



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region080>

OCT 1 2010

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Scott Ellis, Vice President/Legal Counsel
General Chemical Industrial Products
dba General Chemical Soda Ash Partners
120 Eagle Rock Avenue
East Hanover, New Jersey 07936

RE: Emergency Administrative Order
under Section 1431 SDWA
Docket No. **SDWA-08-2011-0001**
General Chemical Public Water System
PWS ID #WY5600656

Dear Mr. Ellis:

Enclosed is an Emergency Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under section 1431 of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300i. This Order is based on the loss of pressure to the drinking water distribution system at the General Chemical public water system (the system) in Green River, WY, on September 29 and 30, 2010. The system's water may pose an imminent and substantial endangerment to the health of persons served by the system.

Pursuant to its authority set forth at section 1431 of the Act, 42 U.S.C. § 300i, EPA is authorized to take whatever actions it finds necessary to protect human health. This Order and the requirements set forth herein are necessary to ensure adequate protection of public health based on EPA's primary enforcement responsibility for the Act in the State of Wyoming.

The enclosed Order sets forth the compliance actions that must be taken to ensure that the people served by the water supply are provided with safe drinking water. The Order requires, in part, that the system issue a Boil Order and public notice until notified by EPA to discontinue, provide alternate water if the system cannot provide water through the distribution system, and submit a plan for correcting the situation and preventing future loss of pressure incidents. The penalties for failing to comply are set forth in the Order.

If you have any questions or wish to discuss this Order, please contact Peggy Livingston, Enforcement Attorney, at 800-227-8917, extension 6858, or at (303) 312- 6858. Technical questions from the Respondent may be directed to Mario Mérida at the above 800 number, extension 6297, or 303-312-6297.

Sincerely,



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

Enclosure

cc: WY DOH & DEQ (via email)
Tina Artemis, EPA Regional Hearing Clerk
Lee Bruder, Sr. Environmental Technician, General Chemical Soda Ash Operations
(via email)
Corporation Trust Company (Registered Agent for General Chemical Industrial Products,
Inc.)
The Prentice-Hall Corporation System, Inc. (Registered Agent for Owens-Illinois, Inc.)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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IN THE MATTER OF)
)
General Chemical Soda Ash)
Partners)
PWS ID #WY5600636)
)
Respondent.)
)

EMERGENCY
ADMINISTRATIVE ORDER

FILED
EPA REGION VII
HEARING CLERK

Docket No. **SDWA-08-2011-0001**

AUTHORITY AND FINDINGS

This Order is issued by the United States Environmental Protection Agency (EPA) pursuant to the authority of § 1431(a) of the Safe Drinking Water Act (the Act) 42 U.S.C. § 300i(a), which provides, in pertinent part, as follows: "Notwithstanding any other provision of this title, the Administrator, upon receipt of information that a contaminant which is present in or is likely to enter a public water system or an underground source of drinking water which may present an imminent and substantial endangerment to the health of persons may take such actions as he may deem necessary in order to protect the health of such persons." The undersigned officials have been properly delegated this authority.

Failure to comply with this Order may result in civil penalties of up to \$16,500 per day. 42 U.S.C. § 300i(b).

General Chemical Soda Ash Partners (Respondent) is a partnership that owns and/or operates the General Chemical public water system (system), sometimes known as the "General Chemical Corp." system, located in Sweetwater County, Wyoming, that provides water to the public for human consumption. The owners of the partnership are General Chemical Industrial Products, Inc. and Owens-Illinois, Inc., both Delaware corporations.

The system is supplied by raw water pumped from the Green River to the General Chemical plant site. The system's water is treated with coagulant chemicals, chlorine disinfection and membrane filtration.

The system serves an average daily population of 678 users at the Respondent's Green River soda ash facility and a neighboring facility known as the Church and Dwight plant year-round through 18 service connections and, therefore, is subject to the requirements of the Act, 42 U.S.C. § 300g, *et seq.*, and its implementing regulations, 40 C.F.R. part 141, and EPA's authority under 42 U.S.C. § 300i(a).

EPA has determined that conditions exist at the system that may present an imminent and substantial endangerment to human health. EPA has made this determination following a leak in the system's distribution system first identified on or about September 22, 2010, and which led to

a loss of pressure in the distribution system on September 29, 2010. Respondent began initial repairs the same day, which were completed on September 30, 2010, but other necessary repairs, including replacement of an elbow joint in a distribution line pipe, are expected to continue at least through October 3, 2010. This incident follows a separate loss of pressure occurrence on June 9, 2010, following a line break in the distribution system. Loss of pressure may cause a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system, which are common in all water systems. This movement presents a high potential for fecal contamination or other disease causing organisms to enter the distribution system and contaminate the system's water.

Prior to issuing this Order, EPA consulted with the system and state governmental authorities to confirm the facts and the potential endangerment and has determined that this order is necessary to protect human health.

ORDER

INTENT TO COMPLY

1. Within 24 hours of receipt of this Order, Respondent shall notify EPA in writing, via e-mail or fax, of its intention to comply with the terms of this Order.

BOIL ORDER AND PUBLIC NOTICE

2. Respondent shall continue the public notice and boil order advisory as set forth in a template EPA previously provided to the system's operator until EPA provides written notification that public notice may be discontinued. Respondent shall submit a copy of the notice to EPA via email or fax. Respondent shall carry out the public notice and other notice requirements that EPA directs. Respondent shall comply with this requirement in any future water outage event or any similar emergency situation.

