



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2015 SEP 28 AM 11:02

FILED
EPA REGION VIII
HEARING CLERK

SEP 28 2015

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Raymond E. Stockhill, Registered Agent
Painter Estates Homeowners Association
1814 Sheridan Avenue
Cody, Wyoming 82414-1315

Re: Administrative Order issued to Painter Estates Homeowners Association Public Water System, PWS ID # WY5601554, Docket No. **SDWA-08-2015-0049**

Dear Mr. Stockhill:

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 Painter Estates Homeowners Association, (HOA), as owner and/or operator of the Painter Estates HOA 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 (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served, etc.). If the EPA does not hear from you, the EPA will assume this information is correct.

If the HOA 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 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.

The Order requires the HOA to notify the public of having violated the Drinking Water Regulations. Enclosed please find two public notice templates explaining the public notice requirements in more detail.



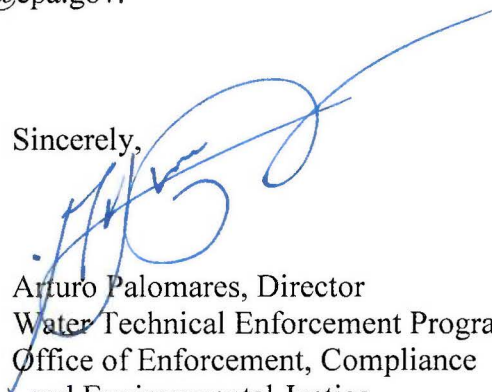
Printed on Recycled Paper

Please be aware that you are required to submit to the EPA a plan and schedule for bringing the System into and maintaining compliance with the Drinking Water Regulations. The EPA's approval of the HOA's plan and schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages the HOA to contact any such governmental agency or agencies regarding any applicable approval requirements.

To submit information, to request paper copies of public notice forms and instructions, or to request an informal conference with the EPA, please contact Jill Minter at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6084, or (303) 312-6084, or minter.jill@epa.gov. Any questions from the HOA'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 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:

cc: Mr. Robert Senitte, Administrative Contact,
Painter Estates Homeowners Association Public Water System

Mr. Jack Barnes, President,
Painter Estates Homeowners Association (via certified mail, return receipt requested)

Ms. Tina Artemis, EPA Regional Hearing Clerk

WY DEQ/DOH (via email)





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REGION 8

1595 Wynkoop Street
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2015 SEP 28 AM 11:45

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HEARING CLERK

SEP 28 2015

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Park County Commissioners
c/o Joe Tilden, Chairman
Park County Courthouse
1002 Sheridan Avenue
Cody, Wyoming 82414

DOCKET No: SDWA-08-2015-0049

Re: Notice of Safe Drinking Water Act Enforcement Action against the Painter Estates
Homeowners Association Public Water System, PWS ID # WY5601554

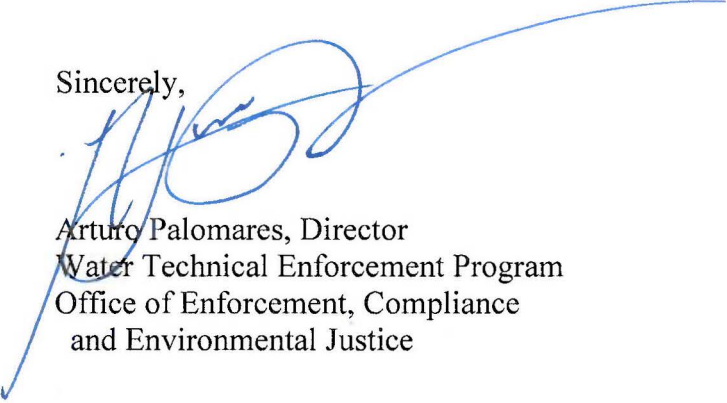
Dear Commissioners:

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

An Administrative Order (Order) is being issued to the Painter Estates Homeowners Association (HOA), which owns the Painter Estates HOA Public Water System (System), located in Park County, Wyoming, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: exceeding the maximum contaminant level for total coliform bacteria, failing to monitor for total coliform bacteria, failing to monitor for *E. coli* bacteria, failing to monitor for nitrate, failing to notify the public of certain violations, and failure to report certain violations to the EPA.

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 Jill Minter at (303) 312-6084 or minter.jill@epa.gov.

