



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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2018 JUN 27 PM 4:31

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EPA REGION VIII
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Ref: 8ENF-W-SDW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
and via email

JUN 27 2018

The Honorable Ray Pacheco, Mayor
City of Casper
200 N. David
Casper, Wyoming 82601

Re: Emergency Administrative Order under SDWA Section 1431 City of Casper Public Water System, PWS ID #WY5601415, Docket No. SDWA-08-2018-0020

Dear Mayor Pacheco:

Enclosed is an Emergency Administrative Order (Order) issued by the U.S. Environmental Protection Agency to the City of Casper, under section 1431 of the Safe Drinking Water Act, 42 U.S.C. § 300i.

The EPA has determined that conditions exist at the City of Casper Public Water System (System) that may present an imminent and substantial endangerment to the persons served by the System. The EPA has made this determination based on notifications that during a scheduled tank inspection, dead mice were found in a finished water storage tank.

Pursuant to the authority set forth in section 1431 of the Act, 42 U.S.C. § 300i, the EPA is authorized to take actions necessary to protect human health. The Order and its requirements are necessary to ensure adequate protection of public health.

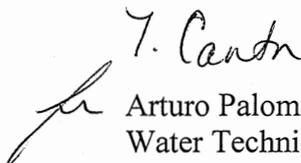
The enclosed Order sets forth the actions that must be taken to ensure that the people served by the System are provided with safe drinking water. The Order requires the City of Casper to take the following actions: issue a public notice until notified by the EPA to discontinue; submit a plan and schedule for any corrective actions identified to prevent future contamination of the System; repair and clean the tank; and, flush the distribution system.

The penalties for failing to comply are set forth in the Order. If you have any questions or wish to discuss the order, please contact Olive Hofstader at (800) 227-8917 extension 6467 or 303-312-6467, or by email at hofstader.olive@epa.gov. Any questions from counsel for the City of

Casper should be directed to Amelia Piggott, Enforcement Attorney, at (800) 227-8917, extension 6410, or at (303) 312-6410, or by email at piggott.amelia@epa.gov.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Palomares", with a stylized flourish extending to the left.

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

Enclosure

cc: Mr. Carter Napier, City Manager
Mr. Andrew Beamer, PE, Public Services Director
Mr. Bruce Martin, Public Utilities Manager (via email)
WY DEQ/DOH (via email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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IN THE MATTER OF)
)
City of Casper)
WY5601415)
)
Respondent.)

Docket No. SDWA-08-2018-0020

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**EMERGENCY
ADMINISTRATIVE ORDER**

AUTHORITY

1. This Emergency Administrative Order (Order) is issued by the U.S. Environmental Protection Agency (EPA) pursuant to the authority of section 1431(a) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i(a). The undersigned officials have been properly delegated this authority.
2. The EPA may issue an order under section 1431(a) of the Act, 42 U.S.C. § 300i(a), when a contaminant that is present in or is likely to enter a public water system may present an imminent and substantial endangerment to the health of persons, and appropriate state and local authorities have not acted to protect the health of such persons.

FINDINGS

3. The City of Casper (Respondent) is a municipality that owns and/or operates the City of Casper Public Water System (System), which provides piped water to the public in Natrona County, Wyoming, for human consumption.
4. Respondent is a “person” as that term is defined in the Act, 42 U.S.C. § 300f(12).
5. The System purchases treated surface water from the Central Wyoming Regional Water System Joint Powers Board. The purchased water enters the Casper distribution system with residual chloramine disinfectant. No booster disinfection is conducted.
6. The System has 22,519 service connections and regularly serves 59,628 individuals year-round.
7. The System is a “public water system” as defined in 40 C.F.R. § 141.2 and section 1401(4) of the Act, 42 U.S.C. § 300f(4), and, therefore, is subject to the requirements of the Act and the National Primary Drinking Water Regulations (NPDWRs) at 40 C.F.R. part 141.
8. Prior to issuing this Order, the EPA consulted with the System to confirm the facts stated in this Order and with state and local authorities to confirm that because they are unable to act to protect the health of persons in this instance, they have not done so.
9. The EPA has determined that conditions exist at the System that may present an imminent and substantial endangerment to the health of humans, based on the facts indicated in

paragraph 10, below. The EPA has determined that this Order is necessary to protect public health.

10. On June 25, 2018, the EPA was notified that multiple mouse carcasses were found in the City Reservoir Tank (10 million gallons, ST03) during a scheduled tank inspection. The System identified small breaches in the roof to wall seam as the potential contamination route.

