



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 09 2011

REPLY TO THE ATTENTION OF:

WG-15J

CERTIFIED LETTER 7001 00710 0003 4407 0853
RETURN RECEIPT REQUESTED

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

Re: Village of Ransom
Public Water System Identification Number: IL0990900
Docket Number: 0500087

On January 6, 2011, the U.S. Environmental Protection Agency issued an amended Administrative Order (2011 Order) to the Village of Ransom (you), requiring compliance 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 2011 Order on January 10, 2011. Specifically, the 2011 Order finds that you are in violation of the Combined Radium-226 and radium-228 "maximum contaminant level" (MCL) of 5 pico-curies per liter (pCi/L) (hereafter referred to as the "Combined Radium MCL"). Previously, EPA had issued an Administrative Order to you on July 12, 2005 (2005 Order) requiring compliance with certain provisions of the SDWA and 40 C.F.R. Part 141, and that Order also found that you were in violation of the Combined Radium MCL of 5 pCi/L. We are sending you this letter to provide important information regarding the health effects of long-term Combined Radium consumption and to outline EPA's available enforcement options.

40 C.F.R. § 141.2 defines a 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 at 5 pCi/L. 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. You have been in violation of the MCL for Combined Radium since 2004.

The 2005 Order required you to submit a detailed plan for complying with the Combined Radium MCL by August 1, 2005, and the 2011 Order required that you comply with the MCL no later than December 31, 2011. The 2011 Order also required that you "*submit to U.S. EPA and*

Illinois EPA a detailed plan for bringing the System into compliance with the Combined Radium MCL,” within forty-five (45) days of receipt of the Order. You failed to comply with this requirement and EPA issued a reminder letter dated March 10, 2011.

Additionally, you have not complied with other requirements in the 2011 Order including the requirement to submit progress reports beginning on March 31, 2011, and on a quarterly basis thereafter. You did not provide us with the detailed plans as the 2011 Order required and have proven to be recalcitrant and consistently unwilling to work with us to assist you in returning to compliance with the Combined Radium MCL. It was not until August 2011, when the Village Trustees were contacted and made aware of the quality of their drinking water that we began to receive cooperation and a willingness to work toward meeting the requirements of the 2011 Order. However, you have not stated that you will be in compliance with the MCL by December 31, 2011, as required by EPA’s 2011 Order.

EPA is concerned about your community’s continuing exposure to elevated levels of Combined Radium. Some people who drink water containing radium 226 or radium 228 in excess of the MCL over many years may have an increased risk of getting bone cancer. The likelihood of cancer developing increases as exposure to radium increases. You have been serving water to your customers above the Combined Radium MCL since at least 2004. Additionally, the Combined Radium in your drinking water is naturally occurring; therefore, exposure has been longer and your customers may have a higher risk of getting cancer. Potential risks to children who drink water that contains Combined Radium above the MCL for long periods of time exist because children are still growing and radium is a bone-seeking compound. About 60 percent of overall risk from long-term consumption of combined radium comes before age 18.

The SDWA authorizes several enforcement options for EPA when a public water supply is in violation of the MCL. These options include, but are not limited to, the following:

- EPA may initiate a civil action in a United States district court requesting the court command certain actions for the protection of public health, including, for example, requesting the court command a public water supply to stop supplying water to its customers or take other temporary or permanent actions that are required to protect public health (42 U.S.C. § 300g-3(b));
- EPA may issue an administrative order or initiate a civil action for a court to impose a restraining order or command a public water supply take permanent or temporary actions to protect public health if EPA determines that a contaminant in a public water supply may present an imminent and substantial endangerment to the health of persons drinking the water (42 U.S.C. § 300i); and
- EPA may ask a court to impose a civil judicial penalty of up to \$37,500 per day per violation for each such day in which a violation occurs (42 U.S.C. § 300g-3(b) and § 300g-3(g)(3)), or ask a court to impose an administrative penalty of up to \$32,500, after notice and opportunity for a hearing (42 U.S.C. § 300g-3(g)(3)), or ask a court to impose a civil penalty of up to \$15,000 for each day of failure to comply with an order issued under § 1431 of the SDWA (42 U.S.C. § 300i(b)).

EPA has already used one enforcement option to compel you to comply with the Combined Radium MCL. Since you have been in violation of the Combined Radium MCL since 2004 and, as a result, your customers may have an increased risk of getting cancer, EPA must consider taking other enforcement actions to protect public health. Should you fail to comply with the terms of the 2011 Order by December 31, 2011, EPA intends to take further enforcement action to require you to take permanent or temporary actions that are necessary to protect public health. The permanent or temporary actions requested by EPA may include ordering you to stop supplying water to your customers or ordering you to provide bottled water to your customers until you comply with the Combined Radium MCL.

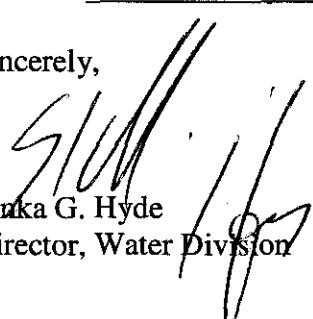
At any time, if EPA determines that the Combined Radium in your drinking water supply may present an imminent and substantial endangerment to the health of persons drinking the water, EPA will consider issuing an emergency order, or initiating a civil action for a restraining order, or seeking appropriate permanent or temporary actions pursuant to the provisions of SDWA § 1431. An order issued or civil action taken by EPA pursuant to § 1431 can require the provision of alternative water supplies, such as providing bottled water, or can include, for example, a request for a court to compel you to stop supplying water to your customers.

We urge you to act promptly to resolve these drinking water violations. Due to the seriousness of these long-term noncompliance issues, please provide your water system's written proposal to resolve this noncompliance issue immediately. Please mail this written proposal on or before Monday, November 21, 2011, to:

Annie Hawkins, Compliance and Enforcement Officer
U.S. EPA, Region 5 (WG-15J)
77 West Jackson Blvd.
Chicago, IL 60604

If you would like to discuss how you will resolve the violations listed in the 2011 Order, please contact Annie Hawkins at (312) 353-8807 or hawkins.annie@epa.gov, or have your attorney contact Mary McAuliffe at (312) 886-6237 or mcauliffe.mary@epa.gov.

Sincerely,



Tinka G. Hyde
Director, Water Division

cc: Mike Crumly, Illinois EPA
Dale Johnson
Jeff Mueller

bcc: Heather Shoven
Annie Hawkins
La Yvette Collymore
Mary McAuliffe
Reading File