



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

MAR 11 2008

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Albany County Commissioners
c/o Tim Chesnut, Chair
525 Grand Avenue
Laramie, Wyoming 82070

Re: Notice of Safe Drinking Water Act
Enforcement Action against
WyColo Properties Limited Partnership
WyColo Lodge Public Water System
PWS ID# WY5601558

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 WyColo Properties Limited Partnership, WyColo Lodge Public Water System, Laramie, 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: failure to monitor for total coliform, nitrate, and nitrite; and failing to report such 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 Kathelene Brainich at (303) 312-6481.

Sincerely,


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

Enclosure



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

MAR 11 2008

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Amanda Eckdahl, Registered Agent for
WyColo Properties Limited Partnership
WyColo Lodge
4039 Hwy 230
Laramie, WY 82070

Re: Administrative Order
WyColo Lodge Public Water System
Docket No. **SDWA-08-2008-0022**
PWS ID # **WY5601558**

Dear Ms. Eckdahl:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (the Act), 42 U.S.C. section 300f et seq. Among other things, the Order describes how you have violated the National Primary Drinking Water Regulations.

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 WyColo Properties Limited Partnership complies with the Order for twelve 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.

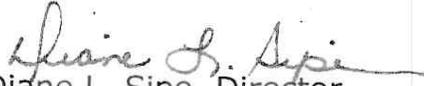
To submit information or request an informal conference with EPA, contact Kathelene Brainich at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. For legal questions, the attorney assigned to this matter is Tom Sitz, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6918 or (303) 312-6918.



Printed on Recycled Paper

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
SBREFA Fact Sheet

cc: WY DEQ (via email)
WY DOH (via email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2008 MAR 11 PM 3:17

IN THE MATTER OF)	
)	
WyColo Properties Limited Partnership)	
WyColo Lodge)	
Cody, WY)	ADMINISTRATIVE ORDER
)	
Respondent)	Docket No. SDWA-08-2008-0022

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. WyColo Properties Limited Partnership (Respondent) is a limited partnership that owns and/or operates the WyColo Lodge Water System (the system) in Albany 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 31 people per day through 23 service connections. The system is a "non-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. part 141.

VIOLATIONS

3. Respondent is required to monitor the system's water at least once per quarter to determine compliance with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.21. Respondent failed to monitor the water for contamination of total coliform bacteria during the following monitoring period: 3rd Quarter 2007 (July - September) and therefore violated this requirement.

4. Respondent is required to collect a set of five routine samples after a total coliform positive sample result in the preceding month. 40 C.F.R. § 141.21(b)(5). Respondent failed to collect at least five routine samples in April 2007, after a total coliform positive sample result in the previous month, and therefore violated this requirement.

5. Respondent is required to monitor the system's water at least once annually to determine compliance with the MCL for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor for nitrate in 2007, and therefore violated this requirement.

6. Respondent is required to monitor the system's water within the first calendar year of being designated a public water system (PWS) to determine compliance with the MCL for nitrite. 40 C.F.R. § 141.23(e). Respondent failed to monitor for nitrite in 2007, the first calendar year of being designated a PWS, and therefore violated this requirement.

7. Respondent is required to report any failure to comply with a coliform monitoring requirement to EPA within ten days after the system learned of the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report to the EPA the failure to monitor total coliform violations listed in paragraphs 3 and 4 above and therefore violated this requirement.

8. Respondent is required to report any failure to comply with any of the drinking water regulations (except where a different reporting period is specified in paragraph 7 above) to EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondent failed to report the violations listed in paragraphs 5 and 6 above to EPA, and therefore violated this requirement.

ORDER

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

9. Upon receipt of this Order, Respondent shall monitor quarterly for total coliform bacteria. 40 C.F.R. §§ 141.21, 141.63. Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results were received, as required by the drinking regulations. 40 C.F.R. § 141.331(a). Any violation of total coliform monitoring requirements shall be reported to EPA within 10 days after the respondent learns of it. 40 C.F.R. § 141.21(g)(2).

10. Upon receipt of this Order, Respondent shall comply with all total coliform routine sampling requirements. 40 C.F.R. § 141.21(b) This requires that Respondent take no fewer than five routine total coliform bacteria samples during the next month after having one or more total coliform

positive samples. Respondent shall report any analytical result to the EPA within the first 10 days following the end of the monitoring period. 40 C.F.R. § 141.31(a).

11. Within 30 days of receipt of the Order and annually thereafter, Respondent shall monitor the system's water for nitrate. 40 C.F.R. § 141.23(d). Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a).

12. Within 30 days of receipt of the Order, Respondent shall monitor the system's water for nitrite. 40 C.F.R. § 141.23(e). Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a).

13. Respondent shall report any other violation of the drinking water regulations to EPA within 48 hours of discovery. 40 C.F.R. § 141.31(b).

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

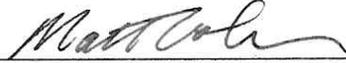
U. S. EPA Region 8 (8P-W-DW)
1595 Wynkoop Street
Denver, CO 80202-1129

GENERAL PROVISIONS

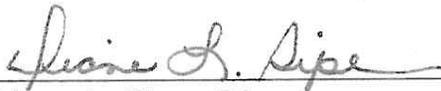
15. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

16. 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.



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



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