



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
www.epa.gov/region08

July 22, 2020

July 22, 2020  
2:30 PM

Received by

EPA Region VIII

Hearing Clerk

Ref: 8ENF-W-SD

SENT VIA EMAIL  
DIGITAL READ RECEIPT REQUESTED

Mr. Scott Prusia, HOA President  
Stone Creek Homeowners Association  
(S\_prusia@yahoo.com)

Re: Administrative Order issued to Stone Creek Homeowners Association  
regarding Stone Creek Homeowners Association Public Water System, PWS ID #WY5601586,  
Docket No. **SDWA-08-2020-0034**

Dear Mr. Prusia:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that you and Stone Creek Homeowners Association (HOA), as owner and/or operator of the Stone Creek Homeowners Association Public Water System (System), have violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141).

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you or the HOA believes the EPA may not have (*e.g.*, any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from you or the HOA, the EPA will assume this information is correct. If you and the HOA complies with the Order, the EPA may close the Order without further action.

Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to the assessment of civil penalties of up to \$58,328 (as adjusted for inflation) per day of violation, a federal court injunction ordering compliance, or both.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist you and the HOA in addressing the outstanding violations.

Please be aware that you or the HOA is required to submit to the EPA a plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of this schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages you or the HOA to contact any such governmental agency or agencies regarding any applicable approval requirements. Changes to the System may require a permit from the Wyoming Department of Environmental Quality (WY DEQ). The contact person at WY DEQ for the HOA's region is Dennis Lewis. He can be reached at 307-777-7088 or [dennis.lewis@wyo.gov](mailto:dennis.lewis@wyo.gov).

You or the HOA are required to notify the public quarterly by completing a public notice (PN) until the nitrate MCL violation is resolved. Please submit a copy of the completed PN and a certification of its completion to the EPA each quarter.

If you or the HOA has any questions or to request an informal conference with the EPA, please contact Nathan Hicks via email at [hicks.nathaniel@epa.gov](mailto:hicks.nathaniel@epa.gov), or by phone at (800) 227-8917, extension 6546, or (303) 312-6546. Any questions from the HOA attorney should be directed to Shaula Eakins, Assistant Regional Counsel, via email at [eakins.shaula@epa.gov](mailto:eakins.shaula@epa.gov) or by phone at (800) 227-8917, extension 6317, or (303) 312-6317.

We urge your prompt attention to this matter.

Sincerely,

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

Enclosure

cc: WY DEQ/DOH  
Goshen County Commissioners ([crupp@goshencounty.org](mailto:crupp@goshencounty.org))  
Melissa Haniewicz, EPA Regional Hearing Clerk  
Tom Feeser, Operator, ([tom@cottonwoodconstruction.com](mailto:tom@cottonwoodconstruction.com))  
John Kinberg, Alternative Operator, ([kinberg@scottsbluff.net](mailto:kinberg@scottsbluff.net))  
Christopher Brown, WY DEQ, UIC Program ([Christopher.Brown@wyo.gov](mailto:Christopher.Brown@wyo.gov))