Sincerely,


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

Enclosure:
Administrative Order

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2015 SEP 28 AM 11:01

IN THE MATTER OF: _____)
)
)
Painter Estates Homeowners Association,)
)
)
)
)
Respondent. _____)

Docket No. ~~SDWA-08-2015-0049~~
ADMINISTRATIVE ORDER

FILED
REGION VIII
HEARING CLERK

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. Painter Estates Homeowners Association (HOA) (Respondent) is a Wyoming corporation that owns and/or operates the Painter Estates HOA Public Water System (System), which provides piped water to the public in Park County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via two wells. The System is operated seasonally from April 1 to December 31.
4. The System has approximately 20 service connections and/or regularly serves an average of approximately 20 individuals daily at least 60 days 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 “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).
6. The Drinking Water Regulations include monitoring requirements. The EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.

VIOLATIONS

7. If two or more samples collected in any month from the System’s water are positive for total coliform, then the System has not complied with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.63(a)(2). During July 2014, August 2014, September 2014 and October 2014, two or more samples from the System were positive for total coliform, and, therefore, Respondent violated this requirement.
8. Respondent is required to monitor the System’s water quarterly for total coliform bacteria during the 2nd Quarter (April – June), 3rd Quarter (July – September) and 4th Quarter (October – December). 40 C.F.R. § 141.21(a). Respondent failed to monitor the System’s water for total coliform bacteria during the 2nd Quarter 2014 and, therefore, violated this requirement.

9. If the System has one or more sampling results that are positive for total coliform, Respondent is required to collect at least five routine samples during the next month the System provides water to the public. 40 C.F.R. § 141.21(b)(5). After the System's water tested positive for total coliform on October 19, 2014, Respondent failed to take at least five routine samples of the System's water in November 2014 and, therefore, violated this requirement.

10. Respondent is required to conduct triggered source water monitoring within 24 hours of being notified that a regular, routine total coliform monitoring sample is positive for total coliform. 40 C.F.R. § 141.402. For triggered source water monitoring, Respondent must sample each ground water source and have it analyzed for a fecal indicator (i.e., *E. coli*). Samples from the System's water were positive for total coliform on August 14, 2011, as well as on July 6, 2014, August 24, 2014, and September 28, 2014. However, Respondent failed to collect any ground water source samples within 24 hours and, therefore, violated this requirement. 40 C.F.R. § 141.402. Ground water source samples were taken on October 30, 2011, and on October 19, 2014.

11. Respondent is required to monitor the System's water annually for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System's water for nitrate during 2014 and, therefore, violated this requirement. Respondent monitored for nitrate on February 16, 2015.

12. Respondent is required to notify the public of certain violations of the Drinking Water Regulations. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of certain violations cited in paragraphs 7, 8, and 10, above and, therefore, violated this requirement

13. Respondent is required to report any coliform MCL violation to the EPA no later than the end of the next business day after learning of it. 40 C.F.R. § 141.21(g)(1). Respondent did not notify the EPA of the MCL violations cited in paragraph 7, above, and, therefore, violated this requirement.

14. Respondent is required to report any failure to comply with any coliform monitoring requirement to the EPA within 10 days after discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the violations cited in paragraphs 8 and 9, above, to the EPA and, therefore, violated this requirement.

15. Respondent is required to report any failure to comply with any Drinking Water Regulation to the EPA within 48 hours (except where the Drinking Water Regulations specify a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 10, 11, and 12, above, to the EPA and, 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):

16. Within 30 days after receipt of this Order, Respondent shall submit to the EPA a proposed plan and schedule to bring the System into and maintain compliance with the total coliform MCL as identified in 40 C.F.R. § 141.63. The plan shall include proposed modifications to the System and estimated costs of such modifications. The schedule shall include a project start date, interim milestone deadlines, and a final compliance deadline (which shall be within six months of the project start date). The Respondent shall not begin construction or modifications to the System before the EPA has approved Respondent's compliance schedule.
17. The schedule required by paragraph 16, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.
18. Within 30 days after receipt of the EPA's approval of the schedule required by paragraph 16, above, Respondent shall provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the total coliform MCL. Each quarterly report is due by the 10th day of the month following the relevant quarter.
19. Within 10 days after completing all tasks included in the schedule required by paragraph 16, above, Respondent shall notify the EPA of the project's completion.
20. The System shall achieve compliance with the total coliform MCL by the final compliance deadline specified in the EPA-approved schedule. If the Respondent's plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.
21. If the System's water does not comply with the total coliform MCL in 40 C.F.R. § 141.63, Respondent shall report this violation to the EPA by the end of the next business day after learning of the violation, as required by 40 C.F.R. § 141.21(g)(1).
22. Respondent shall monitor the System's water quarterly for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).
23. Respondent shall comply with all source water monitoring and related requirements in 40 C.F.R. § 141.402. Within 24 hours of being notified that a regular, routine total coliform monitoring sample is positive for total coliform, Respondent shall collect at least one water sample from each of its ground water sources for fecal indicator analysis (i.e., *E. coli*). If the sample is negative, Respondent shall report that result to the EPA no later than 10 days after the end of the month in which the sample is taken. If the sample is positive, Respondent shall notify the EPA immediately for appropriate assistance in meeting the requirement of 40 C.F.R. § 141.402(g) to provide public notice within 24 hours as required by 40 C.F.R. § 141.202. When reporting any triggered source water sample result to the EPA, Respondent shall specify that it is a triggered source water sample.

24. Respondent shall monitor the System's water annually for nitrate, as required by the Drinking Water Regulations. Respondent is next required to sample for nitrate during 2016. 40 C.F.R. § 141.23. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the nitrate monitoring requirements to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).

25. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 7, 8, and 10, above, following the instructions provided with the public notice templates enclosed with this Order. Thereafter, 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 certified copy of the notice to the EPA.

26. For any future violation of the Drinking Water Regulations for which this Order does not specify a reporting period, Respondent shall report the violation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if the Drinking Water Regulations specify a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.

27. If the number of connections served by the System falls to below 15, Respondent shall notify the EPA in writing within 10 days.

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

29. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires 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.

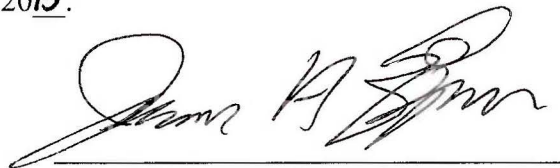
30. Respondent shall send all reporting and notifications required by this Order in writing to:

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

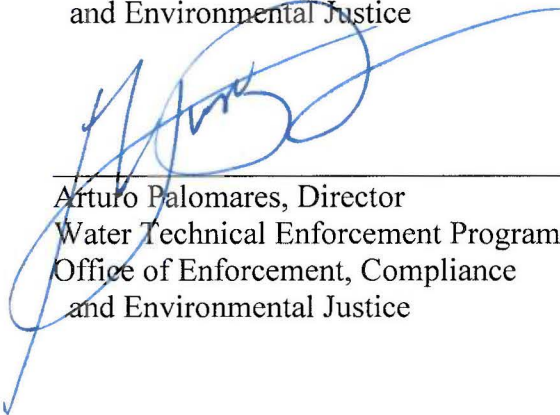
GENERAL PROVISIONS

31. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.
32. 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.
33. 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).
34. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 28, 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

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Tests Show Coliform Bacteria in Painter Estates HOA Water

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what actions we are taking to correct this situation.

We routinely monitor for the presence of drinking water contaminants. We took 5 samples for coliform bacteria during July 2014, August 2014, and September 2014, and 100% of those samples showed the presence of coliform bacteria. We took 3 total coliform samples and 2 triggered source water samples during October 2014, and 100% of those samples showed the presence of total coliform bacteria. The standard is that no more than 1 sample may contain coliform.

What should I do?

- **You do not need to boil your water or take other corrective actions.** However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are/care for the elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliform bacteria are generally not harmful themselves.

What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours. Total coliform bacteria are generally not harmful themselves but a sign that there could be a problem with the treatment or distribution system (pipes). *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.** If we had, we would have notified you immediately.

We are taking/have taken the following corrective actions:

If you have any questions, please contact Robert Senitte, at 307-527-8522 or at Painter Estates HOA, 2124 Gail Lane, Cody, Wyoming 82414.
(Name of water system contact) (Phone) (Mailing address of PWS contact)

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

PWS Operator/Responsible Party:

You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation. [40 CFR 141.201(b)] You must issue a repeat notice every three months for as long as the violation persists.

Community Systems must use one of the following methods [40 CFR 141.203(c)]:

- hand or direct delivery
- mail, as a separate notice or included with the bill

Non-Community Systems must use one of the following methods:

- posting in conspicuous locations
- hand delivery
- mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, you may print the notice on your system's letterhead.

