C O N F I D E N T I A L

WEEKLY HOT ISSUES REPORT for RA/DRA Region 8

Week ending May 11, 2018

OFFICE OF ECOSYSTEMS PROTECTION AND REMEDIATION

No report

OFFICE OF ENFORCEMENT, COMPLIANCE AND ENVIRONMENTAL JUSTICE

HOT ISSUES AND IMPORTANT DEADLINES:

FIFRA Enforcement Program coordinating with U.S. Customs and Border Protection (CBP) for Import Inspections and Product Sampling at Pembina, North Dakota Port of Entry

Key Message: FIFRA Enforcement Team meeting with CBP Port Leadership, conducting Import Inspections, and taking pesticide product samples.

- FIFRA Import Coordinator to review pesticide import process, the CBP import database "ACE System," with CBP in order to streamline process and expedite future import inspections and sampling activities.
- Pesticide sampling to be completed by NEIC.
- Port visit to occur May 16, 2018.
- Contact: Christine Tokarz, 312-6147

NPDES Enforcement Plans to Conduct NDPES Inspection of the Seneca Mine near Heyden, Colorado

Key Message: NPDES Enforcement plans to conduct an inspection of the Seneca Mine, a coal mine, near Heyden, Colorado the week of May 25, 2018.

- The Seneca Mine is permitted by Colorado and is being inspected as part of the Industrial Discharger National Enforcement Initiative. The facility was selected based on previous effluent violations as part of the Industrial Discharger National Enforcement Initiative. This inspection is part of a workshare agreement with the Colorado Department of Public Health and Environment (CDPHE).
- The purpose of the inspection is to verify compliance with the facility's NPDES permit.
- The facility will be notified of the inspection ahead of time.
- Consistent with RA direction, any formal enforcement will be referred to CDPHE.
- Technical Contact: Emilio Llamozas 312-6407; Management Contact: Stephanie DeJong 312-6362

SDWA Enforcement Unit is Authorizing Wesco Operating, Inc. to Resume Injection of a Class II Injection Well Located on the Wind River Indian Reservation, Wyoming

Key Message: SDWA Enforcement issued approval to resume injection after the workover of a Class II UIC well the week of April 30.

- The Company completed maintenance workover on the Winkelman Dome 83, Tensleep well to re-established mechanical integrity on the well on April 23, 2018 and submitting a passing mechanical integrity test to the EPA on May 1, 2018.
- The purpose of mechanical integrity is to ensure there are no significant leaks in the well and prevent the migration of injection fluids to underground sources of drinking water.
- EPA expedited the issuance of the letter to resume injection to minimize additional costs being incurred by the Company.

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- EPA is approving injection to resume on the well, because it is located within the exterior boundaries on the Wind River Indian Reservation, where EPA has direct implementation authority.
- Technical Contact: Gary Wang, 312-6469; Management Contact: Tiffany Cantor, 312-6521

SDWA Enforcement Unit is Issuing a Revised Plan and Schedule Approval Letter to Address Continuing Disinfection Byproduct Rule (DBPR) Violations at the Fort Belknap Agency Public Water System Located on the Fort Belknap Indian Reservation in Montana

Key Message: The revised plan and schedule approval letter is expected to be sent the week of May 7, 2018 and includes treatment upgrades to bring the system back into compliance with the DBPR.

- On December 2, 2013, a Consent Decree was issued to the System, requiring a plan and schedule to meet all requirements of the Stage 1 and Stage 2 Disinfection Byproducts Rules.
- The first plan optimized the System; however, it remained in noncompliance.
- The revised plan includes treatment upgrades to bring the system back into compliance with the DBPR.
- The system serves approximately 2,300 residents.
- EPA is taking this action because the Tribe does not have delegation.
- Technical Contact: Jill Minter, 312-6084; Management Contact: Tiffany Cantor, 312-6521

SDWA Enforcement Unit will be issuing an Administrative Order Violation (AOV) to the Rivermeadows Water District regarding ongoing violations at the Rivermeadows Water District public water system located in Wilson, Wyoming

Key Message: The AOV will be issued mid-May to Rivermeadows Water District public water system due to Consumer Confidence Report Rule reporting violations.

- On July 6, 2015, EPA issued an Administrative Order to the Rivermeadows Water District to comply with the Safe Drinking Water Act.
- Since the AO, the Rivermeadows Water District was late in distributing the 2014 and 2016 Consumer Confidence Reports (CCRs), and did not provide certifications to the EPA for the 2014, 2015 and 2016 CCRs.
- The system is classified as community water system serving approximately 100 residents.
- EPA is taking this action because Wyoming does not have delegation.
- Technical Contact: Jill Minter 312-6084; 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

HOT ISSUES AND IMPORTANT DEADLINES:

EPA's Office of Standards and Technology (OST) is Holding Stakeholder Meetings in Region 8 as Part of a New Oil and Gas Wastewater Study

Key Message: Stakeholder meetings with states, academia, and non-governmental organizations will be held in the Region 8 conference center May 21 and 22 to discuss EPA and state regulation and stakeholder management of produced water.

- Through this study the Agency will hear from stakeholders about available approaches to manage wastewater from both conventional and unconventional oil and gas extraction at onshore facilities.
- In response to an April 2018 request from OST, Region 8 staff identified and reached out to Region 8 stakeholders including States, NGOs, industry and academia.

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- An industry stakeholder session will be hosted by a trade association and held off site.
- Examples of questions to address are: 1) how can existing federal approaches to produced water management under the Clean Water Act interact more effectively with state regulations, 2) requirements or policy needs, and 3) whether any potential federal regulations that may allow for broader discharge of treated produced water to surface waters are supported.
- Contacts: Tricia Pfeiffer 312-6271; Amy Clark, 312-7014

Region 8 Regional Administrator to Attend Meeting at the Request of Congresswoman Diana DeGette to Discuss Options for Lowering Elevated Lead Levels in Drinking Water in Denver, CO

Key Message: In response to challenges from Denver Water, Denver Metro Wastewater, the City of Aurora and the Greenway Foundation to Colorado's determination of optimal corrosion control treatment, Congresswoman DeGette has invited the parties and EPA to attend a meeting on Friday, May 11, 2018, to discuss how to move forward together to lower lead levels and protect public health.

- Due to exceedances of the action level for lead in 2012, Denver Water conducted a study to determine the optimal corrosion control treatment (OCCT) for its system. The final report was provided to Colorado Department of Public Health and Environment (CDPHE) in September 2017.
- Based on the results of this study, on March 20, 2018, Colorado Department of Public Health and Environment (CDPHE) determined orthophosphate as the OCCT for Denver Water.
- While Denver Water's study showed that orthophosphate clearly reduced lead in drinking water over pH adjustment, Denver Water preferred pH adjustment based on costs and concerns of increased phosphorus in the watershed already impacted by nutrients.
- CDPHE's decision has been challenged administratively and judicially.
- Contacts: Darcy O'Connor, 312-6392

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