



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JAN 06 2011

REPLY TO THE ATTENTION OF:

WG-15J

CERTIFIED LETTER 7007 0710 0003 4407 5217
RETURN RECEIPT REQUESTED

John W. Rzasa, President
Village of Ransom
Village Hall
P.O. Box 33
Ransom, Illinois 60470

An Amended Administrative Order Regarding: Village of Ransom
Public Water System Identification Number: IL0990900
Docket Number: 0500087

Village of Ransom has a lengthy history of noncompliance with Federal and State drinking water requirements. The U.S. Environmental Protection Agency (U.S. EPA) issued you an Administrative Order (Order) on July 12, 2005 for failure to comply with certain provisions of the Safe Drinking Water Act (SDWA) and Title 40 of the Code of Federal Regulations (C.F.R.), Part 141. You accepted delivery of the Order on July 18, 2005. We have also discussed this matter with you over the telephone and you still have not provided us with evidence that you have complied with the Order. Therefore, U.S. EPA is issuing an amended Order under the authority vested in the Administrator of the U.S. EPA by Section 1414(g) of the SDWA, 42 United States Code (U.S.C.) § 300g-3(g). The authority to take these actions has been delegated to the U.S. EPA Region 5 Water Division Director.

FINDINGS

Village of Ransom (Respondent) owns and operates a community public water system known as Village of Ransom (the System) with the Public Water System Identification Number IL0990900. The System is located in the Village of Ransom, LaSalle County, Illinois.

Respondent is a "person" as that term is defined by Section 1401(12) of SDWA, 42 U.S.C. 300f(12), and 40 C.F.R. Section 141.2. Respondent provides water to the public for human consumption through a piped system to approximately 246 service connections and regularly serves approximately 620 people.

Respondent owns and operates a “public water system” as defined by Section 1401(4) of SDWA and 40 C.F.R. Section 141.2, and a “community water system” as defined by Section 1401(15) of SDWA and 40 C.F.R. Section 141.2. Respondent is a “supplier of water” as that term is defined in Section 1401(5) of SDWA and 40 C.F.R. Section 141.2. Respondent’s public water system utilizes a ground water source. Respondent is subject to Part B of SDWA, 42 U.S.C. Section 300g-300g-9, and the regulations promulgated thereunder at 40 C.F.R. Part 141.

On September 28, 1979, pursuant to Section 1413 of SDWA, 42 U.S.C. Section 300g-2, U.S.EPA’s determination became effective that the State of Illinois (State) met the requirements for primary enforcement authority for public water systems. The State has primary enforcement responsibility under Section 1413(a) of SDWA, 42 U.S.C. Section 300g-2(a), to ensure that suppliers of water in Illinois comply with the requirements of SDWA. On June 7, 2005, Illinois EPA requested that U.S. EPA accept this matter for enforcement of the applicable drinking water regulations.

40 C.F.R. Section 141.2 defines “maximum contaminant level” (MCL) as the maximum permissible level of a contaminant in water which is delivered to any user of a public water system. 40 C.F.R. Section 141.66(b) sets the MCL for Combined Radium-226 and radium-228 at 5 pico-curies per liter (pCi/L) (hereafter referred to as the “Combined Radium MCL”). This MCL became effective December 8, 2003.

The MCL is calculated on a running annual average at each sampling point. A system with a result above the MCL has violated the MCL and must collect quarterly samples until the system has results from four consecutive quarters that are at or below the MCL.

In the Order, which was issued on July 12, 2005, the U.S. EPA found that Village of Ransom had violated the Combined Radium MCL. The Order required the Village of Ransom to achieve compliance by its terms. However, you have not provided us with evidence that you have complied with the Order.

Respondent violated 40 C.F.R. 141.66(b) from the 2nd quarter of 2004 through the third quarter of 2009.

Respondent has also violated the following federal drinking water regulations:

VIOLATIONS

| Respondent Violated 40 C.F.R. Sections: | Which required the System to: | The System’s highest annual average of: | Exceeded the Combined Radium MCL for the period ending: |
|------------------------------------------------|-----------------------------------------|------------------------------------------------|----------------------------------------------------------------|
| 141.66(b) | Meet the Combined Radium MCL of 5 pCi/L | 7 pCi/L | 12/31/09 |
| 141.66(b) | Meet the Combined Radium MCL of 5 pCi/L | 6 pCi/L | 3/31/10 |
| 141.66(b) | Meet the Combined Radium | 6 pCi/L | 6/30/10 |

| Respondent Violated 40 C.F.R. Sections: | Which required the System to: | The System's highest annual average of: | Exceeded the Combined Radium MCL for the period ending: |
|------------------------------------------------|-----------------------------------------|------------------------------------------------|----------------------------------------------------------------|
| | MCL of 5 pCi/L | | |
| 141.66(b) | Meet the Combined Radium MCL of 5 pCi/L | 6 pCi/L | 9/30/10 |
| 141.66(b) | Meet the Combined Radium MCL of 5 pCi/L | 6 pCi/L | 12/31/10 |

To the extent that requirements of the Order issued on July 12, 2005, have not been completed, this amended Order with a revised schedule of due dates is provided to allow you the opportunity to return to compliance. Pursuant to the authority granted to U.S. EPA by Section 1414(g) of SDWA, 42 U.S.C. Section 300g-3(g), I HEREBY ORDER:

ORDER

| Respondent is Ordered to Complete the Following Actions: | By: | Pursuant to: |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------|
| Comply with the Combined Radium MCL of 5 pCi/L. | As soon as possible and no later than December 31, 2011. | 40 C.F.R. Section 141.66(b) |
| Submit to U.S. EPA and Illinois EPA a letter stating Respondent's intention to comply with this Order. | 10 days from receipt of this Order | This Order |
| Submit to U.S. EPA and Illinois EPA a detailed plan for bringing the System into compliance with the Combined Radium MCL. Include milestones with dates for planning engineering/design, and obtaining funding, construction/equipment installation, and projected completion date. To the extent grant funding may be part of part of your plan, your plan should also include a contingency funding option in the case that grant funds are not available. | 45 days from receipt of this Order | This Order |
| Submit to U.S. EPA and Illinois EPA in writing, a progress report on the status of achieving each identified milestone. | March 31, 2011; June 30, 2011 and by the end of each subsequent calendar quarter. | This Order |

| Respondent is Ordered to Complete the Following Actions: | By: | Pursuant to: |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| After your plan has been approved, you will notify U.S. EPA and Illinois EPA whenever you become aware a milestone date will not be met. | Within 10 days whenever you are aware that a milestone date will not be met | This Order |
| Continue to monitor quarterly until U.S. EPA notifies Respondent in writing otherwise. | March 31, 2011; June 30, 2011 and by the end of each subsequent calendar quarter. | 40 C.F.R. Section 141.26(a)(2)(iv) |
| Report all monitoring results to U.S. EPA and Illinois EPA. The addresses for both agencies are listed below. | Quarterly within ten days of receipt of the results. | 40 C.F.R. Section 141.31(a) |
| Provide public notice every three months as long as the violation persists. A sample public notice and certification statement are enclosed. | March 31, 2011; June 30, 2011 and by the end of each subsequent calendar quarter. | 40 C.F.R. Sections 141.201 to 141.211, including appendices |
| Submit a copy of the public notice and a certification statement that all public notice requirements have been met, to U.S. EPA and Illinois EPA. | Quarterly within 10 days of completing public notice. | 40 CFR Sections 141.31(d) and 141.201 to 141.211 including appendices |

All reports and submittals required by this Order shall be mailed to U.S. EPA and Illinois EPA at the following addresses:

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Annie Hawkins Compliance and Enforcement Officer Environmental Protection Agency Region 5 Mail Code WG-15J 77 West Jackson Boulevard Chicago, Illinois 60604 E-mail: hawkins.annie@epa.gov Fax: (312) 582-5147 Phone: (312) 353-8807 | Mike Crumly Illinois Environmental Protection Agency Compliance Assurance Section for Public Water Supplies/Bureau of Water Mail Code 19 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 Fax: (217) 557-1407 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Alternatively, such reports and submittals can be faxed to U.S. EPA and Illinois EPA at the fax numbers listed above.

The U.S. EPA will issue a complaint for penalties against Village of Ransom if the requirements of this Order are not complied with immediately. To avoid further action, you must contact us within **10 days** of receipt of this Order and demonstrate a willingness to cooperate and comply with the requirements of this Order.

We urge you to act promptly to resolve these drinking water violations.

