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HEARINGS CLERK
EPA -- REGION 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

COUGAR DEN, INC.,
White Swan, Washington

Respondent

DOCKET NO. SDWA 10-2013-0082

CONSENT AGREEMENT
AND FINAL ORDER

The United States Environmental Protection Agency ("EPA") issues the following Consent Agreement & Final Order to resolve alleged violations of the Safe Drinking Water Act by Cougar Den, Inc. ("Respondent").

I. PRELIMINARY STATEMENT

1.1. Issuance of this Consent Agreement & Final Order ("CAFO") commences this proceeding, which will conclude when the Final Order contained in Part V of this CAFO becomes effective. 40 C.F.R. §§ 22.13(b), 22.43.

1.2. Part II of this CAFO contains statutory and regulatory authorities under which this CAFO is issued.

1.3. Part III of this CAFO contains a statement of the legal and factual allegations against the Respondent.

1.4. This Order shall become effective in accordance with Paragraph 5.4.

II. AUTHORITIES

2.1. This CAFO is issued under the authority vested in the Administrator of the EPA under Section 1423(c) of the Safe Drinking Water Act (“SDWA” or “Act”), 42 U.S.C. § 300h-2(c).

2.2. The EPA Administrator has delegated the authority to take these actions to the Regional Administrator for EPA, Region 10, who in turn has delegated the authority to the Director of the Office of Compliance and Enforcement, Region 10.

2.3. In accordance with Section 1423(c) of the Act, 42 U.S.C. § 300h-2(c), and the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties,” 40 C.F.R. Part 22 (“Part 22 Rules”), EPA hereby issues, and the Respondent hereby agrees to issuance of, the Final Order contained in Part V of this CAFO. Respondent waives its right, under SDWA § 1423(c)(3), 42 U.S.C. § 300h-2(c)(3), to a hearing on the issuance of this order.

2.4. Congress authorized EPA to administer the Underground Injection Control (“UIC”) program over the area in which an Indian Tribe exercises governmental jurisdiction, if that Tribe does not have an approved UIC program. SDWA § 1422(e), 42 U.S.C. § 300h-1(e).

2.5. The Confederated Tribes and Bands of the Yakama Nation do not have primacy to administer the UIC program for Class V injection wells. Therefore, EPA Region 10 directly implements the Class V UIC program within the external boundary of the Yakama Indian Reservation.

2.6. Congress authorized EPA to conduct inspections and to request information to determine whether the owner or operator of an injection well has acted or is acting in

compliance with the UIC program. SDWA § 1445, 42 U.S.C. § 300j-4.

2.7. EPA can require an owner or operator of an injection well to establish and maintain records, make reports, conduct monitoring, and provide other information as is deemed necessary to determine whether the owner or operator has acted or is acting in compliance with Part C of the SDWA or its implementing regulations. 40 C.F.R. § 144.17.

2.8. The Act authorizes EPA to issue an administrative order whenever the Administrator finds that any person subject to any requirement of any applicable UIC program is violating that requirement. SDWA § 1423(a)(2), 42 U.S.C. § 300h-2(a)(2). Such an administrative order may require compliance with UIC regulations, assess penalties, or both under Section 1423(c) of the Act, 42 U.S.C. § 300h-2(c).

III. ALLEGATIONS

3.1. Respondent is a corporation organized under the laws of the Confederated Tribes and Bands of the Yakama Nation. Respondent is therefore a “person” within the meaning of Section 1401(12) of the Act, 42 U.S.C. § 300f(12), and 40 C.F.R. § 144.3.

3.2. Respondent owns and operates a gasoline service station (“the Site”) located at 620 Signal Peak Road in White Swan, Washington, and within the external boundary of the Yakama Indian Reservation.

3.3. Fluids received from open floor drains on the fuel pad at the Site are discharged underground through a perforated pipe within an infiltration trench. At all times relevant to this CAFO, Respondent was the “owner or operator” of that perforated pipe. 40 C.F.R. § 144.3.

3.4. Respondent’s perforated pipe exists for the purpose of underground injection of

fluids, and is therefore a Class V injection well. 40 C.F.R. §§ 144.3, 144.6, 144.81, and 146.5.

3.5. As the “owner or operator” of a Class V injection well, Respondent is subject to regulation under the UIC program. 40 C.F.R. § 144.3.

3.6. Underground injection is prohibited, except as authorized by rule or permit under the UIC program. 40 C.F.R. § 144.11.

3.7. The injection well at the Site overlies the regional aquifer system, and is not within the area of an exempted aquifer. 40 C.F.R. § 146.4.

3.8. The aquifer system underneath the White Swan community provides drinking water for the White Swan Community Water System and is an Underground Source of Drinking Water (“USDW”). 40 C.F.R. § 144.3.

3.9. A “contaminant” is any physical, chemical, biological, or radiological substance or matter in water. SDWA § 1401(6), 42 U.S.C. § 300f(6); 40 C.F.R. § 144.3.

3.10. Injection activity that allows the movement of fluids containing any contaminant into an Underground Source of Drinking Water endangers drinking water sources and is prohibited if the presence of that contaminant may cause a violation of any primary drinking water regulation or may otherwise adversely affect the health of persons. 42 U.S.C. § 300h(d)(2) and 40 C.F.R. §§ 144.12(a), 144.82(a)(1).

Endangerment of an Underground Source of Drinking Water

3.11. The bottom of the infiltration trench is located one foot below the water table and filled with one-and-a-half feet to three feet of clean washed stone such that any fluids from the perforated pipe are discharged into the clean washed stone.

3.12. Respondent’s injection well disposes of untreated fluids collected through open

drains located on and surrounding the fuel pad, including fluid generated when the fuel pad is pressure washed.

3.13. Contaminants that enter the injection well, such as through a spill from the fuel dispensers in the area that drains into that well, would pass through the perforated pipe, into the clean washed stone, and directly enter the Underground Source of Drinking Water.

3.14. Fuels and other motor vehicle fluids may contain contaminants, such as benzene, toluene, ethylbenzene, xylenes, cadmium, chromium, and lead, in concentrations which exceed Maximum Contaminant Levels (“MCLs”), as established in the primary drinking water regulations under 40 C.F.R. Part 141.

3.15. Fuels, other motor vehicle fluids, and/or other contaminants may cause a violation of primary drinking water regulations or may otherwise adversely affect the health of persons if allowed to move into an Underground Source of Drinking Water.

3.16. Respondent is in violation of 40 C.F.R. §§ 144.12(a) and 144.82(a)(1) by owning, operating or maintaining a Class V injection well which, through injection activity, allows the movement of fluid containing contaminants into Underground Sources of Drinking Water, where that contaminant may cause a violation of the primary drinking water regulations or may otherwise adversely affect the health of persons. 40 C.F.R. §§ 144.12(a), 144.82(a)(1); 42 U.S.C. § 300h(d)(2).

3.17. Under Section 1423(c)(1) of the Act, 42 U.S.C. § 300h-2(c)(1), and 40 C.F.R. Part 19, Respondent is liable for administrative civil penalties up to \$16,000 per violation per day during which the violation continued.

IV. CONSENT AGREEMENT

Penalty

4.1. EPA determined and Respondent agrees that an appropriate penalty to settle this action is in the amount of ELEVEN THOUSAND NINE HUNDRED NINETY ONE DOLLARS (\$11,991). SWDA § 1423(c)(1), 42 U.S.C. § 300h-2(c)(1).

4.2. Respondent consents to issuance of the Final Order set forth in Part V, below, and agrees to pay the total civil penalty set forth in Paragraph 4.1, above, within 30 days of the effective date of the Final Order.

4.3. Payment under this CAFO must be made by cashier's check or certified check payable to the order of "Treasurer, United States of America" and delivered via United States mail to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

Respondent must note on the check the title and docket number of this action.

4.4. Respondent must deliver via United States mail photocopies of the check described in Paragraph 4.3, above, to the Regional Hearing Clerk and EPA Project Coordinator at the following addresses:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 10, MS ORC-158
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Mary Millner
U.S. Environmental Protection Agency
Ground Water Unit
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, WA 98101

4.5. Should Respondent fail to pay the penalty assessed by this CAFO in full by its due date, the entire unpaid balance of the penalty and any accrued interest shall become immediately due and owing. Should such a failure to pay occur, Respondent may be subject to a civil action to collect the assessed penalty under the SDWA. In any collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.

4.6. Should Respondent fail to pay any portion of the penalty assessed by this CAFO in full by its due date, Respondent shall also be responsible for payment of the following amounts:

a. Interest. Any unpaid portion of the assessed penalty shall bear interest, at the rate established by the Secretary of the Treasury, from the effective date of the Final Order contained herein, however, provided that no interest shall be payable on any portion of the assessed penalty that is paid within 30 days of the effective date of the Final Order contained herein. SDWA § 1423(c)(7), 42 U.S.C. § 300h-2(c)(7); 31 U.S.C. § 3717.

b. Costs and Attorneys Fees. Should Respondent fail to pay on a timely basis the amount of the penalty assessed by the Final Order contained herein, Respondent shall pay (in addition to any assessed penalty and interest) costs and attorneys fees. SDWA § 1423(c)(7), 42 U.S.C. § 300h-2(c)(7).

c. Federal Tax. Penalties paid pursuant to the Final Order contained herein are

not deductible for federal tax purposes. 26 U.S.C § 162(f).

Compliance Order

4.7. **Prohibition of Injection:** Respondent shall not inject any fluid into the subject well.

4.8. **Implementation of Well Closure Requirements:** Respondent shall implement the Well Closure requirements described in Paragraph 4.17.

4.9. **Notifications:**

a. Respondent shall provide EPA's Project Coordinator, identified in Paragraph 4.14, notification by email no less than five days prior to commencement of any activity under this Order.

b. Respondent shall provide a copy of this Order to any contractor and/or consultant retained to perform any work described in this Order at least 48 hours prior to the initiation of such work. Respondent shall simultaneously provide EPA's Project Coordinator, identified in Paragraph 4.14, written notice that the notice required in this subparagraph was given. No contract between Respondent and a contractor and/or a consultant shall affect Respondent's obligation to comply fully with this Order.

c. Respondent shall provide a copy of this Order to any successor in ownership, control, operation, or any other interest in all or part of the subject well, at least 30 days prior to the transfer. Respondent shall simultaneously provide EPA's Project Coordinator, identified in Paragraph 4.14, written notice that the notice required in this subparagraph was given. A transfer of property rights at the Site will not affect Respondent's obligation to comply fully with this Order.

4.10. **Site Access:** This Order does not affect EPA's authority to enter, inspect, sample, or monitor compliance under any law, permit, court order, or agreement. Respondent shall provide EPA or its authorized representatives access to the Site upon reasonable notice. EPA or its authorized representatives will be permitted to move freely at the Site and appropriate off-site areas to determine compliance with this Order and to conduct actions in accordance with this Order.

4.11. **Site Data:** Upon request by either EPA or the Yakama Nation, Respondent shall provide the requestor access to all records and documentation related to the conditions at the Site and to results or data pertaining to the restoration and mitigation activities conducted under this Order.

4.12. **Record Preservation:** Respondent shall preserve and retain, and shall instruct its consultant and other persons acting on its behalf, to preserve and retain all records and documents relating in any manner to the Requirements of Paragraph 4.17 for three years after Respondent has paid the administrative penalty in accordance with Paragraph 4.3 and EPA has issued a written approval of Respondent's final report. At the end of that three-year period, EPA may request Respondent to provide EPA with copies of any records and documents related to this Order or implementation of the Requirements of Paragraph 4.17. If EPA requests records and documents, Respondent shall, at no cost to EPA, but subject to a claim of privilege, provide EPA the original or copies of the records and documents within 30 days of EPA's request. If EPA makes no request at the end of the three-year period, Respondent may dispose of the records and documents.

4.13. **Modification:** EPA may, after consultation with Respondent, make a

preliminary determination that tasks in addition to those defined in the Requirements of Paragraph 4.17, including any approved modifications, are necessary to accomplish the Well Closure Requirements. EPA shall notify Respondent of preliminary determinations in writing, and Respondent shall have seven days from receipt to submit a written response.

Modifications of this Order, including oral modifications, shall be memorialized in writing and shall take effect only when agreed to in writing by all parties.

4.14. **Project Coordinator:**

a. Mary Millner is the EPA Project Coordinator who will oversee implementation of this Order. The Project Coordinator shall receive communications, which include, but are not limited to, all documents, reports, comments, approvals, and other correspondence submitted or exchanged under this Order. All submissions required by this Order shall be sent to:

Mary Millner
U.S. Environmental Protection Agency
Ground Water Unit
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, WA 98101
Phone: 206-553-6061
Email: millner.mary@epa.gov

b. Within 10 days of the effective date of this Order, Respondent must identify a project coordinator for purpose of receipt of all communication and implementation of this Order. The contact information for this project coordinator must be sent to the EPA Project Coordinator identified above in Paragraph 4.14.a.

