

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2010 NOV 16 AM 10:47

Docket No.: SDWA-08-2010-0070

FILED
EPA REGION VIII
HEARING CLERK

In the Matter of:)
)
Grainland Cooperative)
Association) **CONSENT AGREEMENT**
)
and)
)
Hassler Crop Insurance, LLC)
)
Respondents.)

Complainant, United States Environmental Protection Agency, Region 8 (EPA), and Respondents, Grainland Cooperative Association and Hassler Crop Insurance, LLC (collectively referred to as "Respondents"), by their undersigned representatives, hereby consent and agree as follows.

BACKGROUND

1. On August 26, 2010, EPA issued a Proposed Compliance Order, Penalty Complaint and Notice of Opportunity for Hearing (Complaint) to Respondents for certain violations of Part C of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300h et seq., and the underground injection control (UIC) regulations promulgated thereunder.
2. Respondents admit the jurisdictional allegations of the Complaint and neither admit nor deny the specific factual allegations of the Complaint.
3. Respondents waive their 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 EPA and upon Respondents and Respondents' heirs, successors or assigns. Any change in the ownership or corporate status of Respondents, including, but not limited to, any transfer of assets or real or personal property, shall not alter Respondents' responsibilities under this agreement. This Consent Agreement contains all terms of the settlement agreed to by the parties.

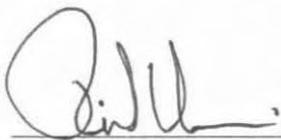
5. EPA acknowledges that Respondents have timely closed the Class V Motor Vehicle Waste Disposal well at issue and submitted documentary evidence of the closure to EPA.
6. Respondents agree to keep the Class V Motor Vehicle Waste Disposal well at issue permanently closed.
7. Due to Respondents' timely compliance and in consideration of the statutory penalty factors at 42 U.S.C. § 300h-2(c)(4)(B), EPA agrees to settle this action without the assessment of a civil penalty.
8. Nothing in this Consent Agreement shall relieve Respondents of the duty to comply with the SDWA and its implementing regulations.
9. The undersigned representatives of Respondents certify that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondents 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 attorneys fees in connection with this matter.

In the Matter of: Grainland Cooperative Association and Hassler Crop Insurance, LLC
Docket No.: SDWA-08-2010-0070

Grainland Cooperative Association,

Respondent.

Date: 11/1/10

By: 

Name, Title: PRESIDENT/CEO Rick Unrein

**In the Matter of: Grainland Cooperative Association and Hassler Crop Insurance, LLC
Docket No.: SDWA-08-2010-0070**

Hassler Crop Insurance, LLC,

Respondent.

Date: 11-1-10

By: Harry P. Hassler II

Name, Title: HARRY P. HASSLER II
OWNER

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter of **GRAINLAND COOPERATIVE ASSOCIATION and HASSLER CROP INSURANCE, LLC.; DOCKET NO.: SDWA-08-2010-0070** was filed with the Regional Hearing Clerk on November 16, 2010.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to, Eduardo Quintana, Senior 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 November 16, 2010, to:

Harry P. Hassler, Owner
Hassler Crop Insurance, LLC.
112 N. Sunflower Drive; P. O. Box 55
Holyoke, CO 80734

And

Agent for Grainland Coop.
Dean, Dunn & Phillips, LLC.
650 S. Cherry Street, Suite 620
Denver, CO 80246

E-mailed to:

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

November 16, 2010



Tina Artemis
Paralegal/Regional Hearing Clerk

