



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

SEP - 9 2015

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Tronox Specialty Alkali Corporation  
C/O CT Corporation, Registered Agent  
1712 Pioneer Avenue 120  
Cheyenne, Wyoming 82001

Re: Administrative Order issued to Tronox Specialty Alkali Corporation owner and/or operator of the Tronox Specialty Alkali Corporation Public Water System, Wyoming,  
PWS ID #WY5600728, Docket No. **SDWA-08-2015-0043**

Dear Sir/Madam:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency (EPA) 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 the Tronox Specialty Alkali Corporation, as owner and/or operator of the Tronox Specialty Alkali Corporation Public Water System (System), has violated the National Primary Drinking Water Regulations (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. 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.

The Order requires the System to notify the public of having violated the Drinking Water Regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail.

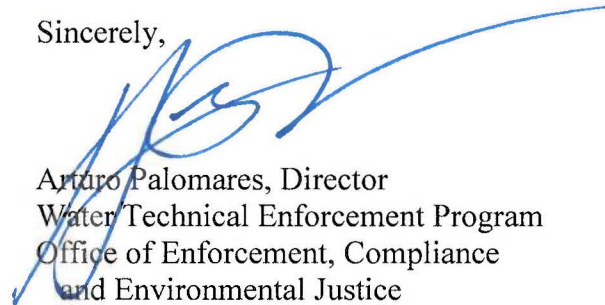
To submit information or request an informal conference with the EPA, please contact Olive Hofstader at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6467, or (303) 312-6467, or by email at [hofstader.olive@epa.gov](mailto:hofstader.olive@epa.gov). Any questions from the System's attorney



should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554, or by email at bearley.mia@epa.gov.

We urge your prompt attention to this matter.

Sincerely,



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

Enclosures:

Order

cc: Ms. Robin Avery, Utilities Process Engineer  
WY DEQ/DOH (via email)  
Tina Artemis, EPA Regional Hearing Clerk





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SEP - 9 2015

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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 Tronox Specialty Alkali Corporation Public Water System, PWS ID # WY5600728, Docket No. **SDWA-08-2015-0043**


Dear Commissioners:

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

An Administrative Order (Order) is being issued to the Tronox Specialty Alkali Corporation (Corporation), owner and operator of Tronox Specialty Alkali Corporation Public Water System (System) located in Sweetwater County, WY. 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: failure to comply with turbidity requirements.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2015 SEP -9 AM 9:49

IN THE MATTER OF: )  
 )  
Tronox Specialty Alkali Corporation, )  
 )  
Respondent. )

Docket No. **SDWA-08-2015-0043**

FILED  
EPA REGION VIII  
HEARING CLERK

**ADMINISTRATIVE ORDER**

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 officials.
2. Tronox Specialty Alkali Corporation (Respondent) is a Delaware corporation that owns or operates the Tronox Specialty Alkali Corporation Water System (the System), which provides piped water to the public in Sweetwater County, Wyoming, for human consumption.
3. The System is supplied by a surface water source which is treated with conventional filtration and disinfection.
4. The System has approximately 24 service connections and regularly serves an average of approximately 938 of the same individuals daily for at least six months out of the year. Therefore, the System is a “public water system” as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and 40 C.F.R. § 141.2. The System is also a “non-transient, non-community” water system as defined in 40 C.F.R. § 141.2.
5. Respondent is subject to the Act and the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The Drinking Water Regulations are “applicable requirements” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

**VIOLATIONS**

6. The System’s water may at no time exceed 1.0 Nephelometric Turbidity Unit (NTU). 40 C.F.R. § 141.551(b). The System’s water exceeded 1.0 NTU during February and October 2014 and Respondent, 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):

7. Respondent shall ensure that the System’s water will at no time exceed 1.0 NTU, as required by 40 C.F.R. § 141.551(b). If at any time the System’s water exceeds 1.0 NTU, Respondent shall consult with EPA within 24 hours of learning of the violation, as required by 40 C.F.R. § 141.203(b)(3), to determine whether the Respondent will need to provide Tier 1 public notice as described in 40 C.F.R. § 141.202. If at any time the System’s water exceeds 1.0 NTU but Respondent does not consult with the



EPA within 24 hours of learning of the violation, Respondent must distribute a Tier 1 public notice as described in 40 C.F.R. § 141.202 no later than 48 hours of learning of the violation.

8. If Respondent's water exceeds 1.0 NTU while this Order is in effect, Respondent shall, within 30 days after learning of this violation, provide the EPA with a compliance plan and schedule for the system to come into compliance with the turbidity requirements as stated in 40 C.F.R. § 141.551(b).

9. The plan required by paragraph 8 above, shall include proposed modifications to the System, estimated costs of modifications, and a proposed schedule for completion of the project and compliance with the turbidity requirements. The proposed schedule shall include specific milestone dates and a final compliance date. The final compliance date shall be within 6 months from the date of the EPA's approval of the schedule. The schedule must be approved by the EPA before construction or modifications may begin. The EPA's approval of Respondent's schedule does not substitute for any State of Wyoming approvals of plans and specifications that may also be required before modifications may be made to the System.

10. The schedule required by paragraph 8, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.

11. Within 30 days after receipt of the EPA's approval of the schedule required by paragraph 8, above, Respondent shall provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the turbidity requirements. Each quarterly report is due by the 10<sup>th</sup> day of the month following the relevant quarter.

12. Within 10 days after completing all tasks included in the schedule required by paragraph 8, above, Respondent shall notify the EPA of the project's completion.

13. Respondent shall achieve and maintain compliance with the turbidity requirements by the final date specified in the approved compliance schedule, or no later than six months after receipt of the EPA's approval of the schedule required by paragraph 8, above, whichever is earliest. Respondent shall meet that deadline even if the plan as submitted does not achieve compliance. If the plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.

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

15. If Respondent (a) leases or sells the System to another person or entity, or (b) contract with or hire 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.

16. Respondent shall direct all reporting required by this Order to:

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

**GENERAL PROVISIONS**

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

18. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.


19. 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).

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

Issued: Sept 9, 2015.



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