



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2014 SEP 29 AM 10:37

EPA REGION VIII  
HEARING OF FRK

Ref: 8ENF-W

SEP 29 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Honorable Kelly Krakow  
Mayor, Town of Albin  
P.O. Box 188  
Albin, Wyoming 82050

Re: Administrative Order issued to the Town of Albin, Wyoming, PWS ID # WY5600189,  
Docket No. **SDWA-08-2014-0052**

Dear Mayor Krakow:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency (EPA) 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 Town of Albin (Town), as owner and/or operator of the Town of Albin Public Water System (System), has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

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 significant deficiencies that have been corrected, etc.). If the EPA does not hear from you, the EPA will assume this information is correct.

If the Town 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 Town to notify the public of having violated 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 Town's plan and



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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 Town to contact any such governmental agency or agencies regarding any applicable approval requirements.

To submit information or request an informal conference with the EPA, please contact Olive Hofstader at 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 Town'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.

We urge your prompt attention to this matter.

Sincerely,



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

Enclosures:

Order  
SBREFA Information Sheet  
Public Notice Template

cc: Mr. Aaron Anderson, operator  
WY DEQ/DOH (via email)

Tina Artemis, EPA Regional Hearing Clerk







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EPA REGION VIII  
HEARING CLERK

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SEP 29 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Laramie County Commissioners  
Diane Humphrey, Chair  
310 West 19<sup>th</sup> Street, Suite 300  
Cheyenne, Wyoming 82001

Re: Notice of Safe Drinking Water Act Enforcement Action against the Town of Albin Public Water System, PWS ID # WY5600189, Docket No. **SDWA-08-2014-0052**

Dear Commissioners:

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

An Administrative Order (Order) is being issued to the Town of Albin, owner and operator of the Town of Albin Public Water System (System) located in Laramie County, Wyoming. This Order requires that the System take measures to return to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include: failure to monitor for nitrate, failure to prepare and distribute a Consumer Confidence Report by July 1, 2011, and failure to correct significant deficiencies.

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



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2014 SEP 29 AM 10: 37

IN THE MATTER OF: )  
 )  
Town of Albin, Wyoming, )  
 )  
 )  
 )  
Respondent. )

Docket No **SDWA-08-2014-0052**

FILED  
EPA REGION VIII  
HEARING CLERK

**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 Town of Albin (Respondent) is a municipality that owns and/or operates the Town of Albin Public Water System (System), which provides piped water to the public in Laramie County, Wyoming, for human consumption.
3. The System is supplied by a ground water source consisting of 4 wells which provide water that is chlorinated.
4. The System has approximately 83 service connections used by year-round residents and/or regularly serves an average of approximately 181 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 the System annual notifications of the specific monitoring requirements that apply to the System.

**VIOLATIONS**

7. Respondent was required to monitor the System’s water annually for nitrate in 2011. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System’s water for nitrate during 2011, and, therefore, violated this requirement.
8. If any sample of the System’s water has a nitrate concentration of at least five milligrams per liter (mg/L), Respondent is required to monitor quarterly for nitrate. 40 C.F.R. § 141.23(d)(2). Nitrate in the System’s water exceeded five mg/L in two samples collected on September 26, 2012, and the EPA advised Respondent of revised nitrate monitoring requirements via email on March 28, 2013, directing Respondent to begin quarterly monitoring during the 2<sup>nd</sup> quarter of 2013. Respondent monitored for nitrate on December 13, 2013 (4<sup>th</sup> quarter 2013) at sample points SP01, SP03, and SP04, but failed to monitor at SP02. Respondent failed to monitor the System’s water for nitrate at each sample point during the 3<sup>rd</sup> quarter of 2013 and the 1<sup>st</sup> quarter of 2014, and, therefore, violated this requirement.



9. Respondent is required to prepare and deliver an annual Consumer Confidence Report (CCR) to the System's customers by July 1<sup>st</sup> of each year. The CCR is to include information about the quality of the System's water using data collected during, or prior to, the previous calendar year. 40 C.F.R. §§ 141.151-141.155. Respondent failed to prepare and deliver an annual CCR for 2010 to the System's customers and to the EPA by July 1, 2011, but rather submitted the CCR to the EPA on September 27, 2011. Therefore, Respondent violated this requirement.

10. As a ground water system, Respondent is required to consult with the EPA regarding the appropriate corrective action within 30 days of receiving written notice from the EPA of significant deficiencies. 40 C.F.R. § 141.403(a)(4). Respondent failed to consult with the EPA by September 27, 2013, after receiving written notice of significant deficiencies on August 28, 2013, and therefore, violated this requirement.

