



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JUL 12 2005

Reply to the attention of  
WG-15J

**CERTIFIED MAIL 7001 0320 0006 1450 0179**  
**RETURN RECEIPT REQUESTED**

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

Dear Mr. Rzasa:

Enclosed you will find an Administrative Order ("Order"), issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. Sections 300f - 300j-26 (1996) and its implementing regulations. Among other things, the Administrative Order finds that you have violated the National Primary Drinking Water Regulations at 40 C.F.R. §§ 141.66 and 141.203 for failure to comply with the maximum contaminant level for combined radium-226 and radium-228 and for failure to provide public notice of that violation.

If you comply with the enclosed Order for a period of at least one year, EPA may choose to close the Order. If you violate the enclosed Order, you can be subject to (1) a civil judicial penalty of up to \$32,500 per day for each violation as assessed by the United States District Court, or (2) an administrative penalty of up to \$27,500 for violation of this Order.

Please be aware that the Illinois Environmental Protection Agency (Illinois EPA) also has some State-specific requirements, which are not included in this Order. The Illinois EPA requires that you consult a registered engineer to determine what steps are necessary to comply with the maximum contaminant level for combined radium-226 and radium-228, among other things.. For technical assistance you can also call Gary Forsee, Compliance Specialist, Illinois EPA. His telephone number is (217) 785-0561.

If you have any legal questions about this Order, please call Jacquie Hejmanowski, Office of Regional Counsel, U.S. EPA Region 5 at (312) 353-4191.

Enclosed is an information sheet entitled "U.S. EPA Small Business Resources," that may be helpful if you are a qualified small business. We have also enclosed a model notice "Important Information About Your Drinking Water" that may be used to comply with the public notice

requirements of this Order. The information required by this Order is not subject to the Paperwork Reduction Act of 1995, 44 U.S.C. §§ 3501-3520.

Complying with this Order only remedies past violations. You must continue to comply with all applicable drinking water regulations to avoid future violations. The effective date of this Order is the date which it was signed. We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jo Lynn Traub".

Jo Lynn Traub  
Director, Water Division

Enclosures:

A list of laboratories certified by Illinois EPA for drinking water analysis  
U.S. EPA Small Business resources information sheet  
Sample Public Notice  
Certification of Completion form for public notice

cc: Mike Crumly, Illinois EPA  
Mike Garretson, Illinois EPA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

IN THE MATTER OF:	)	
John W. Rzasa, President	)	
Village of Ransom	)	
P.O. Box 33	)	
Ransom, Illinois 60470	)	Docket No. 0500087
	)	
PWS ID NO. IL0990900	)	ADMINISTRATIVE ORDER
	)	
PROCEEDINGS PURSUANT TO	)	
SECTION 1414(g) OF THE FEDERAL	)	
SAFE DRINKING WATER ACT,	)	
42 U.S.C. § 300g-3(g)	)	

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The United States Environmental Protection Agency (EPA) is issuing the following Administrative Order (Order) under the authority vested in the Administrator of the EPA by Section 1414(g) of the federal Safe Drinking Water Act (SDWA), 42 U.S.C. § 300g-3(g). The authority to take these actions has been duly redelegated to the Director, Water Division, EPA Region 5.

**FINDINGS**

1. The owner/operator (John W. Rzasa) owns and operates a community public water system known as Village of Ransom. The System is located in Ransom, Illinois.
2. Respondent's public water system provides piped water to the public for human consumption through a piped system to approximately 184 service connections and regularly serves approximately 483 year-round residents.
3. Respondent is a "person" within the meaning of Section 1401(12) of the SDWA and 40 C.F.R. § 141.2 and a "supplier of water" as that term is defined in Section 1401(5) of the SDWA and 40 C.F.R. § 141.2. Respondent owns and operates a "public water system" as defined by Section 1401(4) of the SDWA and 40 C.F.R. § 141.2, and a "community water system" as defined by Section 1401(15) of the SDWA and 40 C.F.R. § 141.2.
4. Respondent's public water system utilizes a ground water source.
5. Respondent is subject to Part B of the SDWA, 42 U.S.C. § 300g-300g-9, and the regulations promulgated thereunder at 40 C.F.R. Part 141.
6. On November 5, 1979, pursuant to Section 1413 of the SDWA , 42 U.S.C. § 300g-2,

EPA determined that the State of Illinois met the requirements for primary enforcement authority for public water systems. The State of Illinois (State), has primary enforcement responsibility under Section 1413(a) of the SDWA, 42 U.S.C. § 300g-2(a), to ensure that suppliers of water in Illinois comply with the requirements of the SDWA. The Illinois Environmental Protection Agency (Illinois EPA) is the agency which has jurisdiction over compliance by public water systems in Illinois with drinking water standards.

7. 40 C.F.R. § 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. § 141.66(b) sets the MCL for combined radium-226 and radium-228 at 5 pico-curies per liter (pCi/L) (hereinafter referred to as the "Combined Radium MCL"). This MCL became effective December 8, 2003.
8. A community water system must sample for radium-226 and radium-228 in accordance with 40 C.F.R. § 141.26.
9. 40 C.F.R. § 141.203(b) requires that as soon as practical, but no later than 30 days after the system learns of a violation of the Combined Radium MCL, it must provide public notice of the violation.
10. On February 21, 2005, Respondent submitted monitoring results to Illinois EPA that indicate that the system had exceeded the combined radium MCL of 15 pCi/L. The current running annual average at Village of Ransom is 11.2 pCi/L.
11. Respondent has violated 40 C.F.R. § 141.66(b) from June 7, 2004 to February 21, 2005. The System's last four combined radium sampling results for the water the System serves for human consumption demonstrates that the water has consistently exceeded the Combined Radium MCL. The sample results were as follows:  
  
June 7, 2004 (13.5 pCi/L)  
August 31, 2004 (10.1 pCi/L)  
November 1, 2004 (9.3 pCi/L)  
February 21, 2005 (11.9 pCi/L)
12. By Notice of Violation dated January 21, 2004 the Illinois EPA notified the Respondent of its noncompliance with applicable requirements of the SDWA described in Paragraph 11 above. By letter dated June 7, 2005, Illinois EPA referred the Respondent to EPA for appropriate enforcement action.
13. Based on the nature of Respondent's violations of 40 C.F.R. § 141.66(b), and based upon the available remedies for these violations, the number of days set forth in this Order for Respondent to achieve compliance is reasonable.

ORDER

Based on the foregoing Findings and pursuant to the authority granted to EPA by Section 1414(g) of the SDWA, I HEREBY ORDER:

14. Respondent shall comply with Combined Radium MCL of 5 pico-curies per liter (pCi/L).
15. Within 15 days of receipt of this Order, Respondent shall transmit to EPA and Illinois EPA a letter stating its intention to comply with this Order, summarizing any steps that it has taken to comply with the Combined Radium MCL and the steps it intends to take to achieve compliance with this Order. Within 45 days of the date of this Order, Respondent shall submit to EPA and Illinois EPA detailed plans for bringing Respondent's public water system into compliance with the Combined Radium MCL.
16. Respondent shall conduct quarterly monitoring for the Combined Radium MCL until it has results from four consecutive quarters that are at or below the MCL, as specified in Paragraph 14. Respondent shall report all monitoring results to EPA and Illinois EPA within 10 days of receipt of the results. The addresses for both agencies are listed below.
17. As soon as practical, but no later than 30 days after the effective date of this Order, Respondent shall comply with the applicable public notice requirements of 40 C.F.R. § 141.203. Respondent shall submit a copy of the public notice to EPA and Illinois EPA within 10 days of completion of the public notice. A sample public notice is enclosed.
18. The public notice required in paragraph 17 shall be given by:
  - (1) mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and
  - (2) if they would not normally be reached by the notice described in (1) above, any other method reasonably calculated to reach other persons regularly served by the System, such as publication in a local newspaper, delivery of multiple copies for distribution by customers that provide their drinking water to others, posting in public places served by the System or on the Internet, or delivery to community organizations. If the public notice is posted, the notice must remain in place for as long as the violation persists, but for no less than seven days.

If your public water supply serves a large proportion of non-English speaking consumers, the public notice must contain information in the appropriate language(s). It should state the importance of the notice. The notice also should contain the telephone number or address where persons served may contact the water system for a translated copy of the notice or to request assistance in the appropriate language.

The public water system must repeat the notice every three months as long as the violation persists.

19. All reports and submittals required by this Order shall be mailed to EPA and Illinois EPA at the following addresses. Alternatively, such reports and submittals can be faxed to EPA and the Illinois EPA at the fax numbers set forth below

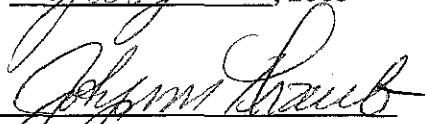
Annie Hawkins  
 U.S. EPA Region 5  
 Ground Water and Drinking Water Branch (WG-15J)  
 77 West Jackson Boulevard  
 Chicago, IL 60604-3590  
 Fax: (312) 886-6171

Illinois Environmental Protection Agency  
 Permit Manager for PWS  
 1021 N. Grand Avenue East  
 P.O. Box 19276  
 Springfield, IL 62794-9276  
 Fax: (217) 557-1407

#### GENERAL PROVISIONS

20. This Order does not constitute a waiver, suspension or modification of the requirements of 40 C.F.R. §§ 141.66 or 141.203, or of any provision of the SDWA or any of the other regulations promulgated thereunder, which remain in full force and effect. Issuance of this Order is not an election by EPA to forgo any civil or criminal action otherwise authorized under the SDWA.
21. Violations of applicable requirements of the SDWA may subject Respondent to a civil judicial penalty of up to \$32,500 per day per violation for each day in which a violation occurs, as assessed by the United States District Court, under SDWA Section 1414(b), 42 U.S.C. § 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 \$32,500 per day of violation for each day in which a violation occurs, assessed by the United States District Court, under SDWA Sections 1414(b) and 1414(g)(3), 42 U.S.C. §§ 300g-3(b) and 300g-9(g)(3), and 40 C.F.R. § 19.4, or (ii) an administrative penalty of up to \$27,500, 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.
22. 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.
23. This Order shall be effective on the date on which it is signed. This Order shall remain in effect until EPA notifies Respondent in writing that EPA has determined that the water provided by Respondent through the System for human consumption has continuously met the Combined Radium MCL for one year and that the terms of the Order have been fulfilled.

Dated this 13<sup>th</sup> day of July, 2005

  
Jo Lynn Traub  
Director, Water Division

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

### (Village of Ransom) HAS LEVELS OF COMBINED RADIUM 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 we received on **February 21, 2005** show that our system exceeds the standard, or Maximum Contaminant Level (MCL) for combined radium 226 and 228. The standard for combined radium 226 and 228 is 5 pico Curies per liter. Combined radium 226 and 228 was found at **11.9 pCi/L**.

#### What should you 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 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 drink 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 Public Water Supply ID# IL0990900  
*system name* *PWSID #*

Date Distributed \_\_\_\_\_