



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

JUL 02 2012

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Phil Cruz, Forest Service Supervisor
USDA Forest Service, Medicine Bow National Forest
2468 Jackson Street
Laramie, WY 82070

Re: Administrative Orders
Bobbie Thompson Campground Water System
Docket No. **SDWA-08-2012-0034**
PWS ID #5680255
Pelton Creek Campground Water System
Docket No. **SDWA-08-2012-0035**
PWS ID #5680252

Dear Mr. Cruz:

Enclosed are two Administrative Orders (Orders) issued by the Environmental Protection Agency (EPA) under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Orders allege that the USDA Forest Service, Medicine Bow National Forest, has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (the Drinking Water Regulations).

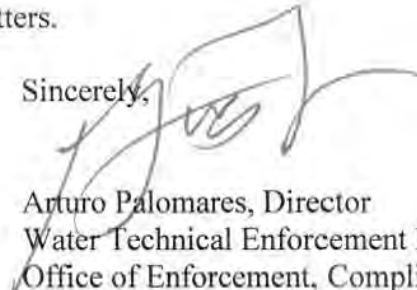
The Orders are effective upon the date received. Please review the Orders and within 10 days provide the EPA with any information you believe the EPA may not have.

If the USDA Forest Service complies with the Orders, the EPA may close the Orders without further action. Failure to comply with the Orders may lead to substantial civil penalties.

To submit information or to request an informal conference with the EPA, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6481, or (303) 312-6481. Any questions from an attorney representing the USDA Forest Service should be directed to Jean Belille, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6556 or (303) 312-6556.

We urge your prompt attention to these matters.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures:

Orders (2)

cc: WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET
DENVER, COLORADO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

Ref: 8ENF-W

JUL 02 2012

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Albany County Commissioners
c/o Tim Sullivan, Chair
525 Grand Avenue
Laramie, WY 82070

Re: Notice of Safe Drinking Water Act
Enforcement Action against the USDA
Forest Service, Medicine Bow National
Forest, Bobbie Thompson and Pelton Creek
Campground Water Systems
PWS IDs #5680255 and #5680252

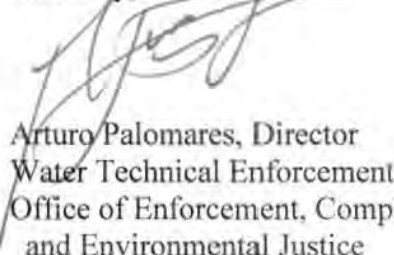
Dear Commissioners:

The Safe Drinking Water Act (SDWA) requires that the Environmental Protection Agency (EPA) notify locally elected officials of certain enforcement actions taken in their area.

Administrative Orders are being issued to the USDA Forest Service. These Orders require that the USDA Forest Service take measures to return the Medicine Bow National Forest Bobbie Thompson and Pelton Creek Campground public water systems to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations for both campgrounds include failure to monitor for total coliform bacteria and nitrate plus failure to notify the EPA of the violations.

For more details, a copy of the Orders are enclosed for your information. **The Orders do not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures (2)



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2012 JUL -2 AM 11: 05

IN THE MATTER OF:)

USDA Forest Service,)
Medicine Bow National Forest,)

Respondent.)

FILED
EPA REGION VIII
Docket No. SDWA-08-2012-0035

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.
2. The USDA Forest Service (Respondent) is a Federal Agency that owns and/or operates the Medicine Bow National Forest Pelton Creek Campground Water System (the System), which provides piped water to the public in Albany County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source consisting of one well. The water is not treated, the system qualifies as a public water system seasonally from July-August, and was determined to be a public water system in October 2010.
4. The System has approximately 1 service connection and regularly serves an average of approximately 30 individuals daily at least 60 days out of the year. Therefore, the System is a "public water system" as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and 40 C.F.R. § 141.2. The System is also a "transient, non-community water system" as defined in 40 C.F.R. § 141.2.
5. Respondent is subject to the Act and the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The Drinking Water Regulations are "applicable requirements" as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

VIOLATIONS

6. Respondent is required to monitor the System's water during the 3rd quarter for total coliform bacteria. 40 C.F.R. § 141.21(a). Respondent failed to monitor the System's water for total coliform bacteria during the 3rd (July-September) quarter 2011 and, therefore, violated this requirement.
7. Respondent is required to monitor the System's water annually for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System's water for nitrate during 2011 and, therefore, violated this requirement.
8. Respondent is required to report any failure to comply with any coliform monitoring requirement to the EPA within 10 days after discovering the violation. 40 C.F.R. § 141.21(g)(2).

Respondent failed to report the violation listed in paragraph 6, above, to the EPA and, therefore, violated this requirement.

9. Respondent is required to report any failure to comply with any Drinking Water Regulation to the EPA within 48 hours (except where the Drinking Water Regulations specify a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violation cited in paragraph 7, above, to the EPA and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

10. Respondent shall monitor the System's water during the 3rd quarter each year for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2). Note: If a routine total coliform sample is positive for total coliform, within 24 hours of being notified of the positive result Respondent is also required to collect a "triggered sample" from the water source. This sample must be analyzed for fecal indicators (E. coli). 40 C.F.R. § 141.402. This source sample requirement is unrelated to violations of the regulations cited in this Order, and is provided only as an additional reminder.

11. Within 30 days after receipt of this Order, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor the System's water for nitrate as required by 40 C.F.R. § 141.23. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the nitrate monitoring requirements to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).

12. Respondent shall direct all reporting required by this Order to:

U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop
Denver, CO 80202-1129

GENERAL PROVISIONS

13. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

14. Violation of any part of this Order may subject Respondent to a civil penalty of up to \$32,500 per day of violation (as adjusted for inflation). Violation of the Act or the drinking water regulations may subject Respondent to a civil penalty of up to \$32,500 per day per violation (as adjusted for inflation). 42 U.S.C. §§ 300g-3, 300j-6, 300j-8; 40 C.F.R. part 19.

Issued: June 29, 2012



Matthew Cohn, Director
James H. Eppers Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice