



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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

Ref: 8ENF-W

AUG - 7 2008

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Campbell County Commissioners
c/o Dan Coolidge, Chairman
500 S. Gillette Avenue, Suite 1100
Gillette, Wyoming 82716

Re: Notice of Safe Drinking Water Act
Enforcement Action against
Meadow Springs Service and
Improvement District Public Water System
PWS ID# WY5601507

Dear County Commissioners:

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

An Administrative Order is being issued to the Meadow Springs Service and Improvement District Public Water System, located in Gillette, Wyoming. This Order requires that the public water system take measures to return its public water system to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include failing to monitor the water quarterly for radionuclide contamination in 2007, and failing to report the monitoring violations to EPA.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Melanie Wasco at (303) 312-6540.

Sincerely,

A handwritten signature in cursive script that reads "Diane L. Sipe".

Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure



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CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Meadow Springs Service and Improvement District
c/o John Melgaard, Owner
P.O. Box 2408
Gillette, Wyoming 82717

Re: Administrative Order
Docket No. SDWA-08-2008-0086
Meadow Springs Service and
Improvement District Public Water System
PWS ID# WY5601507

Dear Mr. Melgaard:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300f *et seq.* Among other things, the Order describes how the Meadow Springs Service and Improvement District has violated the National Primary Drinking Water Regulations.

This is the second Order issued for this water system, and contains similar violations as the December 23, 2003, Order that was closed on April 25, 2005.

The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If the Meadow Springs Service and Improvement District complies with the Order for at least 18 months, EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a Federal court injunction ordering compliance.

Also enclosed is a small business resources information sheet, outlining compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to your situation.

To submit information or request an informal conference with EPA, please contact Melanie Wasco at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6540 or (303) 312-6540. For legal questions, the attorney assigned to this matter is Jean Belille, who can 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 this matter.

Sincerely,



Diane L. Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures
Order
Information sheet

cc: Mike Zmiewski, District President

ec: Wyoming DEQ
Wyoming DOH
Therese Bresnan, Operator

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2008 AUG -7 AM 8:19

IN THE MATTER OF)
)
John Melgaard, Owner)
Meadow Springs Service and Improvement District)
Gillette, Wyoming)
)
Respondent)

ADMINISTRATIVE ORDER

Docket No. **SDWA-08-2008-0086**

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) in the Public Health Service Act (as amended by and hereafter referred to as the "Safe Drinking Water Act" or the "Act"), 42 U.S.C. § 300f, as properly delegated to the undersigned officials.

2. John Melgaard (Respondent) is a person who owns and/or operates the Meadow Springs Service and Improvement District Water System (the System) in Campbell County, Wyoming, which provides piped water to the public for human consumption. The System is supplied by a groundwater source consisting of one well, and serves approximately 37 people through 15 service connections all year. The System is a "community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations) at 40 C.F.R. § 141.

VIOLATIONS

3. Respondent is required to initially monitor the System's water for four consecutive, quarterly samples during 2007 to determine compliance with the maximum contaminant level (MCL) for radionuclides. 40 C.F.R. § 141.26(a). Respondent failed to monitor the water for contamination of radionuclides during all four quarters of 2007 and, therefore, violated this requirement. Respondent collected samples for radionuclide analysis in 1st (January-March) quarter and 2nd (April-May) quarter 2008, and is compositing these samples.

4. Respondent is required to report any failure to comply with any of the drinking water regulations (except where a different reporting period is specified) to EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondent failed to report the violation listed in paragraph 3 above to EPA and therefore violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions:

5. Prior to September 30, 2008 and again between October 1, 2008 and December 31, 2008, and per the regulations thereafter, Respondent shall monitor for radionuclides. 40 C.F.R. § 141.26(a). Respondent shall report analytical results to EPA within the first 10 days following the month in which composite sample results are received as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of radionuclides monitoring or other drinking water regulation requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

6. Reporting requirements specified in this Order shall be provided by certified mail to:

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

GENERAL PROVISIONS

7. This Order does 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 EPA to forgo any civil or criminal action.

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

8/7/08
Date

Matthew Cohn
David J. Janik, Acting Director
Matthew Cohn, Acting Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

31 July 2008
Date

Diane L. Sipe
Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice