



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8 ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Southside Well Improvement and Service District
c/o Rex Markley, Chairman
445 Carlisle Street
Gillette, Wyoming 82718

Re: Violation of Administrative Order
Docket No. SDWA-08-2009-0047
Southside Well Improvement and
Service District
PWS ID # WY5600122

Dear Mr. Markley:

On June 2, 2009, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2009-0047, ordering Southside Well Improvement and Service District, owner and/or operator of the Southside Well Improvement and Service District Water System to comply with various regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f *et seq.*

Our records indicate that Southside Well Improvement and Service District is in violation of the Administrative Order. Among other things, the Order included the following requirements (quoted from items 9 and 10 of the Order section on page 2 of the Order):

1. Between June 1 and September 30, 2009, Respondent shall monitor the system's water for lead and copper. Respondent shall monitor for lead and copper as required by the regulations thereafter. Respondent shall collect 5 samples during each sampling event. 40 C.F.R. §§ 141.86(c) and 141.86(d). Respondent shall report analytical results to EPA within the first 10 days following the end of the monitoring period, as required by the drinking water regulations. 40 C.F.R. § 141.90.

Southside Well Improvement and Service District did not collect five lead and copper samples between June 1 and September 30, 2009. EPA does acknowledge that the system took one lead and copper sample on June 26, 2009 and another on September 29, 2009.

2. Respondent shall report any violation of the National Primary Drinking Water Regulations (except as noted above) to EPA within 48 hours. 40 C.F.R. § 141.31(b).

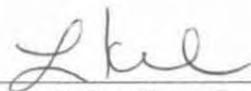
Southside Well Improvement and Service District did not report the failure to collect five lead and copper samples between June 1 and September 30, 2009 to EPA.

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 \$37,500 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 Shawn McCaffrey at 1-800-227-8917, extension 6515 or (303) 312-6515. If you are represented by an attorney who has questions, ask your attorney to contact Peggy Livingston Senior Enforcement Attorney, at 1-800-227-8917, extension 6858, or (303) 312-6858 or at the following address:

Peggy Livingston
Senior 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: Bret Wolz, Operator
Tina Artemis, EPA Regional Hearing Clerk
Wyoming DEQ (via email)
Wyoming DOH (via email)