11. Respondent is required to complete corrective action of any significant deficiency or be in compliance with an approved corrective action schedule within 120 days of receiving written notification from the EPA of any significant deficiency. 40 C.F.R. § 141.403(a)(5). Respondent is required to notify the EPA within 30 days of completion of significant deficiency corrective actions. 40 C.F.R. § 141.405(a)(2). The Respondent received a letter from the EPA on August 28, 2013, that detailed the significant deficiencies. Respondent failed to complete corrective action of all significant deficiencies by December 26, 2013, and failed to notify the EPA of the completion of the corrective actions by January 25, 2014, and, therefore, violated the requirement.

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 the violations cited in paragraph 7, above, and, therefore, violated this requirement. Public notice for the 4<sup>th</sup> quarter 2013 and 1<sup>st</sup> quarter 2014 violations cited in paragraph 8 are due no later than one year after the Respondent learned of the violations.

13. Respondent is required to continue to inform the public every three months until the significant deficiency cited in paragraph 11, above, is corrected. 40 C.F.R. § 141.203(b)(2). Respondent failed to notify the public of the violation cited in paragraph 11, and, therefore, violated this requirement.

14. 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 7 through 11, above, to the EPA, 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):



15. Respondent shall monitor the System's water for nitrate quarterly at every entry point to the distribution system until notified by the EPA in writing of a different monitoring schedule. 40 C.F.R. § 141.23(d). Respondent shall report analytical results to the EPA within the first 10 days following the month in which sample results are received. 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).
16. Respondent shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.151-141.155.
17. Within 10 days after receipt of this Order, Respondent shall consult with the EPA regarding appropriate corrective actions for addressing the following significant deficiency AND within 60 days of receipt of this Order, submit a corrective action plan and schedule to the EPA. 40 C.F.R. §§ 141.403(a)(4) and 403(a)(5).
- a) Unknown integrity of storage tank. The Town of Albin's storage tank access hatch and air vent must be inspected by a third-party professional or appropriately trained in-house staff. Respondent must provide the EPA with documentation of inspection results. The inspection report must include a description of the condition of each specified tank component. Labeled photographs should be included for documentation. The inspection report must also list any corrective actions needed to address deficiencies with the tank components, and the dates by which each corrective action will be completed.
18. The corrective action plan shall include proposed inspection dates of the System and estimated costs of such inspection. If the inspection reveals deficiencies to be corrected, Respondent shall submit a plan and schedule for proposed modifications to correct the deficiencies. 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.
19. The schedule required by paragraph 17, above, shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.
20. Within 90 days after receipt of the EPA's approval of the schedule required by paragraph 17, above, Respondent shall provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the treatment technique requirements for ground water systems. Each quarterly report is due by the 10<sup>th</sup> day of the month following the relevant quarter.
21. Respondent shall notify the EPA within 30 days after completion of the corrective actions, as required by 40 C.F.R. § 141.405(a)(2). Respondent shall provide evidence to the EPA, including photographs of the corrective actions and the following certification signed by a person of authority who represents the System, that the above corrective actions have been completed: "I certify under penalty of perjury that [insert name of individuals/company/representative] has/have completed corrective actions



in accordance with the approved schedule to address the significant deficiencies at the Town of Albin public water system.”

22. For any future violation of the Drinking Water Regulations for which this Order does not specify a reporting period, Respondent shall, within 48 hours report that violation to the EPA 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.

23. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 7 and 11, above, following the instructions provided with the public notice templates enclosed with this Order. For the violation cited in paragraph 11, Respondent shall continue to notify the public of any uncorrected significant deficiencies every three months, as required by 40 C.F.R. § 141.203(b)(2). 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.

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

25. 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.

26. Respondent shall direct all reporting required by this Order to:

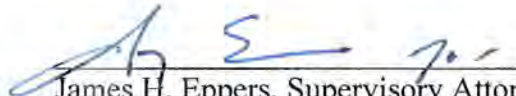
U.S. EPA Region 8 (8P-W-DW)  
1595 Wynkoop Street  
Denver, CO 80202-1129

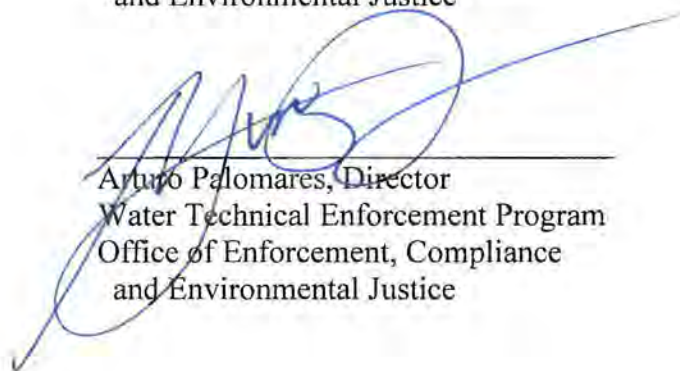


**GENERAL PROVISIONS**

27. 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.
28. 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.
29. 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).
30. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: SEP 29 2014, 20  .

