

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**



IN THE MATTER OF:	)	
	)	Docket No. SDWA-08-2025-0010
Town of La Barge,	)	
	)	<b>ADMINISTRATIVE ORDER</b>
Respondent.	)	
	)	
Town of La Barge	)	
PWS ID #WY5600222	)	

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 official.
2. The Town of La Barge, Wyoming (Respondent) is a municipality that owns and operates the La Barge Public Water System (System), which provides piped water to the public in Lincoln County, Wyoming, for human consumption.
3. The System is supplied by a surface water source accessed via an intake on the Green River with treatment provided via a conventional filtration system.
4. The System has approximately 245 service connections used by year-round residents and regularly serves an average of approximately 347 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 a “person” as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and is subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

**VIOLATIONS**

6. Respondent is required to complete corrective action of a significant deficiency in accordance with an EPA-approved corrective action schedule. 40 C.F.R. § 141.723(d).
  - a. EPA provided Respondent with a letter on January 27, 2023, that detailed significant deficiencies from the 2020 Sanitary Survey. On January 27, 2023, the EPA approved a schedule for the System to complete the corrective

actions from the 2020 Sanitary Survey by August 5, 2023. Respondent failed to complete all corrective actions from the 2020 Sanitary Survey by August 5, 2023, and therefore, violated this requirement.

- b. EPA provided Respondent with a letter on December 5, 2023, that detailed significant deficiencies from the 2023 Sanitary Survey. On December 5, 2023, the EPA approved a schedule for the System to complete the corrective actions from 2023 Sanitary Survey by June 5, 2024. Respondent failed to complete all corrective actions by June 5, 2024, and therefore, violated this requirement.

- 7. Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violations identified in paragraph 6, above, are classified as violations requiring Tier 2 public notice within 30 calendar days, with the public notice to be repeated every three months and for notice to remain in place for as long as the violation or situation persists, according to 40 C.F.R. § 141.203.

- a. The EPA's records reflect that the Respondent provided a public notice of the violation cited in paragraph 6.a in the 2023 Consumer Confidence Report, but subsequently failed to repeat the public notice every three months as long as the violation persists, and therefore, violated the requirement at 40 C.F.R. § 141.203(b)(2).
- b. The EPA's records reflect that the Respondent failed to notify the public of the violation cited in paragraph 6.b and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement.

- 8. Respondent is required to report any failure to comply with Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 6 and 7, above, to the EPA and therefore, violated the requirement at 40 C.F.R. § 141.203(b)(1).

### **ORDER**

Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

9. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.
10. Within 30 calendar days of receipt of this Order, Respondent shall consult with the EPA regarding action to correct significant deficiencies in the enclosed 2023 Sanitary Survey and shall submit a proposed schedule and plan to the EPA for completion of all corrective actions. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the proposed schedule, and any approved schedule (Schedule) shall be incorporated into this Order with each milestone to be an enforceable requirement upon written approval by the EPA. Within 10 calendar days after completing all tasks included in the Schedule, Respondent shall notify the EPA of the project's completion. Respondent shall provide sufficient evidence to the EPA including photographs of the corrective actions. Thereafter, if the EPA identifies any significant deficiency at the System, Respondent shall complete corrective action for each significant deficiency, as required by 40 C.F.R. § 141.723(d).

Summary of 2023 Sanitary Survey significant deficiencies requiring corrective actions (Note: Respondent should refer to the enclosed 2023 Sanitary Survey for a complete list of the required corrective actions. Several corrective actions referenced in the Significant Deficiency Correction Form dated May 15, 2024, were determined to be incomplete; EPA provided comments on the incomplete corrective actions in an email dated June 4, 2024):

- SD#1 - Gravity Tank ID: ST04 - Contact Tank 1 (10K-gallon) - must be cleaned and inspected per the Finished Water Storage Tank Inspection/Cleaning Checklist.
- SD #3 - Gravity Tank ID: ST04 - Contact Tank 1 (10K-gallon) - The air vent and access hatch must be inspected, and the structure/condition compared to the Tech Tips for Finished Water Storage Facilities.

- SD #4 - Gravity Tank ID: ST05 - Contact Tank 2 (10K-gallon) - must be cleaned and inspected per the Finished Water Storage Tank Inspection/Cleaning Checklist.
  - SD #5 - Gravity Tank ID: ST05 - Contact Tank #2 (10K-gallon) - The air vent and access hatch must be inspected, and the structure/condition compared to the Tech Tips for Finished Water Storage Facilities.
  - SD #6 - Gravity Tank ID: ST03 – Clearwell (5000-gallon) - must be cleaned and inspected per the Finished Water Storage Tank Inspection/Cleaning Checklist.
  - SD #8 - Gravity Tank ID: ST02 – Lower Storage Tank (125K-gallon) - The overflow must be inspected, and the structure/condition compared to the Tech Tips for Finished Water Storage Facilities.
  - SD #9 - Hazardous conditions at raw water pump station - The thin concrete cap (appeared to be approximately 1.5” – 2”) that supports the raw water pumps above the raw water wet well had significant cracking and appeared to be caving in.
11. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondent must 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 Part 141 specifies a different time period for reporting the particular violation, Respondent must report the violation to the EPA within that different period.
12. Within 30 calendar days after receipt of this Order, and every three months thereafter as long as the violations cited in paragraph 6, above, persist, Respondent shall notify the public of these violations. Thereafter, following any future violation of Part 141, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). Templates and instructions are available at:  
<https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>.

13. 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 must, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondent will remain obligated to comply with this Order.
14. Respondent must send all reporting and notifications required by this Order to the EPA at:

Email: [R8DWU@epa.gov](mailto:R8DWU@epa.gov), and [brown.christopher.t@epa.gov](mailto:brown.christopher.t@epa.gov)

#### **GENERAL PROVISIONS**

15. This Order is binding on Respondent, and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondent.
16. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or Part 141. 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, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$71,545 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 90 Fed. Reg. at 1375 (January 8, 2025).
18. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: February 12, 2025.

Colleen Rathbone, Manager  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division