



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

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Ref: 8ENF-W-SDW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Rex Groves, Board President
Lance Creek Water and Sewer District
P.O. Box 133
Lance Creek, Wyoming 82222

Re: Administrative Order Violation, Lance Creek Public Water System, PWS ID #WY5600109,
Docket No. SDWA-08-2018-0010

Dear Mr. Groves:

On April 4, 2018, the U.S. Environmental Protection Agency issued an Administrative Order (Order) ordering the Lance Creek Water and Sewer District (District), as owner of the Lance Creek Public Water System (System), to comply with the Safe Drinking Water Act, 42 U.S.C. Section 300f *et seq.*, and its implementing regulations, the National Primary Drinking Water Regulations, 40 C.F.R. part 141.

Our records indicate that the District is in violation of the Order. Among other things, the Order included the following summarized requirements (from paragraphs 10, 14 and 17 of the Order):

- Within 60 days after receipt of this Order, Respondent shall submit to the EPA a proposed plan and schedule to bring the System into consistent compliance with the combined radium-226 and radium-228 MCL as identified in 40 C.F.R. §141.66(b).
- Respondent shall achieve and maintain compliance with the combined radium-226 and radium-228 MCL by the final date specified in the approved schedule, or no later than 12 months after receipt of the EPA's approval of the schedule. If the plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.
- Following any future violation of the Drinking Water Regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to the EPA.

The District has not submitted to the EPA a proposed plan and schedule to bring the System into compliance with the combined radium-226 and radium-228 MCL. The System exceeded the combined radium-226 and radium-228 MCL, based on the running annual average of four consecutive quarterly samples, for the quarters ending the 2nd Quarter 2018, 3rd Quarter 2018, and 4th Quarter 2018. The District has not submitted to the EPA copies of public notices for exceeding the combined radium-226 and radium-228 MCLs for the quarters ending the 2nd Quarter 2018, 3rd Quarter 2018, and 4th Quarter 2018.

The EPA is considering additional enforcement action as a result of your non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$55,907 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

The District must complete the following within 30 days after receipt of this Administrative Order Violation: 1) submit to the EPA a proposed plan and schedule to bring the System into consistent compliance with the combined radium-226 and radium-228 MCL; 2) if not done so already, notify the public of the exceedances of the MCL for combined radium-226 and radium-228 for the quarters ending the 2nd Quarter 2018, 3rd Quarter 2018 and 4th Quarter 2018; and 3) submit copies of these public notices to the EPA (all in accordance with the regulations described above).

If you have any questions please contact Jill Minter by phone at 1-800-227-8917, extension 6084, or (303) 312-6084 or via email at minter.jill@epa.gov. If you are represented by an attorney who has questions, please ask the attorney to direct legal questions to Mia Bearley, Enforcement Attorney, who may be reached by phone at (800) 227-8917, extension 6554, or (303) 312-6554 or via email at bearley.mia@epa.gov.

We urge your prompt attention to this matter.

Sincerely,



Tiffany A. Cantor, Supervisor
Safe Drinking Water Act Unit
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: WY DEQ/DOH (via email)
Brad Kant, Chief Operator, Lance Creek Public Water System (bradkant@gmail.com)
Sue McGuire, Administrative Contact, Lance Creek Public Water System
(smmwgm13@gmail.com)
Melissa Haniewicz, EPA Regional Hearing Clerk