



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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2018 JUL 10 PM 3:05

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EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W-SDW

JUL 10 2018

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Jim Goslin, Treasurer  
Rivermeadows Water District  
P.O. Box 510  
Teton, Wyoming 83025

Mr. John Ryan,  
Chief Operator  
Rivermeadows Water District  
P.O. Box 1687  
Jackson, Wyoming 83001

Re: Administrative Order issued to Rivermeadows Water District Public Water System,  
PWS ID # WY5600786, Docket No. **SDWA-08-2018-0022**

Dear Messrs. Goslin and Ryan:

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 Rivermeadows Water District (District), as owner, and Mr. John Ryan, as operator, of the Rivermeadows Water District Public Water System (System) in Teton County, Wyoming, have violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The Administrative Order issued to the District and Mr. Ryan on July 5, 2015, for failure to prepare and distribute annual Consumer Confidence Reports by July 1, among other violations, remains in full force and effect.

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 the District or Mr. Ryan, the EPA will assume this information is correct.

If the District complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil administrative penalties and/or a federal court injunction ordering compliance.

The Order requires public notification of violations of the Drinking Water Regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail.

Please be aware that you are required to submit to the EPA a plan and schedule for bringing the System into compliance with the Drinking Water Regulations. The EPA's approval of the Respondents' 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 Respondents to contact any such governmental agency or agencies regarding any applicable approval requirements.

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.

If you have any questions or to request an informal conference with the EPA, please contact Jill Minter at the above address (with the mailcode 8ENF-W-SDW), via email at [minter.jill@epa.gov](mailto:minter.jill@epa.gov), or by phone at (800) 227-8917, extension 6084, or (303) 312-6084. Any questions from the District's attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L), via email at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



*T. Cantu*

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

Enclosures

cc: WY DEQ/DOH (via email)  
Teton County Commissioners ([mnewcomb@tetonwyo.org](mailto:mnewcomb@tetonwyo.org))  
Melissa Haniewicz, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2018 JUL 10 PM 3:05

Docket No. ~~SDWA-08-2018-0022~~

EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF: )  
 )  
Rivermeadows Water District, )  
 )  
and )  
 )  
John Ryan, )  
 )  
Respondents. )

**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. The Rivermeadows Water District is a public body, created pursuant to Wyoming law, and John Ryan is an individual (Respondents). Together, Respondents own and/or operate the Rivermeadows Water District Public Water System (System), which provides piped water to the public in Teton County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via three wells. The water is disinfected with sodium hypochlorite solution prior to storage.
4. The System has approximately 50 service connections used by year-round residents and/or regularly serves an average of approximately 100 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. Respondents are 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 Respondents annual notifications of the specific monitoring requirements that apply to the System.

**VIOLATIONS**

7. Respondents are required to monitor the System’s water monthly for total coliform bacteria. 40 C.F.R. § 141.853-858. Respondents failed to monitor the System’s water for total coliform bacteria during June 2017 and, therefore, violated this requirement. Respondent did collect a sample on June 13, 2017, but the sample was rejected by the lab for exceeding the holding time.
8. Respondents are required to complete corrective action of a significant deficiency in accordance with an EPA-approved corrective action schedule or within 120 days of receiving written notification from the EPA of a significant deficiency. 40 C.F.R. § 141.404. Respondents are required to notify the EPA within 30 days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). Respondents received a letter from the EPA on March 2, 2016, that detailed two

significant deficiencies: 1) the hatch on the finished water storage tank must be elevated a minimum of 24 inches above the top of the tank surface or ground surface (whichever is higher); and 2) the air vent on the finished water storage tank is improperly constructed and must terminate in an inverted U construction at least 24 inches above the roof or ground surface (whichever is higher). The March 2, 2016, letter from the EPA also included a schedule for the System to complete the corrective actions within 6 months. Respondent failed to complete all corrective actions by this date and, therefore, violated this requirement.

9. Respondents are 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 the violations cited in paragraphs 7 and 8, above, and therefore violated this requirement.

10. Respondents are 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 violation cited in paragraph 7, above, to the EPA and therefore violated this requirement.

11. Respondents are 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 violation cited in paragraph 8, 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):

12. Respondents shall monitor the System's water monthly for total coliform bacteria. If a sample is positive for total coliform, within 24 hours of being notified of the positive result, Respondent shall collect a set of three repeat samples for each total coliform positive sample. 40 C.F.R. § 141.853-858. Respondent shall report total coliform analytical results to the EPA within the first 10 days following the month in which Respondents receive sample results, as required by 40 C.F.R. § 141.31(a). Respondents shall report any violations of coliform monitoring requirements to the EPA within 10 days of discovering the violation, as required by 40 C.F.R. § 141.861(a)(4).

13. Within 60 days after receipt of this Order, Respondents shall complete corrective actions of the following significant deficiencies and notify the EPA within 30 days after their completion. Respondent shall provide sufficient evidence to the EPA, including photographs, of the corrective actions. Thereafter, Respondents shall complete corrective action of significant deficiencies and notification of their completion as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).

