



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2016 JUL 18 PM 2:17

1595 WYNKOOP STREET
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

FILED
EPA REGION VIII
HEARING CLERK

DOCKET NO.: SDWA-08-2015-0042

IN THE MATTER OF:

Corvette Center of Colorado Springs
18510 Midway Ranch Road
Fountain, Colorado 80817

FINAL ORDER

RESPONDENT

Pursuant to 40 C.F.R. §22.18(b)(2) and (3), of EPA's Consolidated Rules of Practice, the Consent Agreement resolving this matter is hereby approved and incorporated by reference into this Final Order.

The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement, effective immediately upon filing of this Consent Agreement and Final Order.

SO ORDERED THIS 18th DAY OF July, 2016.

Elyana Sutin
Regional Judicial Officer

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IN THE MATTER OF:)

Corvette Center of Colorado Springs)
18510 Midway Ranch Road)
Fountain, Colorado 80817)

CONSENT AGREEMENT

DOCKET NO.: SDWA-08-2015-0042

Respondent)

Complainant, United States Environmental Protection Agency, Region 8 (EPA), and Corvette Center of Colorado Springs (Respondent), by its undersigned representative, hereby consent and agree as follows.

1. On August 31, 2015, the EPA issued a Proposed Compliance Order, Penalty Complaint and Notice of Opportunity for Hearing (Complaint) to Respondent for certain violations of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300h *et seq.*, and the underground injection control regulations promulgated thereunder.
2. Respondent admits the jurisdictional allegations of the Complaint and neither admits nor denies the specific factual allegations of the Complaint.
3. Respondent waives its right to a hearing before any tribunal to contest any issue of law or fact set forth in the Complaint or this Consent Agreement.
4. This Consent Agreement, upon incorporation into a final order, applies to and is binding upon the EPA and upon Respondent and Respondent's successors or assigns. Any change in the status of Respondent, including, but not limited to, any transfer of assets or real or personal property, shall not alter Respondent's responsibilities under this Consent

Agreement. This Consent Agreement contains all terms of the settlement agreed to by the parties.


5. The EPA acknowledges that Respondent has timely confirmed as closed the Class V Motor Vehicle Waste Disposal Well (Well) subject to the Complaint, and has submitted documentary evidence of the closure to the EPA. The Well at issue collected material via two floor drains from Respondent's vehicle maintenance shop. Respondent has submitted photographs confirming that the Well drains into a self-contained holding tank with no outflow. Respondent agrees to keep the Well permanently closed.
6. The EPA agrees to settle this action without the assessment of a civil penalty.
7. Nothing in this Consent Agreement shall relieve Respondent of the duty to comply with the SDWA and its implementing regulations.
8. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondent to the terms and conditions of this Consent Agreement.
9. The parties agree to submit this Consent Agreement to the Regional Judicial Officer with a request that it be incorporated into a final order.
10. Each party shall bear its own costs and attorney fees in connection with this matter.
12. Respondent waives any and all claims for relief, and otherwise available rights to judicial or administrative review or other remedies which Respondent may have, with respect to any issue of fact or law or any terms and conditions set forth in this Consent Agreement, including any right of judicial review under the Administrative Procedure Act, 5 U.S.C. sections 701-706.

13. This Consent Agreement, upon incorporation into a final order by the Regional Judicial Officer and full satisfaction of all requirements of this Consent Agreement by the parties, shall resolve Respondent's liability for federal civil penalties for the violations and facts alleged in the Complaint.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8**

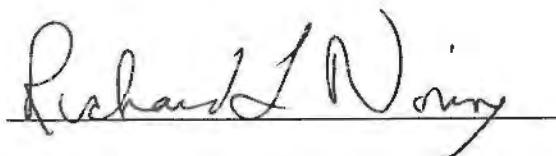
Complainant:

Date: 7/14/16

By: 
Suzanne J. Bohan
Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

Respondent:

Date: 6-27-16

By: 

Name, Title: Owner/President/Partner

CERTIFICATE OF SERVICE

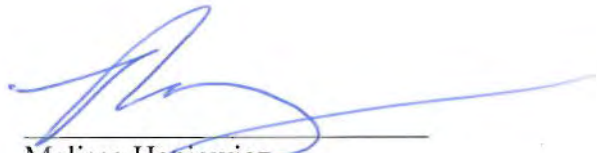
The undersigned certifies that the original of the attached **CONSENT AGREEMENT and FINAL ORDER** in the matter of **CORVETTE CENTER OF COLORADO SPRINGS; DOCKET NO.: SDWA-08-2015-0042** was filed with the Regional Hearing Clerk on July 18, 2016.

Further, the undersigned certifies that a true and correct copy of the documents were emailed to, Amy Swanson, Enforcement Attorney. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt on July 18, 2016, to:

Respondent

Mr. Richard Noring
Corvette Center of Colorado Springs
18510 Midway Ranch Road
Fountain, Colorado 80817

July 18, 2016



Melissa Haniewicz
Regional Hearing Clerk