask your attorney to direct any legal questions to Peggy Livingston, Enforcement Attorney, at (303) 312-6858 or at the following address:

Peggy Livingston, Enforcement Attorney  
U.S. EPA, Region 8 (8-ENF-L)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Lisa Kahn, Team Leader  
Drinking Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: WY DEQ/DOH (via email)