



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2008 OCT 29 AM 8:39

REGION VIII  
HEALTH CLERK

Ref: 8 ENF-W

OCT 29 2008

CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED

Larry Stepp, Mayor pro tempore  
Town of LaBarge  
P.O. Box 327  
LaBarge, WY 82123

Re: Violation of Administrative Order  
Docket No. SDWA-08-2008-0041  
Town of LaBarge  
PWS ID # WY5600222

Dear Mr. Stepp:

On April 17, 2008, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2008-0041, ordering the Town of LaBarge (Respondent) to comply with the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f et seq., and its implementing regulations, the National Primary Drinking Water Regulations (NPDWR) at 40 C.F.R. Part 141.

Our records indicate that the Town of LaBarge is in violation of the Administrative Order (the Order). Among other things, the Order included the following requirements (quoted from items 14 (a)(i)(1), 14(a)(i)(2), and 14 (c) of the Order section on pages 3 and 4 of the Order):

1. For filtered surface water, Respondent shall maintain free chlorine residual at or above 1.0 milligram per liter (mg/L) without allowing it to drop below 0.2 mg/L for more than 4 hours. 40 C.F.R. §141.72(b)(2).

Respondent failed to maintain free chlorine residual at or above 1.0 mg/L in the filtered surface water for the following days in June 2008: 5<sup>th</sup> – 7<sup>th</sup>, 12<sup>th</sup> – 13<sup>th</sup>, 15<sup>th</sup> – 22<sup>nd</sup>, and 24<sup>th</sup> – 28<sup>th</sup>.

2. For filtered surface water, Respondent shall record the lowest chlorine residual each day and report the monitoring results to EPA within 10 days after the end of each month using the three-page Monthly SWTR Report. 40 C.F.R. §141.72.74(c)(2).

Respondent failed to monitor chlorine residual on August 7, 2008.

3. For the distribution system, Respondent shall monitor the chlorine residual at the same time and same location as the system's monthly total coliform samples and report the results on the laboratory slip and report results to EPA using the three page Monthly SWTR report. 40 C.F.R. §141.74(c)(3).

Respondent failed to monitor the chlorine residual at the same time and same location as the system's monthly total coliform samples and to report the results on the laboratory slip and report results to EPA during July 2008 and August 2008.

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 \$32,500 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 Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-312-6858 or (303) 312-6858 or at the following address:

Peggy Livingston  
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: WY DEQ (via e-mail)  
WY DOH (via e-mail)  
Kandis Kjar, Town Clerk  
Rowdy Headrick, Operator  
Tina Artemis, EPA Regional Hearing Clerk (via e-mail)

