



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

August 3, 2023

Ref: 8WD-SDA

SENT VIA EMAIL

Mr. Jim Franz, Contract Operator
Carpenter Water & Sewer District
1855 Milton Drive
Cheyenne, Wyoming 82001
jimfranz@bresnan.net

**Re: Notice of Noncompliance
Ground Water Rule
Failure to Complete Corrective Action
PWS ID# WY5601464 C**

Dear Mr. Franz:

The purpose of this letter is to inform you that Carpenter Water & Sewer District has failed to complete corrective action to address a significant deficiency identified by the Environmental Protection Agency during a sanitary survey conducted at the Carpenter Water & Sewer District Water System. Public water systems are required to correct significant deficiencies identified by EPA and to submit information regarding completion of the corrective action to EPA, according to 40 C.F.R. §§ 141.403 and 141.405 of the National Primary Drinking Water Regulations (NPDWR). A significant deficiency was identified by EPA during a sanitary survey on July 31, 2020, as shown in the attached copy of the sanitary survey cover letter. The corrective action for the significant deficiency was required to be completed according to a schedule approved by EPA. The uncorrected significant deficiency and the EPA-approved correction schedule is shown in the following table. This is a violation of the NPDWR.

Overdue Ground Water Rule Significant Deficiencies			
Required Completion Date	Description of Significant Deficiencies	Date of Sanitary Survey	Significant Deficiency Number
7/22/2023	Unknown integrity of storage tank air vent and access hatch - The air vent and access hatch must be inspected, and the structure/condition compared to the Tech Tips for Finished Water Storage Facilities.	7/31/2020	SD#1

Please take the following actions:

- (1) Please contact EPA immediately and provide an update on the status of the uncorrected significant deficiencies identified during the sanitary survey and noted in the above table.
- (2) Notify your customers of this violation as soon as practical, but no later than 30 days after you learn of the violation. The public notice (PN) must be delivered either by hand or direct delivery, or by mail, as a separate notice or included in the bill. This PN must be repeated every three months for as long as the violation or situation persists. A Ground Water Rule (GWR) Failure to Take Corrective Action Within Required Time Frame Public Notice template is attached. You may also use this template in Microsoft Word, which is available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>. You must also include this violation in your Consumer Confidence Report (CCR).
- (3) Provide our office with a copy of your public notice and certification within 10 days of completion.

Please send the significant deficiency status update, public notice and certification to our office using one of the methods listed below. Include your PWS name and PWS ID# on all correspondence.

Email: R8DWU@epa.gov and langenfeld.matthew@epa.gov

Fax: 1-(877) 876-9101

Mail: Refer to the address at the top of this letter. Please use Mail Code 8WD-SDA on the envelope.

You should be aware that repeated violations of the NPDWR may result in formal enforcement action taken against your water system. If formal enforcement action were to be necessary, the Safe Drinking Water Act provides for civil penalties of up to \$67,544 per day of violation. We prefer to resolve problems before such formal enforcement is necessary, and we ask for your cooperation to rectify them quickly and effectively.

If you have questions, please contact the Ground Water Rule Manager, Matthew Langenfeld at (303) 312-6284, or by email at R8DWU@epa.gov and langenfeld.matthew@epa.gov.

Sincerely,
**ROBERT
PARKER**

Rob Parker Supervisor
Drinking Water Section A
Water Division

 Digitally signed by ROBERT
PARKER
Date: 2023.08.03 11:56:46
-06'00'

Enclosure:

Sanitary Survey Cover Letter

Tier 2 PN Template

Correction Notice Form

Tech Tip Tank Vents

Tech Tip Hatches

Unknown Integrity of finished water Storage Tank Hatch-Vent Checklist

cc: Paul Gonzalez, Chairman
Carpenter Water & Sewer District
waterdistrict@outlook.com

Yvonne Ware, Administrative Contact
Carpenter Water & Sewer District
waterdistrict@outlook.com

Mr. Nick Dennis, Water Supervisor
Cheyenne Board Of Public Utility
ndennis@cheyennebopu.org

Instructions for GWR Failure to Take Corrective Action Within Required Time

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

Send a copy to EPA Region 8 Drinking Water Unit (8WP-SDA), Attn: GWR Manager, 1595 Wynkoop Street, Denver, CO 80202 or email a copy of the PN and the certification to R8DWU@epa.gov.

