



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

SEP 26 2017

2017 SEP 26 PM 1:53

FILED
EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joint Powers Water Board
P.O. Box 1299
Green River, Wyoming 82935

Re: Administrative Order issued to the Joint Powers Water Board, PWS ID # 5600050,
Docket No. **SDWA-08-2017-0036**

Dear Sir/Madam:

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 the Joint Powers Water Board, as owner and/or operator of the Rock Springs – Green River Joint Powers Board Public Water System (System) has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141.

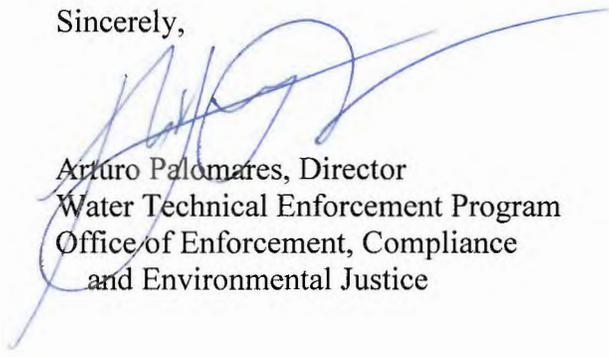
The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to treatment, etc.). If the EPA does not hear from you, 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.

To submit information or request an informal conference with the EPA, please contact Olive Hofstader at hofstader.olive@epa.gov or the above address (with the mailcode 8ENF-W), or by phone at (800) 227-8917, extension 6467, or (303) 312-6467. Any questions from the System's attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at bearley.mia@epa.gov or the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



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

cc:

Mr. Dave Latorre, Production Manager (via email)

WY DEQ/DOH (via email)

Melissa Haniewicz, EPA Regional Hearing Clerk



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Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sweetwater County Commissioners
Reid O. West, Chair
80 West Flaming Gorge Way, Ste. 109
Green River, Wyoming 82935

Re: Notice of Safe Drinking Water Act Enforcement Action against the Rock Springs – Green River Joint Powers Board Public Water System, PWS ID # 5600050,
Docket No. **SDWA-08-2017-0036**

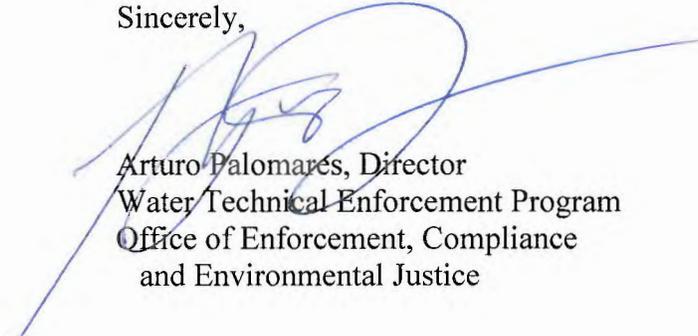
Dear Commissioners:

The Safe Drinking Water Act (SDWA) 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 Joint Powers Water Board (JPWB), owner and operator of the Rock Springs – Green River Joint Powers Board Public Water System (System) located in Sweetwater County, Wyoming. This Order requires that the JPWB take measures to return the System to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include: exceedance of maximum turbidity of 1.0 NTU and failing to adequately treat at least 95% of the water delivered to the public.

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

2017 SEP 26 PM 1:53

IN THE MATTER OF:)
)
Rock Springs – Green River Joint Powers Board,)
)
)
)
Respondent.)

Docket No. **SDWA-08-2017-0036**

ADMINISTRATIVE ORDER

FILED
EPA REGION VIII
NEW YORK 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. The Rock Springs – Green River Joint Powers Board (Respondent) is a public body created by or pursuant to Wyoming law that owns and/or operates the Rock Springs – Green River Joint Powers Board Public Water System (System), which provides piped water to the public in Sweetwater County, Wyoming, for human consumption.
3. The System is supplied by the Green River, a surface water source, and treats the water using conventional filtration. The System’s conventional filtration includes coagulation, flocculation, sedimentation, rapid sand filtration, and disinfection utilizing gaseous chlorine.
4. The System has approximately 6 service connections used by year-round residents and/or regularly serves an average of approximately 40,283 year-round residents. Therefore, the System is a “public water system” and a “community water system” as defined in 40 C.F.R. § 141.2 and section 1401 of the Act, 42 U.S.C. § 300f.
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. The System’s filtered water may at no time exceed 1 Nephelometric Turbidity Unit (NTU). 40 C.F.R. § 141.173(a)(2). The System’s water exceeded 1 NTU during March 2017, and Respondent, therefore, violated this requirement.
8. The System’s filtered water samples must be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month. 40 C.F.R. § 141.173(a)(1). The System’s filtered water measurements met the 0.3 NTU limit in only 86.86 % of the monthly readings during May 2016, and 80.1 % of the monthly readings during March 2017, 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):

9. Within 60 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 turbidity levels as identified in 40 C.F.R. 141.173(a). 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. Respondent shall not begin construction or modifications to the System before the EPA has approved Respondent's compliance schedule.
10. The schedule required by paragraph 9, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.
11. Within 90 days after receipt of the EPA's approval of the schedule required by paragraph 9, above, Respondent shall provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the turbidity limits. Each quarterly report is due by the 10th day of the month following the relevant quarter.
12. Within 10 days after completing all tasks included in the schedule required by paragraph 9, above, Respondent shall notify the EPA of the project's completion.
13. The System shall achieve compliance with the turbidity limits by the final compliance deadline specified in the EPA-approved schedule. If the Respondent's plan fails to achieve compliance, the EPA may order further steps and/or seek penalties for noncompliance.
14. 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.
15. Respondent shall send all reporting and notifications required by this Order to the EPA via email at R8DWU@epa.gov or fax at (877) 876-9101.

GENERAL PROVISIONS

16. 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.

17. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$54,789 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 82 Fed. Reg. 3633 (January 12, 2017).

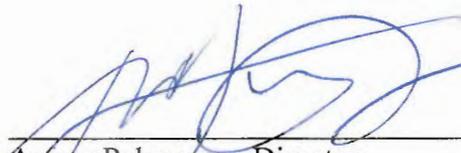
18. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Safe Drinking Water Act, 42 U.S.C. § 300j-7(a).

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

Issued: September 26th, 2017.



James H. Eppers, Supervisory Attorney
Regulatory Enforcement Unit
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



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