

TOPIC: EPA SANITARY SURVEYS AND DETERMINATION OF SIGNIFICANT DEFICIENCIES OF WYOMING PUBLIC WATER SYSTEMS

BACKGROUND

As the primacy agency that regulates the safety of drinking water provided by public water systems, EPA periodically inspects, or completes sanitary surveys of those systems in Wyoming. The purpose of the sanitary survey is to identify 'significant deficiencies' in a system's design or operation that may pose a threat to the system's ability to provide a safe and secure supply of drinking water to the public.

In 2010, EPA began issuing significant deficiencies to municipalities in Wyoming. The majority of municipalities in Wyoming need to either correct the significant deficiencies on a schedule acceptable to EPA or be faced with enforcement orders from EPA. Modification of drinking water systems to correct, or resolve significant deficiencies can be costly to communities.

Currently, EPA and DEQ coordinate and agree on many system design deficiencies that are determined by EPA to be 'significant'. However, DEQ does not agree with EPA's determination of significant deficiencies for systems that have water storage tanks. The majority of municipalities in Wyoming have public water system storage tanks. EPA and DEQ disagree on EPA's criteria that determine whether storage tank vents, hatches, overflow pipes, and protective mesh screens constitute a significant deficiency, or not. As a result, municipalities in Wyoming are faced with meeting design requirements of EPA that may be more stringent than DEQ's.

Municipalities in Wyoming will need to work with DEQ to obtain the required permits for modifications to public water systems. Design modifications to the public water system have the potential to cause damage to the system if this construction permitting process is not followed.

DEQ has met with the Wyoming Assoc. of Rural Water Systems (WARWS) and the Wyoming Association of Municipalities (WAM) Executive Directors to discuss the concerns that municipalities face in addressing significant deficiencies. DEQ understands the predicament that many municipalities in Wyoming face in these situations and has asked for their patience in this matter as we continue to seek a resolution to our differences with EPA.

NEXT STEPS

- EPA and DEQ are continuing to work to resolve our differences. In a May 2017 meeting with the Governor's Small Systems Task Force, EPA offered to have a third party facilitator assist with discussions between DEQ and EPA. They also indicated an openness to discuss accepting variances that could preclude requirements to address significant deficiencies.
- We will keep the municipalities in Wyoming informed of our progress.
- DEQ's SRF program staff will work with the municipalities in Wyoming to identify potential funding sources to correct significant deficiencies identified by EPA.