ALTERNATE WATER SUPPLY

3. If the system cannot provide water through the distribution system Respondent shall provide an alternative potable water supply to all persons served by the system until Respondent receives written notification from EPA that providing alternative water is no longer necessary. Respondent shall use the public notice required in paragraph 2 above to notify the public that an alternative potable water supply is available. The alternative water supply must be either 1) provided by a licensed water distributor, 2) purchased bottled water, or 3) provided by another public water system that meets the National Primary Drinking Water Regulations ("drinking water regulations") and shall be made

available at no cost to all users of the system as needed for drinking and other uses.

DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS

4. Once a pressure of at least 25 pounds per square inch (psi) is regained in the distribution system, Respondent shall clean and flush the system which shall include disinfection of the distribution system and any storage tanks that are part of the system.
5. Once the system has been flushed and disinfected, Respondent shall collect consecutive daily (1 sample per day) special purpose total coliform samples at sites which are representative of water throughout the distribution system, to determine compliance with the total coliform maximum contaminant level (MCL).
40 C.F.R. § 141.63.
6. After Respondent collects a sufficient number of consecutive daily total coliform samples that are negative and receives written notification from EPA that it may discontinue daily total coliform sampling, Respondent shall collect weekly special purpose bacteriological samples (1 sample per week), at sites which are representative of water throughout the distribution system, to determine compliance with the total coliform MCL.
40 C.F.R. § 141.63.
7. After Respondent collects a sufficient number of weekly total coliform samples that are negative and receives written notification from EPA that it may discontinue weekly total coliform sampling, Respondent shall thereafter resume monthly total coliform sampling to determine compliance with the total coliform MCL. 40 C.F.R. §§ 141.21 and 141.63.
8. If any of the designated routine sample results are total coliform-positive, Respondent shall collect four repeat samples within 24 hours of being notified of the total coliform-positive sample. 40 C.F.R. § 141.21(b). Furthermore, Respondent shall collect 5 routine total coliform samples in the month following a total coliform-positive sample result.
40 C.F.R. § 141.21(b)(5).
9. Respondent shall monitor the chlorine residual at the same time and same location as the total coliform samples (as required in paragraphs 5 and 6 above) until Respondent receives notification from EPA that it may discontinue chlorine residual monitoring.

10. Respondent shall continue increased monitoring of total coliform bacteria and chlorine residual as required in paragraphs 5, 6 and 9 above until receiving written notice from EPA that it may discontinue increased sampling. Respondent shall collect all total coliform sampling at sites which are representative of water throughout the system's distribution system.

Additionally, Respondent shall report all sampling results to EPA by telephone, fax or e-mail immediately upon receiving the results, as per paragraph 18, below.

11. For the total coliform sampling in paragraph 6 above, Respondent shall designate 1 sample as the monthly compliance sample to determine compliance with the MCL for total coliform. 40 C.F.R. § 141.63.
12. By providing written notification, EPA may require Respondent to increase and/or decrease total coliform sampling and chlorine residual sampling at any time while the Order is in effect.

COMPLIANCE MEASURES

13. Within 30 calendar days of the effective date of this Order, Respondent shall provide EPA with a written compliance plan and schedule that outlines actions to be taken that will correct the existing situation and that will ensure that there is no future loss of pressure to the system. The plan shall identify the cause of the pressure loss and describe efforts that Respondent will take to prevent a recurrence of pressure loss in the system. If applicable, the plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with the Order and federal requirements. The proposed schedule shall include specific milestone dates and a final compliance date that is within 3 months from the date of EPA's approval of the plan. The plan and schedule must be approved by EPA before construction or modifications may commence. EPA's approval of Respondent's plan and schedule does not substitute for any State of Wyoming approval of plans and specifications (engineering plans) which may also be required before modifications can be made to the system.
14. The compliance schedule required by paragraph 13, above, will be incorporated into this Order as an enforceable requirement upon written approval by EPA. If implementation of the plan fails to achieve permanent compliance, EPA may order further steps and/or seek penalties for noncompliance.

15. Respondent shall submit written monthly reports to EPA on the status of all corrective measures until notified in writing by EPA that it may discontinue reports. Reports shall be postmarked by the 15th of each month.
16. Within 10 calendar days of completion of the approved plans and schedule required in paragraph 13, Respondent shall notify EPA in writing of project completion.

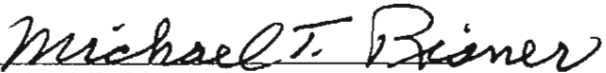
REPORTING


17. Respondent shall give daily (Monday through Friday) updates prior to 4:00 p.m. to EPA on progress of returning the system to compliance. Daily updates must be submitted to EPA until EPA notifies the system that reports may be discontinued. These reports may be submitted via phone, fax, or e-mail.
18. All contact with EPA shall be to:

Mario Mérida, 8ENF-W
US Environmental Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129
Telephone (800)227-8917 X 6481 or (303) 312-6481
Fax (303) 312-7518
e-mail: merida.mario@epa.gov

19. This Order constitutes final agency action.

Issued and effective this 14th day of October, 2010.


Michael T. Risner, Director
David Rochlin, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


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