  
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





## U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, 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.

### EPA's Small Business Websites

Small Business Environmental Homepage - [www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

Small Business Gateway - [www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

EPA's Small Business Ombudsman - [www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888

#### EPA's Compliance Assistance Homepage

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

This page is a gateway to 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](http://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/](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) or 1-734-995-4911

#### 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)

#### Metal Finishing

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

#### Paints and Coatings

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

#### Printed Wiring Board Manufacturing

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

#### Printing

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

#### Ports

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

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

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

#### Hotlines, Helplines and Clearinghouses

[www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm)

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

#### Antimicrobial Information Hotline

[info-antimicrobial@epa.gov](mailto:info-antimicrobial@epa.gov) or  
1-703-308-6411

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

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

#### Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/  
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

#### EPA Imported Vehicles and Engines Public Helpline

[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or  
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  
[www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802

#### Pollution Prevention Information Clearinghouse (PPIC)

[www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or  
1-202-566-0799

#### Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.  
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

#### Stratospheric Ozone Protection Hotline

[www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996

## **Toxic Substances Control Act (TSCA) Hotline**

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

## **Wetlands Information Helpline**

[www.epa.gov/owow/wetlands/wetline.html](http://www.epa.gov/owow/wetlands/wetline.html) or 1-800-832-7828

## **State and Tribal Web-Based Resources**

### **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)**

[www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

### **EPA's Tribal Compliance Assistance Center**

[www.epa.gov/tribalcompliance/index.html](http://www.epa.gov/tribalcompliance/index.html)

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

### **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/compliance/incentives/smallbusiness/index.html](http://www.epa.gov/compliance/incentives/smallbusiness/index.html)

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

#### **EPA's Audit Policy**

[www.epa.gov/compliance/incentives/auditing/auditpolicy.html](http://www.epa.gov/compliance/incentives/auditing/auditpolicy.html)

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), or go to their website at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

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.*



# 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**

**Town of Albin Failed to Correct a Significant Deficiency 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.

During a routine inspection conducted on August 1, 2012 by the EPA, the inspector was unable to inspect the storage tank access hatch and air vent to verify integrity of the storage tank. The Town of Albin was required to perform the inspection and report findings to the EPA by September 27, 2013, and we failed to do so. As required by Environmental Protection Agency's (EPA's) Ground Water Rule, we were required to take action to correct this deficiency. However, we failed to take this action by the deadline established.

**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 the Town of Albin public water system. State Water System ID#: WY5600189.

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

## Instructions for Monitoring Violations Annual Notice – Template 3-1A

If you are required to provide Tier 3 notification, you must provide public notice to persons served within one year after you learn of the violation [40 CFR 141.204(b)]. 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 [40 CFR 141.204(c)]:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Noncommunity systems must use one of the following [40 CFR 141.204(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 141.204(c)]. 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 already been resolved, you must post the notice for at least seven days [40 CFR 141.204(b)]. 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 insertion in an annual notice or the Consumer Confidence Report (CCR), as long as public notification timing and delivery requirements are met [40 CFR 141.204(d)]. You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time. If you do modify the 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 for monitoring and testing procedure violations [40 CFR 141.205(d)] 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 took, or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. You can use the following language, if appropriate, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

### **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 [40 CFR 141.31(d)].

## Monitoring Violations Annual Notice – Template 3-1A

### IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

#### Monitoring Requirements Not Met for Town of Albin Public Water System

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During 2011, the 4<sup>th</sup> quarter of 2013 and the 1<sup>st</sup> quarter of 2014, we did not monitor for nitrate, and therefore cannot be sure of the quality of your drinking water during that time.*

#### What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during 2011, 2013 and 2014, how often we are supposed to sample for these contaminants, how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were taken.

| Contaminant | Required sampling frequency                                       | Number of samples taken | When samples should have been taken | When samples were taken |
|-------------|---|-------------------------|-------------------------------------|-------------------------|
| Nitrate     | 1 sample every year in 2011                                       | 0                       | 2011                                | March 7, 2012           |
| Nitrate     | 4 samples every quarter beginning 2 <sup>nd</sup> quarter of 2013 | 3                       | 4 <sup>th</sup> quarter of 2013     | June 17, 2014           |
| Nitrate     | 4 samples every quarter beginning 2 <sup>nd</sup> quarter of 2013 | 0                       | 1 <sup>st</sup> quarter of 2014     | June 17, 2014           |

**What is being done?** We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.

For more information, please contact Aaron Anderson at 307-246-3243 or [townofalbin@yahoo.com](mailto:townofalbin@yahoo.com).

*\*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.\**

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



**Certification**

After delivering this notice, enter the date delivered, sign below and send a copy to:

Olive Hofstader  
Environmental Protection Agency  
1595 Wynkoop Street, Attn: 8ENF-W  
Denver, CO 80202

Date and method of delivery \_\_\_\_\_

Signature \_\_\_\_\_