CONFIDENTIAL

WEEKLY HOT TOPICS REPORT for RA/DRA Region 8

Week ending May 18, 2018

OFFICE OF ECOSYSTEMS PROTECTION AND REMEDIATION

No report

OFFICE OF ENFORCEMENT, COMPLIANCE & ENVIRONMENTAL JUSTICE

Region 8 Settles a Clean Air Act Enforcement Action with Enforcement/Investigatory / Ex. 7(a)

Enforcement/Investigatory / Ex. 7(a)

- Technical Contacts: Laurie Ostrand, 312-6437; Joseph Wilwerding, 312-6729; Legal Contact: Jessica Portmess, 312-7026

EPA Receives Over $400,000 in CERCLA Settlement at the Parish Chemical Superfund Site in Vineyard, Utah

Key Message: After ten years of EPA-led cleanup and legal efforts, EPA's involvement in the Parish Chemical Superfund Site is coming to a close.

- EPA became involved with the Parish Chemical Company (Parish) in 2008, conducting a time critical removal action to remove leaking and unstable chemical containers. EPA filed a CERCLA lien on the Site property in 2009, and subsequently filed a complaint to recover response costs at the Site.
- Throughout litigation, EPA and the State of Utah continued inspecting the Site. The agencies determined that, due to continued mismanagement, additional CERCLA response were necessary to address the hundreds of leaking, mislabeled, and potentially explosive containers.
- By 2012, EPA and Parish reached a settlement requiring Parish to transfer the Site property to a trust for cleanup and sale of the property. EPA is the beneficiary of the trust.
- After five years of additional cleanup concluded, EPA, DOJ, and the Trustee collaborated to clear title of other encumbrances and market the property.
- On Friday, May 11, the sale closed. EPA will receive $438,674.22. The property will be redeveloped and returned to beneficial industrial use.

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- Technical Contact: Shawn McCaffrey, 312-6515; Legal Contact: Amelia Piggott, 312-6410; On-Scene Coordinator: David Romero, 312-6572

CERCLA Response / Cost Recovery Legal Enforcement Unit Negotiates Enforcement/Investigatory / Ex. 7(a)

Enforcement/Investigatory / Ex. 7(a)

- Legal Contact: Mark Chalfant, 312-6177

Region 8 Issues SDWA Emergency Administrative Order (EAO) to Northern Cheyenne Tribe (Tribe)

Key Message: On May 16, 2018, EPA issued a 1431 Order in response to a potential imminent and substantial endangerment at Lame Deer Public Water System located in Montana.

- IHS notified EPA on May 16, 2018, a waterline broke on May 15, 2018, and a large portion of the System is without water.
- Loss of pressure in a drinking water distribution system may cause back-siphonage, which can allow disease causing organisms to enter the distribution system.
- EPA consulted with the System representative to inform them of their requirement to provide an alternative source of water and post/deliver boil water advisories immediately; disinfect and flush the system after making repairs; and the boil advisories must remain in effect until there are three consecutive safe samples.
- The EPA has been advised that the system issued an advisory to the homes impacted by the pressure loss and is in the process of performing corrective actions with assistance from the IHS.
- The system serves 3160 residents.
- Prior to issuance of the Order, EPA consulted with the Northern Cheyenne Utility Commission and IHS.
- Technical Contact: Olive Hofstader, 312-6467; Management Contact: Tiffany Cantor, 312-6521

OFFICE OF PARTNERSHIPS AND REGULATORY ASSISTANCE

No report

OFFICE OF TECHNICAL AND MANAGEMENT SERVICES

No report

OFFICE OF WATER PROTECTION

EPA Region 8 Will Host a Meeting Next Week with the Wyoming Oil and Gas Conservation Commission and Stakeholders on Sussex Aquifer Exemption Requests

Key Message: On May 22, 2018, the UIC program and the Wyoming Oil and Gas Conservation Commission's (WOGCC) UIC Director will meet with the Cheyenne Area Landowners Coalition (CALC) and Powder River Basin Resource Council (PRBRC) in Denver to listen to their concerns regarding EOG's proposal to exempt portions of the Sussex Aquifer outside Cheyenne, Wyoming.

- The WOGCC has received aquifer exemption requests from EOG for the disposal of produced fluids from its oil and gas operations in Laramie County. Disposal would be through two Class II wells (i.e., the Pole Creek 175-34H and the Durham 106-07H) injecting into the Sussex Aquifer.
- During 2017, WOGCC held two public comment periods for each of these disposal wells and received comments from both the PRBRC and CALC. These stakeholders recommended denial of these requests because they believe the Sussex Aquifer could serve as a future source of drinking water for local residents in and around Cheyenne. In part because of these concerns, there has been some press coverage by the Casper Star Tribune and the Wyoming Tribune Eagle.
- EPA received a November 28, 2017, letter from CALC expressing similar concerns. The ARA/OWP responded in a December 29, 2017 letter, acknowledging their concerns and stating that EPA: 1) has received a formal request from the WOGCC to exempt a portion of the Sussex Aquifer for the Pole Creek 175-34H well and is waiting for some additional information (e.g., WOGCC responses to public comments) from the State before it can make a decision; and 2) has yet to receive a similar request for the Durham 106-07H well.
- During next week's meeting, we will encourage CALC and PRBRC to continue to engage through the State's public process to ensure their concerns are heard and considered.
- Contacts: Douglas Minter 312-6079; Craig Boomgaard 312-6794

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