1) Gravity Tank ID: ST01 – 100 K tank

Hatch on Finished Water Storage Tank Improperly Constructed. The tank hatch on below-ground tanks (buried or partially buried) must be elevated a minimum of 24 inches above the top of the tank surface or ground surface, whichever is higher, and

2) Gravity Tank ID: ST01 – 100 K tank

Air Vent on Finished Water Storage Tank Improperly Constructed. The vent must terminate in an inverted U construction at least 24 inches above the roof or ground surface, whichever is higher, to prevent rain or surface water from entering and to prevent inhalation of contaminants adjacent to the tank. *The manufactured vent with the #24-mesh screen, incorporated into the side of the concrete tank extending above the ground, is approximately 6" above ground level.*

14. 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.

15. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 7 and 8, above. Templates and instructions are available at: <https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms%23new#pn> 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 copy of the notice to the EPA.

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

17. If Respondents (a) lease or sell the System to another person or entity, or (b) contract with or hire any other person or entity to operate the System, Respondents 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, Respondents 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. Respondents shall remain obligated to comply with this Order even if Respondents lease the System to another person or entity or hire another person or entity to operate the System.

18. Respondent shall send all reporting and notifications required by this Order to the EPA at:

Email: R8DWU@epa.gov, and  
minter.jill@epa.gov

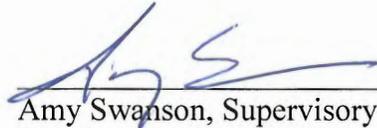
### **GENERAL PROVISIONS**

19. 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.

20. Violation of any part of this Order or the Drinking Water Regulations may subject Respondents to a civil penalty of up to \$55,907 (as adjusted for inflation) per day of violation and/or a court injunction ordering compliance. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 83 Fed. Reg. at 1193 (January 10, 2018).

21. 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).

Issued: July 10, 2018.



Amy Swanson, 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

# Instructions for GWR Failure to Take Corrective Action Within Required Time Frame Notice – Template 2-21

## Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a fecal indicator-positive ground water source sample or significant deficiency under the Ground Water Rule is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [40 CFR 141.203(b)]. You must issue a repeat notice every three months for as long as the violation persists. Your primacy agency may have more stringent requirements for treatment technique violations. Check with your agency to make sure you meet all requirements.

If this notice is for failing to address a fecal indicator-positive source sample, a Tier 1 notice for detecting a fecal indicator in the source water should have already been issued. Consider providing the history of the situation in this notice (i.e., what events lead to requiring corrective action) to avoid confusing the public when this second notice is issued.

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

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

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition both community and noncommunity systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)]. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on your system's letterhead if available.

The notice on the reverse is appropriate for mailing, posting, or hand delivery. If you modify this notice, you must still include all required PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

### Mandatory Language

Mandatory language on health effects (from Appendix B to Subpart Q) must be included as written (with blanks filled in) and is presented in this notice in italics and with an asterisk on either end.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable [40 CFR 141.205(d)]. This language is also presented in this notice in italics and with an asterisk on either end.

### Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. Depending on the corrective action you are taking, you can use one or more of the following statements, if appropriate, or develop your own text:

- Although we did not meet our deadline, we are now in consultation with the state to develop a corrective action plan.
- The [source of contamination/significant deficiency] has been identified and addressed.
- We have implemented a short term plan to address the immediate issue while we pursue the long-term solution.

### Repeat Notices

For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out any previous notices. If you are making progress with correcting the significant deficiency or addressing the fecal indicator-positive source sample, describe it. Alternatively, if funding or other issues are delaying corrective action, let consumers know.

### 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 public notification requirements within ten days after issuing the notice [40 CFR 141.31(d)].

**GWR Failure to Take Corrective Action Within Required Time Frame  
Notice – Template 2-21**

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

**[System] Failed to [Correct a Significant Deficiency/Address a Fecal Indicator-Positive Source Sample] Within Required Time Frame.**

Our water system recently violated a drinking water requirement. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

[A routine inspection conducted on [give date] by the [insert primacy agency] found [describe significant deficiency in our water system]] OR

[Sampling conducted at our groundwater source on [given date(s)] found indication of fecal contamination of our source(s)].

As required by Environmental Protection Agency's (EPA's) Ground Water Rule, we were required to take action to [correct this deficiency/address the fecal-indicator positive source sample]. However, we failed to take this action by the deadline established by [insert primacy agency name].

**What should I do?**

- There is nothing you need to 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 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.

**What does this mean?**

This is not an emergency. If it had been, you would have been notified within 24 hours.

*\*Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.\**

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

**What is being done?**

[Describe corrective action.] We anticipate resolving the problem within [estimated time frame] (or the problem was resolved on [give date]).

For more information, please contact [name of contact] at [phone number] or [mailing address].

*\*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.\**

This notice is being sent to you by [system]. State Water System ID#: \_\_\_\_\_.

Date distributed: \_\_\_\_\_.

