



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2014 OCT -3 AM 8:51

OCT 03 2014

EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

National Registered Agents, Inc.
1712 Pioneer Avenue #120
Cheyenne, WY 82001

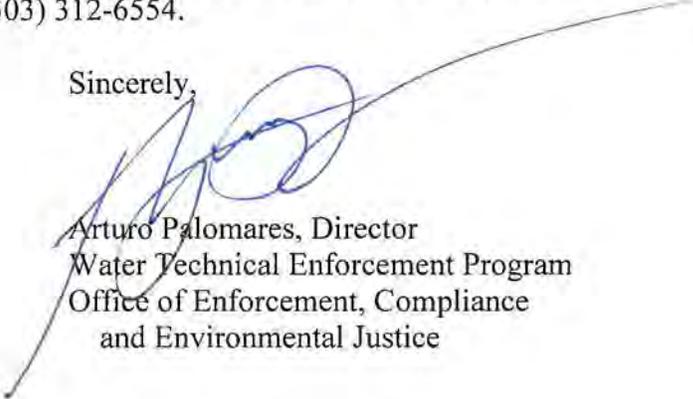
Re: Amended Administrative Order issued to Sigma-Aldrich RTC, Inc., PWS ID#5601653,
Docket No. SDWA-08-2014-0021

Dear National Registered Agents, Inc.:

Enclosed is an Amended Administrative Order that corrects the Administrative Order the EPA issued to Sigma-Aldrich RTC, Inc., on July 7, 2014. The corrections are to paragraphs 11 and 12 on page 2. The requirement to monitor for volatile organic contaminants is corrected to 2015 and for synthetic organic contaminants it is corrected to the compliance period of January 1, 2017 through December 31, 2019.

I apologize for any inconvenience this error has caused. If you have any questions regarding this amendment, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W), via email at brainich.kathelene@epa.gov, or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. Any questions from your 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, or by phone at (800) 227-8917, extension 6554 or (303) 312-6554.

Sincerely,



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

Enclosure

cc: Joe Morotti, Sigma-Aldrich (via email)
WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2014 OCT -3 AM 8:51

IN THE MATTER OF:)
)
Sigma-Aldrich RTC, Inc.,)
)
Respondent.)

Docket No. SDWA-08-2014-0021

AMENDED ADMINISTRATIVE ORDER

EPA REGION VIII
HEARINGS OFFICE

1. This Amended Administrative Order (Amended 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. Sigma-Aldrich RTC, Inc. (Respondent) is a Delaware corporation that owns and/or operates the Sigma-Aldrich RTC, Inc., Public Water System (System), which provides piped water to the public in Albany County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source consisting of one well. The System's water is untreated. The EPA notified the System that it was a public water system in August 2012.
4. The System has approximately 3 service connections and/or regularly serves an average of approximately 27 of the same individuals daily for at least six months out of the year. Therefore, the System is a "public water system" as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and 40 C.F.R. § 141.2. The System is also a "non-transient, non-community" water system as defined in 40 C.F.R. § 141.2.
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).

VIOLATIONS

6. Respondent is required to monitor the System's tap water for lead and copper during two consecutive six-month monitoring periods. 40 C.F.R. § 141.86(d). Respondent failed to monitor the System's water for lead and copper during the 2nd (July-December) six-month monitoring period in 2013, and, therefore, violated this requirement.
7. Respondent is required to conduct initial monitoring of the System's water during four consecutive quarters for volatile organic contaminants. 40 C.F.R. § 141.24(f)(4). Respondent monitored the System's water for volatile organic contaminants during the 3rd (July-September) and 4th (October-December) quarters of 2012 but failed to monitor during the 1st (January-March) quarter of 2013 and, therefore, violated this requirement. Respondent subsequently completed the quarterly monitoring requirement by monitoring during the 2nd (April-June) quarter of 2013 and the 1st quarter of 2014.
8. Respondent is required to conduct initial monitoring of the System's water for certain synthetic (pesticide/ herbicide) organic contaminants for four consecutive quarters. 40 C.F.R. § 141.24(h). Respondent monitored the System's water for synthetic organic contaminants during

the 3rd and 4th quarters of 2012 but failed to monitor during the 1st quarter of 2013 and, therefore, violated this requirement. Respondent subsequently completed the quarterly monitoring requirement by monitoring during the 2nd quarter of 2013 and the 1st quarter of 2014.

9. 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 6 through 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 Amended Order (unless a different deadline is specified below):

10. Between July 1, 2014, and December 31, 2014, Respondent shall monitor the System's water for lead and copper, and thereafter as directed by the EPA in accordance with 40 C.F.R. § 141.86(b), (c) and (d). Within the first 10 days following the end of each monitoring period, Respondent shall report analytical results to the EPA, as required by 40 C.F.R. § 141.90.

11. Respondent shall monitor the System's water for volatile organic contaminants as required by the Drinking Water Regulations. Respondent is next required to sample for volatile organic contaminants during 2015. 40 C.F.R. § 141.24(f)(5). Respondent shall report any analytical results to the EPA within the first 10 days following the month in which sample results are received, as required by 40 C.F.R. § 141.31(a).

12. Respondent shall monitor the System's water for synthetic organic contaminants as required by the Drinking Water Regulations. Respondent is next required to sample for synthetic organic contaminants during the compliance period of January 1, 2017, through December 31, 2019. 40 C.F.R. § 141.24(h). Respondent shall report any analytical results to the EPA within the first 10 days following the month in which sample results are received as required by 40 C.F.R. § 141.31(a).

13. Respondent shall report any violation of the Drinking Water Regulations to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or the Drinking Water Regulations, Respondent shall report within that different period.

14. If the number of individuals served by the System falls below an average of 25 daily at least 60 days of the year, or if the number of connections served by the System falls to below 15, Respondent shall notify the EPA in writing within 10 days.

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

16. 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 Amended 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 Amended Order even if Respondent leases the System to another person or entity or hires another person or entity to operate the System.

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

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

GENERAL PROVISIONS

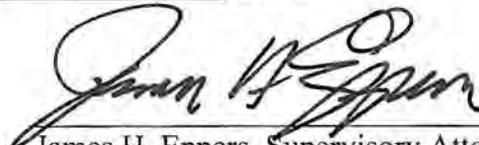
18. This Amended Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

19. Violation of any part of this Amended 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.

20. Respondent may seek federal judicial review of this Amended Order pursuant to section 1448(a) of the Safe Drinking Water Act, 42 U.S.C. § 300j-7(a).

21. This Amended Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA. The Administrative Order issued by the EPA to Respondent on July 7, 2014, remains open, except as to paragraphs 11 and 12, which are replaced by paragraphs 11 and 12 of this Amended Order.

Issued: October 3, 2014.



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