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
Public Notice**

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

**_____ (PWS Name) 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.

A routine sanitary survey conducted on (provide survey date) _____ by the Environmental Protection Agency Region 8 (EPA) found (describe significant deficiency in our water system) _____

As required by 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 by EPA.

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) _____.
For more information, please contact (name of system 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. 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 (system name) _____.

Public Water System ID#: _____.

Date distributed: _____.

CERTIFICATION OF PUBLIC NOTIFICATION

I _____ certify that the attached public notice was issued from
(PWS Operator/Responsible Party)
_____ to _____. The notice attached was issued by
(Date) (Date)
_____ for the GWR Violation that occurred on _____.
(Method of delivery – by hand, mail, email, etc.) (Date)

Signature _____ Date _____

Public Water System Name: _____ PWS ID Number: _____

EPA Region 8 – Significant Deficiency Correction Notice

Public Water System Name _____
Public Water System ID# _____
Public Water System Source Type: (circle one) Groundwater Surface Water Mixed

Instructions:

Please use this form to report the correction of sanitary survey significant deficiencies identified during your last sanitary survey. List a description of the individual significant deficiencies and number (e.g., SD#1) and the date of correction below. Pictures of corrections and a brief description of each correction is required. Label all pictures with a unique number (e.g, photograph #1) and correlate them to a specific significant deficiency. Include the name of the facility (e.g., well name and number, tank name and number, treatment plant, etc.) and the correction date on any documentation you provide.

If a WY DEQ permit was required to make any of the significant deficiency corrections, please include the permit number on the specific correction line below.

Facility	Significant Deficiency	Date Corrected	Photograph Number	WYDEQ Permit #

I certify that the information submitted with this report is true and accurate.

Print Name Signature / /

Phone Number Email Address Date

☐ Supporting documents attached (i.e., photos, receipts, drawings, WDEQ permit or application)

For groundwater and surface water system submit to Matthew Langenfeld, Ground Water Rule Manager at:
Email: Langenfeld.matthew@epa.gov and Email: R8DWU@epa.gov Fax: 1-877-876-9101



EPA Region 8 Drinking Water Unit Tech Tips

Sanitary Protection of Drinking Water Storage Tanks: Vents

Finished Water Storage Sanitary Protection: Vents release air and are a dynamic and integral part of tank operation. The air pressure inside of a tank is always trying to equalize with the air pressure outside as the water level rises and falls in the tank. When the tank is filling with water, displaced air has less space and puts pressure on the tanks. The air is forced out of the tank through the vent and overflow as well, if it is not overflowing with water (see Tech Tip on Overflows). When water is drawn out of the tank, the air has more space and creates a vacuum. Outside air is pulled into the tank through the vent and overflow. Thin walled metal tanks can be protected against excessive pressure and vacuum with a pressure/vacuum relief mechanism. Also, storage tank vents cannot serve as the overflow; tanks must have a vent separate from the overflow.

Downturned vent

Protection from contamination entering through the vent.