GENERAL PROVISIONS

This Order does not constitute a waiver, suspension, or modification of the requirements of 40 C.F.R. Sections 141.66, 141.26, 141.31 or 141.201 to 141.211 or of any provision of SDWA or any of the regulations promulgated thereunder, which remain in full force and effect. Issuance of this Order is not an election by U.S. EPA to forgo any civil or criminal action otherwise authorized under SDWA.

Violations of applicable requirements of SDWA may subject Respondent to a civil judicial penalty of up to \$37,500 per day per violation for each such day in which a violation occurs, as assessed by a United States District Court, under SDWA Section 1414(b), 42 U.S.C. Section 300g-3(b), and 40 C.F.R. Part 19 (2004). Violation of any term of this Order may also subject Respondent to (i) a civil judicial penalty of up to \$37,500 per day per violation for each such day in which a violation occurs, assessed by a United States District Court, under SDWA Sections 1414(b) and 1414(g)(3), 42 U.S.C. 300g-3(b) and 300g-3(g)(3), and 40 C.F.R. Section 19.4, or (ii) an administrative penalty of up to \$32,500, after notice and opportunity for a hearing, under SDWA Section 1414(g)(3), 42 U.S.C. 300g-3(g)(3), and 40 C.F.R. Part 19.

The provisions of this Order shall be severable. If any provision of this Order is found to be unenforceable, the remaining provisions shall remain in full force and effect.

This Order shall be effective on the date on which it is signed. This Order shall remain in effect until U.S. EPA notifies Respondent in writing that U.S. EPA has determined that the water provided by Respondent through the System for human consumption has met the Combined Radium MCL and that the terms of this Order have been fulfilled.

Complying with this Order only remedies Combined Radium violations. You must continue to sample your water as directed by the Illinois EPA and as required by the drinking water regulations to avoid future violations. When you have sent us proof that you have completed the required actions, and U.S. EPA determines that you have fulfilled the terms of this Order, we will send you a letter that this Order is concluded.

The information required by this Order is not subject to the Paperwork Reduction Act of 1995, 44 U.S.C., Sections 3501 et seq. Enclosed is an information sheet entitled "U.S. EPA Compliance Assistance Resources" that may be helpful if you are a qualified small business.

Signed and dated *6 January*, 2011

A handwritten signature in black ink, appearing to read "Tinka G. Hyde", with a long horizontal stroke extending to the right.

Tinka G. Hyde
Director, Water Division

Enclosures:

Sample Public Notice

Certification of Completion form for public notice

Sections of the C.F.R. applicable to this Order

U.S. EPA Small Business Resources information sheet

cc: Mike Crumly, Illinois EPA

bcc: Ryan Bahr, U.S. EPA
Annie Hawkins
Reading File

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

VILLAGE OF RANSOM HAS LEVELS OF (CONTAMINANT) ABOVE DRINKING WATER STANDARDS

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results since the second quarter of 2004 show that our system exceeded the standard, or Maximum Contaminant Level (MCL) for combined radium (226 and 228). The standard for combined radium is 5 pico Curies per Liter. Based on recent samples collected through [Date _____], the running annual average is [level _____] pico Curies per Liter.

What should I do?

You do not need to use an alternative (e.g., bottled) water supply. However, if you have specific health concerns, consult your doctor.

What does this mean?

This is not an immediate risk. If it had been, you would have been notified immediately. However, some people who drink water containing radium 226 or 228 in excess of the MCL over many years have an increased risk of getting cancer.

Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.

What Happened? What is being done? *Explain below.*

We anticipate resolving the problem within _____
estimated time frame

For more information, please contact _____ at
Name of contact

_____ or _____
Phone number Mailing address

Please share this information with all other people who drinking this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). 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 Village of Ransom PWSID#: IL0990900

Date Distributed _____

CERTIFICATION FORM FOR PUBLIC NOTICE

PWS Name: Village of Ransom Public Water System

PWSID # IL0990900

For Violation: Exceedance of Combined Radium MCL

Occurring on: *(insert date)* 6/1/04 thru present

The public water system indicated above hereby affirms that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in the 40 C.F.R. Sections 141.203(b) and 141.205. (Content requirements met if public notice provided by U.S. EPA with this Order is completed.)

Notice distributed by _____ on _____
(insert method) *(insert date)*

Signature of owner or operator _____ Date _____