4.15. **Failure to comply:** Failure to timely and appropriately implement to EPA's satisfaction any element of the Requirements of Paragraph 4.17 shall be deemed a violation of

this Order and the SDWA.

4.16. **Scope of Order:**

a. This Order is not and shall not be construed to be a permit under the SDWA, nor shall it in any way relieve or affect Respondent's obligation under the SDWA, or any other applicable federal or Tribal laws, regulations or permits. Compliance with this Order shall be no defense to any actions commenced pursuant to applicable laws, regulations, or permits.

b. This Order shall not be construed to preempt or preclude in any way any future administrative order issued by EPA or judicial action brought by the United States. This Order shall not be construed to resolve any claims for administrative or civil penalties that are not set out in this Order and that may be assessed or sought by EPA or the United States.

c. This Order shall in no way affect the rights of EPA or the United States against any person not a party to this Order.

d. Nothing in this Order shall be deemed to constitute a precedent by any party for any future administrative order, consent decree or civil action relating to the Site and/or any restoration work undertaken at the Site.

4.17. ***Well Closure Requirements:*** To successfully implement the well closure requirements, Respondent must comply with the following standards and requirements:

a. **Well Closure:**

1. For the injection well at the Site, Respondent must submit a Closure Plan to EPA by May 15, 2013. Respondent's Closure Plan must close the well

in accordance with 40 C.F.R. §§ 144.82, 144.89 and 146.10(c). *See* Attachment 1: Guidance for Underground Injection Control Class V Well Closures.

2. EPA will review and approve or disapprove the Closure Plan and notify Respondent regarding the results of review, including any additional requirements or recommendations. All revisions to the Closure Plan must be completed within 14 calendar days of notice that the plan has been disapproved.

3. Respondent must close the well by June 30, 2013, following the approved Closure Plan. Closure must be in accordance with 40 C.F.R. §§ 144.82, 144.89 and 146.10(c), including removal of all contaminated liquids, sludge, and soil from in and around the injection well. The Yakama Nation has not established cleanup levels at this time, so sample results will be compared to State of Washington cleanup levels, SDWA maximum contaminant levels, and other EPA regulatory or risk-based screening and cleanup levels as appropriate to determine whether the materials are contaminated at levels that endanger drinking water resources (and require additional work by Respondent).

4. Respondent must submit to EPA a Final Well Closure Report for the well by July 30, 2013, with documentation of all closure activity for the subject well, including a narrative statement describing the closure procedures, photographic documentation of all closure activities, and confirmatory sample results and waste manifests from the closure of the injection well, in accordance with Attachment 1 and Paragraph 4.17.

5. EPA will review and approve or disapprove the Final Well Closure

Report. All revisions to the Final Well Closure Report must be completed within 14 calendar days of notice that the report has been disapproved.

6. At the time of submitting the Closure Plan and Final Well Closure Report to EPA, and any subsequent revisions to those Reports, Respondent must submit informational copies of those reports to the Yakama Nation Environmental Management Program.

b. *Performance Standards for Well Closure*: Closures of all Class V injection wells must be conducted in a manner that protects Underground Sources of Drinking Water and complies with all applicable laws and regulations related to removal of materials from the well and adjacent to the well: 40 C.F.R. §§ 144.12(a), 144.82, 144.89, and 146.10(c).

c. *Sampling Requirements*: Respondent must collect an end-point sample from the cleaned out injection well, beneath the point of discharge. Respondent must select the sampling location based on the construction of the injection well and likelihood of detecting any contaminants that were injected beneath the ground surface. Respondent must propose an appropriate location for sampling for the injection well to be closed. Respondent must select a certified or accredited laboratory to analyze the end-point sample for the following constituents, consistent with the prior use of this well at a gasoline service station:

1. Volatile organic compounds by the most current version of EPA Method 8260;
2. Semivolatile organic compounds by EPA Method 8270; and

3. Arsenic, cadmium, chromium, and lead by an EPA approved metals analysis method.

d. Reporting Requirements: Respondent must submit to EPA's Project Coordinator, identified in Paragraph 4.14, the Closure Plan for the injection well at the Site by May 15, 2013 and the Final Well Closure Report for the injection well by July 30, 2013.