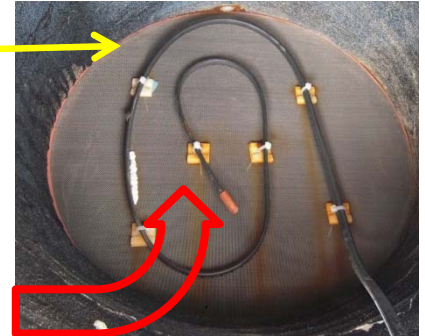


At least
24 inches
above a
horizontal
surface

#24 mesh screen is needed to keep out contamination carried by insects, rodents, and birds. (See Tech Tip on #24 Mesh)

Not having a #24 mesh screen on a vent will trigger a significant deficiency

The #24 mesh screen can be installed between two flanges. The flanges allow the #24 mesh screen to set flush, which creates a better seal than wrapping the screen around the pipe and securing it with a band. Also, the flange will place the screen inside the vent to dissuade vandalism. A heating coil can be installed if freezing is a concern.



Protection from contamination being inhaled through the vent

Vents present a pathway for contamination to enter the tank. Having the vent opening at least 24 inches above the nearest horizontal surface protects against the inhalation of contamination (dried feces, dust, etc.). A bird dropping can contain thousands of salmonella.

Vents less than the 24 inches above the roof will trigger a significant deficiency. Also, if vents on buried or partially buried tanks are not downturned or facing the ground, it will trigger a significant deficiency.

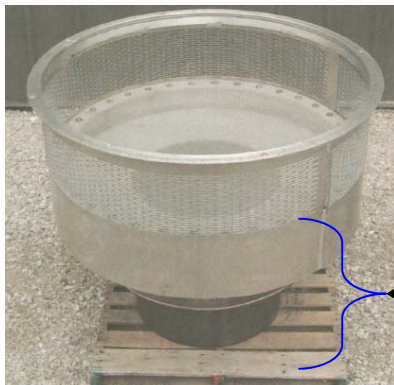
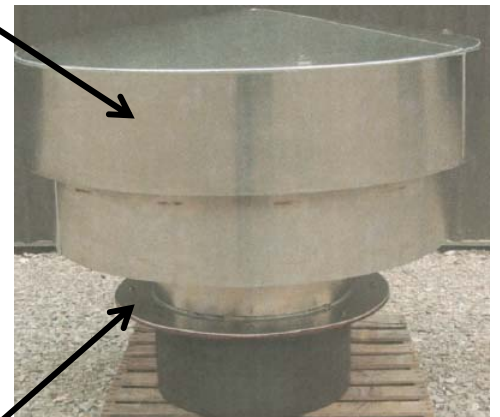
Non-downturned vent (Elevated or Ground Level Tanks Only)



For elevated tanks, having fewer than 8 inches from the bottom of the #24 mesh to a horizontal surface will trigger a significant deficiency

The vent must have a watertight cover that extends down to the bottom of the #24 mesh screen. The cover will prevent the entry of rain and snow as well as minimize the entry of dust.

Not having a solid cover that extends to the bottom of the #24 mesh screen will trigger a significant deficiency



Recommendation only: Having the vent opening at least 24 inches above the horizontal surface protects against the inhalation of contamination (dried feces, dust, etc.). In addition to the #24 mesh screen, the vent should also have a bird screen to prevent any birds from nesting on top of a horizontally placed screen.

Bird spikes can be added to any intermediate horizontal surfaces. In some cases, the height of the vent should be raised higher than 24 inches to address severe problems with birds or other animals.

Vents not accessible for inspection can trigger a significant deficiency.

EPA Region 8 Drinking Water Unit

Unknown Integrity of Finished Water Storage Tank Hatch and Vent Checklist

Fill out one checklist per storage tank & submit labeled photos of each tank component the sanitary surveyor was unable to access and completely evaluate with this form

PWS Name: _____	PWS ID: _____		
Tank Name: _____	Tank ID: _____		
Proposed Inspection Date: _____	Actual Inspection Date: _____		
Name of Person Filling Out Form: _____	Title of Person Filling Out Form: _____		
I certify that this information is complete and accurate:		Date:	