Corrective Action

In your notice, describe corrective actions you are taking/have taken. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are chlorinating and flushing the water system.
- We are increasing sampling for coliform bacteria.
- We are investigating the source of contamination.
- We are repairing the wellhead seal (or storage tank).
- We will inform you when additional samples show no coliform bacteria.

Please mail this statement of certification **and** a copy of the printed notice with your PWS ID# clearly written on it, along with the dates the notice was posted to:

Breann Bockstahler
 US EPA Region 8
 Drinking Water Program (8P-W-DW)
 1595 Wynkoop Street
 Denver, CO 80202-1129

Or you can fax a copy to: Attn: Bre Bockstahler at **1-877-876-9101**. If you have questions about your total coliform violation call Bre Bockstahler at 1-800-227-8917, ext. 312-6034 or (303) 312-6034.

Certification of Public Notification

I _____ certify that the attached public notification was issued
(PWS Operator/Responsible Party)
 from _____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____

PUBLIC NOTICE

Date of Release: _____ PWS Number: WY5601554

FAILURE TO MONITOR VIOLATIONS

To All Painter Estates HOA Water Users

We are required to monitor your drinking water for total coliform bacteria on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. We did not complete all monitoring for total coliform bacteria and required follow-up monitoring when there is a positive total coliform sample, and therefore cannot be sure of the quality of our drinking water during that time. We also did not monitor for nitrate in 2014.

The table below lists the failure to monitor violations we received for total coliform, E. coli and nitrate during the compliance period, how often we are supposed to sample and how many samples we are supposed to take, when samples should have been taken but were not, and when samples were taken.

Contaminant	Required sampling frequency and number of samples	When samples should have been taken (failure to monitor violation)	When samples were taken
Total coliform bacteria	1 sample each quarter during the 2 nd Quarter (Apr.–June), 3 rd Quarter (July–Sept.) and 4 th Quarter (Oct.–Dec.)	2 nd Quarter (Apr.–June), 2014	July 6, 2014
Total coliform bacteria	Following a positive total coliform sample, collect 4 repeat samples within 24 hours and 5 routine samples the following month.	5 routine samples in November, 2014	June 15, 2015
<i>E. coli</i> bacteria	Within 24 hours of a positive total coliform sample, sample for <i>E. coli</i> at all ground water sources	Within 24 hours of being notified of positive total coliform samples on June 5, 2011, July 6, 2014, August 24, 2014, and September 28, 2014.	October 30, 2011, and October 19, 2014.
Nitrate	1 sample annually	Between Jan. 1 and Dec. 31, 2014	February 16, 2015

What happened? What is being done?

If you have any questions, please contact Robert Senitte at 307-527-8522.
(Water system contact person) (Phone)

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

PWS Operator/Responsible Party:

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation. Multiple monitoring violations can be serious, and your primacy agency may have more stringent requirements. Check with your primacy agency to make sure you meet its requirements.

Community Systems must use one of the following methods:

- hand or direct delivery
- mail, as a separate notice or included with the bill

Non-Community Systems must use one of the following methods:

- posting in conspicuous locations
- hand delivery
- mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for distribution after each violation or collectively at the end of the calendar year. If you choose to wait until the end of the year to give notice, the enclosed form can be issued or it can be inserted into your CCR as long as public notification requirements are met.

After issuing the notice, make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice.

Send the copy of your notice and dates posted to:

Jill Minter
US EPA REGION 8
Drinking Water Enforcement (8ENF-W)
1595 WYNKOOP ST.
DENVER CO 80202

Or, you can fax a copy to: Attn: Jill Minter at **303-312-7518**.

If you have questions about your total coliform failure to monitor violation, please call Bre Bockstahler, Total Coliform Rule Manager, Drinking Water Program, at 1-800-227-8917, extension 6034 or (303) 312-6034. If you have questions about source water monitoring, please call Gail Franklin, Ground Water Rule Manager, at 1-800-227-8917, extension 6497, or (303) 312-6497.

Certification of Public Notification

I _____ **certify that the attached public notification was issued**
(PWS Operator/Responsible Party)

from _____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____



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.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's 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/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

- www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline

- www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsc-hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

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

<http://www.epa.gov/sbo/rsbl.htm>

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

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

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/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

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

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

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.