



REGION 8

DENVER, CO 80202

January 14, 2025

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Jan 14, 2025

3:11 pm

**U.S. EPA REGION 8
HEARING CLERK**

Ref: 8ECA-W-S

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Mr. James Nicholson, Environmental Manager
Granite Canyon Quarry
James.nicholson@martinmarietta.com

Subj: Violation of Martin Marietta Materials, Inc Administrative Order, Docket No.
SDWA-08-2024-0033, Granite Canyon Quarry Public Water System, PWS ID
#WY5601146

Dear Mr. Nicholson:

The purpose of this letter is to notify Granite Canyon Quarry, the Respondent in the above-referenced matter, that civil penalties and/or a federal court injunction may be ordered against it for violations of the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* (Act) at the Granite Canyon Quarry Public Water System (System). Specifically, on June 25, 2024, the EPA issued the above-referenced Administrative Order (Order), directing Respondent to comply with the National Primary Drinking Water Regulations (Part 141) issued by the EPA under the Act. Our records indicate that the System is in violation of the Order.

Among other things, the Order included the following requirements, which have not been properly completed:

Nitrate Monitoring.

Summarized from paragraph 11 of the Order: Respondent shall monitor the System's water for nitrate quarterly at every entry point to the distribution system, which is representative of each well after treatment, in accordance with 40 C.F.R. § 141.23(a) and (d)(2). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

- Violation: Failure to Timely Conduct Nitrate Monitoring.
 - Respondent did not sample for nitrate during the third quarter 2024.
Respondent properly sampled for the fourth quarter 2024.

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- Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. While not overdue, please be aware that this violation is classified as violations requiring Tier 3 public notice within 1 year of the violation, according to 40 C.F.R. § 141.204.

Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$69,733 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (December 27, 2023).

Please note that the EPA may choose not to file a complaint seeking civil administrative penalties if Respondent is in compliance with all requirements of the Order and does not incur any additional violations.

If you have any questions or to request an informal conference with the EPA, please contact Marlon Bell via email at bell.marlon@epa.gov, or by phone at (800) 227-8917, extension 6539, or (303) 312-6539. Any questions from the Company's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at bearley.mia@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,

Colleen Rathbone, Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

ENCLOSURES

cc: WY DEQ/DOH (via email)
Laramie County Commissioners
EPA Regional Hearing Clerk
James Sharn, Director
Rick Redella, Water Operator
Sean Borck, Plant Manager
Dennis Lewis, WY DEQ, District Engineer
Lily Barkau, WY DEQ Natural Resources Program Manager