Overall Tank Condition				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
☐ Yes ☐ No	Does the tank appear to be structurally sound?	If no, what repairs are suggested by the tank inspector? _____	_____	_____
☐ Yes ☐ No	Are there any unprotected openings in the tank (breaches, leaks, daylight coming through tank in spots, etc)	If yes, indicate type of breach and how it should be repaired. _____	_____	_____

Access Hatch				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
☐ Yes ☐ No	Is the hatch raised at least 4" above the roof (for ground level or elevated tanks) or at least 24 inches above the roof or ground, whichever is higher (for buried or partially buried tanks)? What is the height of the access hatch above the roof or ground surface? _____	If no, the hatch should be raised to the appropriate height above the tank roof or ground.	_____	_____
☐ Yes ☐ No	Does the hatch have a shoe box lid?	If no, a properly designed shoe box type lid should be installed.	_____	_____
☐ Yes ☐ No	Is the lid water tight and sealed with a rubber gasket?	If no, the reason for the lack of a seal should be investigated and repaired.	_____	_____
☐ Yes ☐ No	Is the hatch locked?	If no, the hatch should be equipped with a lock.	_____	_____

Air Vent				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
Above Ground Tanks (Ground Level or Elevated) ☐ Check if NA				
☐ Yes ☐ No ☐ NA	<u>Downturned vent</u> : Is the vent at least 24" or 3 pipe diameters above the roof?	If no reconfigure vent to provide proper air gap.	_____	_____
☐ Yes ☐ No ☐ NA	<u>Non-downturned vent</u> : Is there a solid cover down to the bottom of the vent screen?	If no, indicate deficiency and proposed correction: _____	_____	_____
☐ Yes ☐ No ☐ NA	<u>Non-downturned vent</u> : Is the screen at least 8" above the roof surface? What is the height of the start of the screening above the tank? _____	If no, indicate deficiency and proposed correction: _____	_____	_____
☐ Yes ☐ No	Is the vent covered with #24 mesh corrosion resistant screening (some exceptions apply)? Mesh Size: _____	If no, indicate deficiency and proposed correction: _____	_____	_____
Buried or Partially Buried Tanks ☐ Check if NA				
☐ Yes ☐ No	Is the vent covered with #24 mesh corrosion resistant screening?	If no, install proper #24 mesh corrosion resistant screening.	_____	_____
☐ Yes ☐ No	Does the air vent terminate downward?	If no, re-configure the vent so that it terminates downward.	_____	_____
☐ Yes ☐ No	Is the air vent at least 24" above the tank roof or ground surface (whichever is higher)? What is the height of the vent above the roof or ground surface? _____	If no, raise air vent to provide for an appropriate air gap.	_____	_____

Other Items			
Significant Deficiency	Required Correction	Proposed Completion Date	Actual Completion Date
Describe any other items noted by the inspector that have the potential to cause contamination of the finished drinking water: _____	What repairs are suggested to prevent or eliminate the source of contamination? _____	_____	_____



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8-waterops

December 27, 2022

Ref: 8WD-SDA

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Jim Franz, Contract Operator
Carpenter Water & Sewer District
1855 Milton Drive
Cheyenne, Wyoming 82001
jimfranz@bresnan.net

Re: **2020 Sanitary Survey Report**
PWS ID#: **WY5601464 C**

Dear Jim Franz,

Enclosed is a report prepared for the U. S. Environmental Protection Agency (EPA) following a sanitary survey of the Carpenter Water & Sewer District water system on July 31, 2020. Please note each significant deficiency listed at the beginning of the report. To avoid receiving a violation, you must correct **each identified significant deficiency and submit documentation of the corrective action to the EPA within 6 months** from receipt of this letter and sanitary survey report.

If you will be unable to meet this standard corrective action timeframe, you must contact the EPA with a written justification and proposed completion schedule as soon as possible. Each significant deficiency for this water system is listed below:

GROUND WATER RULE SIGNIFICANT DEFICIENCIES

Significant deficiencies for drinking water systems are defined as defects in the design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the EPA determines to be causing, or to have the potential for causing, the introduction of contamination into the water delivered to consumers.

1) Unknown integrity of storage tank air vent and access hatch.

The sanitary surveyor was unable to evaluate the tank air vent and access hatch, and the water system was not able to produce documentation of the condition of these components. Each item that could not be inspected during the sanitary survey must be inspected and the structure/condition must be compared to the enclosed Tech Tips for Finished Water Storage Facilities to determine if corrective action is needed. Tank inspectors can be third-party professionals or appropriately trained in-house staff.

In order to correct this significant deficiency, you must provide EPA with the following documentation:

- A completed copy of the Unknown Integrity Checklist.
- A copy of the inspection report. The inspection report must describe the condition of each specified tank component and include recent (within 1 year) photographs.
- The date that any corrective actions needed to address deficiencies with the tank components will be completed. EPA will review the inspection report and may require additional corrective actions.

The system representative provided photographs of these components from the 2017 tank cleaning report. Photographs of rooftop components must be recent (within 1 year).

Within 6 months from receipt of this letter, you must do the following:

- Prior to making physical modifications to your water system, a permit issued by the Wyoming Department of Environmental Quality (WY DEQ) may be required. Contact the respective WY DEQ District Engineer for your area to determine if a permit is needed before making corrections for significant deficiencies followed by an asterisk (*). The email and phone number for the DEQ District Engineer may be found on Page 2 of your Sanitary Survey Report.
- Correct each significant deficiency.
- Provide a completed Significant Deficiency Correction Notice listing each individual deficiency and the date of correction. If a WY DEQ permit was required to make any of the significant deficiency corrections, please include the permit number on your completed Correction Notice form.
- Provide labeled photos of each correction.
- **If you will be unable to meet the 6-month standard corrective action timeframe, you must contact the EPA as soon as possible with a written justification and proposed completion schedule to receive a time extension. Your time extension request must include:**
 - Your public water system name and number;
 - Description of why you will be unable to meet the 6-month timeframe;
 - Description of the corrective action(s) to be taken to address each significant deficiency;
 - A schedule including specific proposed dates for completing each corrective action, which may include short-term interim steps and long-term completion dates.

The Significant Deficiency Correction Notice is enclosed and can also be found at the following website: <http://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms> and by selecting the Sanitary Survey link. To avoid receiving a violation, please provide this documentation to:

Mr. Matthew Langenfeld, Groundwater Rule Manager
EPA Region 8, 8WD-SDA
1595 Wynkoop Street
Denver, CO 80202

Email: langenfeld.matthew@epa.gov
Phone: 303-312-6284

If you have any questions regarding a significant deficiency or your corrective action plan, contact Matthew Langenfeld. If you propose a different corrective action timeframe, Matthew will provide you with a confirmation email or letter.

The sanitary surveyor also identified at least one recommendation to improve the operation of the water system and to protect public health. While not required, the EPA recommends that all such items be corrected. Please see the enclosed Sanitary Survey report for any recommendations.

Please contact us if your system has a change in the treatment process; you add or remove a water source; there is a change in the number of people served or the number of water connections; or different contact information becomes available for your water system. This allows us to keep you up to date on monitoring requirements and keeps our inventory current. To access the EPA's change form, use the following link and send us the completed form or give us a call:

<http://www.epa.gov/region8-waterops/wyoming-public-water-system-change-form>

Thank you for your cooperation during the sanitary survey. If you have any questions regarding the sanitary survey, please call Lucien Gassie at 303-312-6620. If you have questions on specific regulations, please refer to the brochure enclosed with this letter, which contains the names and phone numbers for the EPA drinking water staff.

Sincerely,

ROBERT PARKER

Digitally signed by ROBERT
PARKER
Date: 2022.12.26 11:27:53 -07'00'

Rob Parker, P.E.
Supervisor, Drinking Water Section A
Water Division

Enclosures