



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2010 DEC 13 AM 9:42

FILED  
EPA REGION VIII  
HEARING CLERK

Ref: 8 ENF-W

DEC 13 2010

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Southside Well Improvement and Service District  
Eugene Moore, President  
3523 Speigelmeyer Ave.  
Gillette, Wyoming 82718-6446

Re: Second Violation of  
Administrative Order  
Docket No. SDWA-08-2009-0047  
Southside Well Improvement and  
Service District  
PWS ID # WY5600122

Dear Mr. Moore:

On June 2, 2009, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2009-0047, ordering Southside Well Improvement and Service District, owner and/or operator of the Southside Well Improvement and Service District Water System to comply with various regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f et seq.

Our records indicate that Southside Well Improvement and Service District (Respondent) is again in violation of the Administrative Order. Among other things, the Order included the following requirements (quoted from items 9 and 10 of the Order section on page 2 of the Order):

1. Between June 1 and September 30, 2009, Respondent shall monitor the system's water for lead and copper. Respondent shall monitor for lead and copper as required by the regulations thereafter. Respondent shall collect 5 samples during each sampling event. 40 C.F.R. §§ 141.86(c) and 141.86(d). Respondent shall report analytical results to EPA within the first 10 days following the end of the monitoring period, as required by the drinking water regulations. 40 C.F.R. § 141.90.

Respondent collected 2 of the required 5 lead and copper samples between June 1 and September 30, 2009. As a result of this violation, Respondent was required to collect 5 samples between June 1 and September 30, 2010. On August 26, 2010 Respondent collected 5 lead and copper samples, however, one of these samples was not collected in the distribution system as required by 40 C.F.R. § 141.86(a).

2. Respondent shall report any violation of the National Primary Drinking Water Regulations (except as noted above) to EPA within 48 hours. 40 C.F.R. § 141.31(b).

Respondent did not report the failure to collect all 5 lead and copper samples from the distribution system between June 1 and September 30, 2010 to EPA.

EPA is considering additional enforcement action as a result of the non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions or wish to have an informal conference with EPA, you may contact Shawn McCaffrey at 1-800-227-8917, extension 6515 or (303) 312-6515. If you are represented by an attorney who has questions, ask your attorney to contact Peggy Livingston Senior Enforcement Attorney, at 1-800-227-8917, extension 6858, or (303) 312-6858 or at the following address:

Peggy Livingston  
Senior Enforcement Attorney  
U.S. EPA, Region 8 (8-ENF-L)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, Team Leader  
Drinking Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: Bret Wolz, Operator  
Tina Artemis, EPA Regional Hearing Clerk  
Wyoming DEQ (via email)  
Wyoming DOH (via email)