# PUBLIC NOTICE

Date of Release: \_\_\_\_\_ PWS Number: \_\_\_\_\_

## FAILURE TO MONITOR VIOLATION TOTAL COLIFORM BACTERIA

To All \_\_\_\_\_ Water Users  
(Name of water system/business)

*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. During \_\_\_\_\_ we did not complete all monitoring for total coliform (compliance period) bacteria and therefore cannot be sure of the quality of our drinking water during that time.*

The table below lists the failure to monitor violations we received for total coliform monitoring during the last year. (Please check the ones that apply to your system.)

Monitoring Period (Month/Year)	Failure to Monitor	No Replacement Sample after a Routine sample was invalidated	Insufficient Number of Routine Samples

What happened? What is being done?  
\_\_\_\_\_  
\_\_\_\_\_

If you have any questions, please contact \_\_\_\_\_ at \_\_\_\_\_.  
(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.*

Optional: If applicable, you may also include the statement that "Subsequent water samples have been analyzed as safe."

SAMPLE: Suggested public notice language for FAILURE TO MONITOR FOR TOTAL COLIFORM.  
You may use the above notice sample or write your own but the text in italics must be included in any notification.

**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 but in no case less than seven (7) days, even if 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:

RTCR MANAGER  
 US EPA REGION 8  
 PUBLIC WATER SYSTEM PROGRAM - 8WP-SDA  
 1595 WYNKOOP ST.  
 DENVER CO 80202

Or, you can fax a copy to: Attn: RTCR Manager at 877-876-9101.

If you have questions about your RTCR FTM violation call 1-800-227-8917 and ask to speak with the RTCR Manager.

**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.

## Office of Small and Disadvantaged Business Utilization (OSDBU)

[www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu](http://www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu)

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

## EPA's Asbestos Small Business Ombudsman (ASBO)

[www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman](http://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman) or 1-800-368-5888

The EPA ASBO serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

## Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

## EPA's Compliance Assistance Homepage

[www.epa.gov/compliance](http://www.epa.gov/compliance)

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

## Compliance Assistance Centers

[www.complianceassistance.net](http://www.complianceassistance.net)

EPA sponsored 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](http://www.epa.gov/agriculture)

### Automotive Recycling

[www.ecarcenter.org](http://www.ecarcenter.org)

### Automotive Service and Repair

[www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK

### Chemical Manufacturing

[www.chemalliance.org](http://www.chemalliance.org)

### Construction

[www.cicacenter.org](http://www.cicacenter.org)

### Education

[www.campuserc.org](http://www.campuserc.org)

### Food Processing

[www.fpeac.org](http://www.fpeac.org)

### Healthcare

[www.hercenter.org](http://www.hercenter.org)

### Local Government

[www.lgean.org](http://www.lgean.org)

### Surface Finishing

<http://www.sterc.org>

### Paints and Coatings

[www.paintcenter.org](http://www.paintcenter.org)

### Printing

[www.pneac.org](http://www.pneac.org)

### Ports

[www.portcompliance.org](http://www.portcompliance.org)

## Transportation

[www.tercenter.org](http://www.tercenter.org)

## U.S. Border Compliance and Import/Export Issues

[www.bordercenter.org](http://www.bordercenter.org)

## EPA Hotlines and Clearinghouses

[www.epa.gov/home/epa-hotlines](http://www.epa.gov/home/epa-hotlines)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

## Clean Air Technology Center (CATC) Info-line

[www.epa.gov/catc](http://www.epa.gov/catc) or 1-919-541-0800

## Superfund, TRI, EPCRA, RMP, and Oil Information Center

1-800-424-9346

## EPA Imported Vehicles and Engines Public Helpline

[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or 1-734-214-4100

## National Pesticide Information Center

[www.npic.orst.edu](http://www.npic.orst.edu) or 1-800-858-7378

## National Response Center Hotline to report oil and hazardous substance spills -

<http://nrc.uscg.mil> or 1-800-424-8802

## Pollution Prevention Information Clearinghouse (PPIC) -

[www.epa.gov/p2/pollution-prevention-resources#ppic](http://www.epa.gov/p2/pollution-prevention-resources#ppic) or 1-202-566-0799

## Safe Drinking Water Hotline -

[www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline](http://www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline) or 1-800-426-4791

## Toxic Substances Control Act (TSCA) Hotline

[tsc-hotline@epa.gov](mailto:tsc-hotline@epa.gov) or 1-202-554-1404

### Small Entity Compliance Guides

<https://www.epa.gov/reg-flex/small-entity-compliance-guides>

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

[www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons](http://www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons)

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](http://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)

<https://nationalsbeap.org/states/list>

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](http://www.epa.gov/tribalportal)

The Portal helps users locate tribal-related information within EPA and other federal agencies.

### 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

[www.epa.gov/enforcement/small-businesses-and-enforcement](http://www.epa.gov/enforcement/small-businesses-and-enforcement)

#### EPA's Audit Policy

[www.epa.gov/compliance/epas-audit-policy](http://www.epa.gov/compliance/epas-audit-policy)

### 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.*