11. On June 26, 2018, the EPA provided Respondent with a public notice template to notify customers of the potential contamination event, and Respondent notified persons served by the System of the contamination on June 27, 2018.

ORDER

INTENT TO COMPLY

12. Within 24 hours of receipt of this Order, Respondent shall notify the EPA in writing of its intent to comply with this Order. Notification by e-mail to the EPA point of contact identified below is acceptable.

PUBLIC NOTICE

13. Within 24 hours of receipt of this Order, Respondents must notify the public of the potential contamination situation. Respondent must submit a copy of the notice to the EPA within 24 hours of its distribution. Respondents must continue providing the public notice until the EPA provides written notification to discontinue.

14. Respondent must carry out the public notice and other notice requirements as required by 40 C.F.R. part 141, subpart Q.

CORRECTIVE MEASURES

15. Prior to returning the City Reservoir tank to service following repairs, Respondent shall drain, clean and disinfect the City Reservoir Tank prior to refilling it, following American Water Works Association guidance. After the City Reservoir Tank has been properly cleaned and disinfected, Respondent shall collect 3 samples from the City Reservoir Tank and mark them as "special purpose" samples (defined in 40 C.F.R. § 141.853(b)). Respondent shall ensure that each sample is analyzed for total coliform and *E. coli*.

16. Within 7 days after the effective date of this Order, Respondent shall provide the EPA with a plan and schedule that outlines actions taken or to be taken to repair the City Reservoir Tank and to prevent a recurrence of contamination in the System. If applicable, the plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project. The proposed schedule shall include specific milestone dates and a

final completion date (to be within 1 month from the date of the EPA's approval of a schedule). The schedule must be approved by the EPA before construction or modifications may commence.

17. The schedule required by paragraph 16 above, will be incorporated into this Order as an enforceable requirement upon written approval by the EPA. If implementation of the plan fails to correct and/or prevent contamination, the EPA may order further steps.

18. Within 5 days of completing corrective action, Respondent shall notify the EPA in writing of the date corrective action was completed.

DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS

19. Within 24 hours after receipt of this Order, Respondent shall perform targeted System flushing of areas most directly impacted by the City Reservoir Tank based on the results of the distribution system hydraulic model.

20. Within 24 hours after flushing the System as required by paragraph 19, above, Respondent shall collect consecutive daily (one sample per pressure zone per day) samples from the System and mark them as "special purpose" samples (defined in 40 C.F.R. § 141.853(b)). Respondent shall ensure that each sample is analyzed for total coliform and *E. coli*.

21. After Respondent receives written notification from the EPA that it may discontinue daily total coliform sampling, Respondent shall thereafter resume monthly routine total coliform sampling as required by 40 C.F.R. § 141.855.

22. Respondent shall remain obligated to comply with the requirements in 40 C.F.R. § 141.858 (to collect three repeat samples within 24 hours of being notified of a total coliform-positive sample result). If a future repeat sample is positive for total coliform and/or *E. coli*, Respondent shall, within 24 hours of being notified of the positive sample result, consult with the EPA for appropriate responsive actions.

23. The EPA may require Respondent to increase total coliform sampling at any time while this Order is in effect.

REPORTING

24. Respondent must give weekly updates to the EPA on the progress of flushing the distribution System, and cleaning and repairing the City Reservoir Tank. Updates must be submitted to the EPA until the EPA provides written notification to the Respondent that reports may be discontinued. These reports may be submitted via phone or e-mail.

25. Any notices or reports required by this Order to be submitted to the EPA shall be submitted to:

Olive Hofstader
via e-mail: hofstader.olive@epa.gov
Telephone (800) 227-8917, ext. 6467, or (303) 312-6467

26. This Order does not relieve Respondent from obligation to comply with any applicable federal, state, or local law.

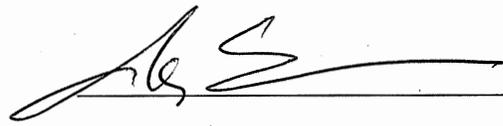
27. Failure to comply with this Order may result in civil penalties of up to \$23,374 per day. 42 U.S.C. § 300i(b); 40 C.F.R. part 19; 83 Fed. Reg. 1190, 1193 (January 10, 2018).

28. This Order constitutes final agency action. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. 300j-7(a).

29. Issued and effective this 27th day of June, 2018.



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



Amy Swanson, Supervisory Attorney
Regulatory Enforcement Unit
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice