



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
1595 WYNKOOP STREET  
DENVER, CO 80202-1129  
Phone 800-227-8917  
http://www.epa.gov/region08

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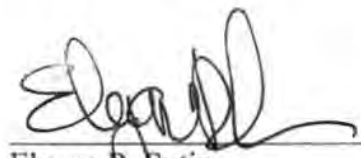
FILED  
EPA REGION VIII  
HEARING CLERK

DOCKET NO.: SDWA-08-2012-0033

IN THE MATTER OF:	)	
	)	
NORTH ROUTH FIRE PROTECTION DISTRICT	)	FINAL ORDER
	)	
RESPONDENT	)	

Pursuant to 40 C.F.R. §22.18, 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 Settlement Agreement, effective immediately upon receipt by Respondent of this Consent Agreement and Final Order.

SO ORDERED THIS 14<sup>th</sup> DAY OF March, 2013.

  
\_\_\_\_\_  
Elyana R. Sutin  
Regional Judicial Officer

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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Docket No. SDWA-08-2012-0033

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HEARING CLERK

In the Matter of:	)	
	)	
North Routt Fire Protection District	)	<b>CONSENT AGREEMENT</b>
	)	
	)	
Respondent.	)	

Complainant, United States Environmental Protection Agency, Region 8 (EPA), and Respondent, North Routt Fire Protection District, (Respondent), by their undersigned representatives, hereby consent and agree as follows.

BACKGROUND

1. On July 2, 2012, 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 ownership or corporate 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 agreement. This Consent Agreement contains all terms of the settlement agreed to by the parties.

5. EPA acknowledges that Respondent has timely closed the Class V Motor Vehicle Waste Disposal well at issue and submitted documentary evidence of the closure to the EPA.
6. Respondents agree to keep the Class V Motor Vehicle Waste Disposal well at issue permanently closed.
7. Due to Respondent's timely compliance and in consideration of the statutory penalty factors at 42 U.S.C § 300h-2(c)(4)(B), the EPA agrees to settle this action without the assessment of a civil penalty.
8. Nothing in this Consent Agreement shall relieve Respondent of the duty to comply with the SDWA and its implementing regulations.
9. The undersigned representative of the 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.
10. The parties agree to submit this Consent Agreement to the Regional Judicial Officer with a request that it be incorporated into a final order.
11. 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 the 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. §§ 701-708.

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 be a complete and full civil settlement of the specific violations alleged in the Complaint.

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

**Complainant.**

Date: 3-14-2013

By: Eddie A. Sceria

*for* Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance  
and Environmental Justice

**Respondent.**

Date: 2/26/13

By: Bob J. Reilly

Name, Title: BOB REILLEY CHIEF  
NORTH ROUNT FIRE PROTECTION DISTRICT

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter of **NORTH ROUTT FIRE PROTECTION DISTRICT; DOCKET NO.: SDWA-08-2012-0033**. The documents were filed with the Regional Hearing Clerk on March 14, 2013.


Further, the undersigned certifies that a true and correct copy of the documents were delivered to Eduardo Quintana, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on March 14, 2013.

Bob Reilley, Chief  
North Routt Fire Protection District  
61915 County Road 129  
Clark, CO 80428

E-mailed to:

Kim White  
U. S. Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-0002)  
Cincinnati, Ohio 45268

March 14, 2013

  
Tina Artemis  
Paralegal/Regional Hearing Clerk

