

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

January 5, 2021

11:05 AM

Received by

IN THE MATTER OF: )  
 )  
Pioneer Water and Sewer District )  
 )  
Respondent. )  
 )  
PWS ID # WY5600828 )

Docket No. SDWA-08-2021-0003

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 official.
2. Pioneer Water and Sewer District (Respondent) is a public body created by or pursuant to Wyoming law that owns and/or operates the Pioneer Water and Sewer Public Water System (System), which provides piped water to the public in Natrona County, Wyoming, for human consumption.
3. The System purchases water from the Central Wyoming Regional Water System Joint Powers Board (Wholesaler), through one main meter/connection. The Wholesaler’s water source is mixed and treated with chloramines. The System has no additional pumping, storage or treatment.
4. The System has approximately 337 service connections used by year-round residents and/or regularly serves an average of approximately 1500 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).
6. Part 141 includes monitoring requirements. The EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.

**VIOLATIONS**

7. Respondent is required to deliver a consumer notice of individual tap monitoring results for lead and copper to the persons served at each sampled site, in accordance with 40 C.F.R. § 141.85(d). Within 90 calendar days following the end of each monitoring period, Respondent is required to submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3). Respondent failed to deliver a consumer notice of the June 1 to September 30, 2019 monitoring results to the persons served at each sampled site and failed to submit a copy of the consumer notice to the EPA and, therefore violated this requirement.
8. Respondent is required to certify to the EPA that an annual Consumer Confidence Report (CCR) has been distributed to the System’s customers, and that the information is correct and consistent with compliance monitoring data previously submitted to the EPA. The certification is due within three months of distributing the CCR. 40 C.F.R. § 141.155. Respondent failed to provide CCR certification

for calendar year 2015 by October 1, 2016. Therefore, Respondent violated this requirement.

9. 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 7 and 8, above, to the EPA and therefore, violated this requirement.

### **ORDER**

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

10. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.

11. Within 30 calendar days after receipt of this Order, and thereafter, within 90 calendar days following the end of each monitoring period, Respondent shall deliver a consumer notice of individual tap monitoring results to the persons served at each sampled site, in accordance with 40 C.F.R. § 141.85(d). Within 45 days after receipt of this Order, and thereafter, within 90 calendar days following the end of each monitoring period, Respondent shall submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3).

12. Within 30 calendar days after receipt of this Order, Respondent shall certify to the EPA that the CCR for calendar year 2015 has been distributed to the System's customers, and that the information is correct and consistent with compliance monitoring data previously submitted to the EPA. Thereafter, Respondent shall provide CCR certifications as required by 40 C.F.R. § 141.155.

13. For any future violation of Part 141 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 Part 141 specifies a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.

14. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent shall, 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 shall remain obligated to comply with this Order.

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

Email: [R8DWU@epa.gov](mailto:R8DWU@epa.gov), and [carballal-broome.christina@epa.gov](mailto:carballal-broome.christina@epa.gov)


**GENERAL PROVISIONS**

16. This Order shall 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 \$59,017 (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; 85 Fed. Reg. at 1754 (January 13, 2020).
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: January 5, 2021.

**COLLEEN  
RATHBONE**

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

 Digitally signed by COLLEEN  
RATHBONE  
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