The schedule of activities under the Requirements of Paragraph 4.17 may be summarized as follows:

Deliverables	Due Date
Closure Plan for the injection well	May 15, 2013
Deadline to finish closure work for the injection well	June 30, 2013
Final Well Closure Report of all closure activities due	July 30, 2013

4.18. Termination and Satisfaction: In accordance with Paragraph 4.17, Respondent shall submit to EPA the Final Well Closure Report documenting the completion of all requirements described in Paragraph 4.17. Upon receipt of the final report, EPA may schedule an inspection of the subject well with Respondent and other interested tribal and/or federal agencies. After completion of the inspection, EPA will notify Respondent in writing whether the compliance with this Order is fully completed. EPA's Project Coordinator will provide this notification by telephone as promptly as possible. With the exception of Paragraphs 4.10 through 4.12, this Order shall terminate after Respondent pays the administrative penalty in accordance with Paragraph 4.3 and EPA issues a written approval of Respondent's final report.

General Provisions

4.19. For the purpose of this proceeding, Respondent admits the jurisdictional allegations contained in Part III of this CAFO.

4.20. Respondent neither admits nor denies the specific factual allegations contained in Part III of this CAFO.

4.21. Except as described in Paragraph 4.6 of this CAFO, each party shall bear its own costs in bringing or defending this action.

4.22. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this CAFO and to bind Respondent to this document.

4.23. Respondent expressly waives any right to contest the allegations and waives any right to appeal the Final Order set forth in Part V, below.

4.24. The provisions of this CAFO shall bind Respondent and its agents, servants, employees, successors, and assigns.

4.25. The above provisions are STIPULATED AND AGREED upon by Respondent and Complainant EPA Region 10.

DATED:

FOR RESPONDENT:

3-20-13


Print Name: Kip Ramsky
Title: Owner

DATED:

3/25/2013

FOR COMPLAINANT:


EDWARD J. KOWALSKI, Director
Office of Compliance and Enforcement

V. FINAL ORDER

5.1. The terms of the foregoing Parts I-IV are hereby ratified and incorporated by reference into this Final Order. Respondent is hereby ordered to comply with the foregoing terms of the settlement.

5.2. This CAFO shall constitute a settlement by EPA of all claims for administrative penalties pursuant to the SDWA for the violations alleged in Part III, above. In accordance with 40 C.F.R. § 22.31(a), nothing in this CAFO shall affect the right of EPA to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This CAFO does not waive, extinguish or otherwise affect Respondent's obligations to comply with all applicable provisions of the SDWA and regulations or permits promulgated thereunder.

5.3. Pursuant to Section 1423(c)(3) of the Act, 42 U.S.C. § 300h-2(c)(3), and 40 C.F.R. § 22.43(c), EPA provided public notice of Consent Agreement and Final Order served on the parties, and provided public notice that any interested person may, within 30 days of the effective date of the final Order, obtain judicial review of the penalty order pursuant to Section 1423(c)(6) of the Act, 42 U.S.C. § 300h-2(c)(6).

5.4 In accordance with 40 C.F.R. § 22.43(b), this Final Order shall become effective 30 days after it is served on the parties.

SO ORDERED this 6th day of May, 2013.


THOMAS M. JAHNKE
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 10

Guidance for Underground Injection Control Class V Well Closures

EPA requires that closures of all Class V injection wells are conducted in a manner that protects underground sources of drinking water and complies with all applicable laws and regulations related to removal of materials from the well and adjacent to the well. 40 CFR §§ 144.12(a) and 144.82. Closures of motor vehicle waste disposal wells and large-capacity cesspools are conducted under additional regulations, including required notification to EPA a minimum of 30 days before the planned closure activity. 40 CFR §§ 144.88 and 144.89. EPA recommends that you submit closure plans for EPA review as early as possible before the proposed start date of the closure activities.

As a general matter, EPA is likely to approve a closure plan if it contains the following information. The information listed below is neither an exclusive nor exhaustive set of requirements. Closure plans are evaluated on a case-by-case basis and may necessitate additional information or requirements to receive EPA approval. Furthermore, the following list of information is not required in all circumstances to obtain EPA approval, nor does the list obviate a regulated entity from satisfying any other applicable statutory or regulatory requirements under the Safe Drinking Water Act. Rather, the listed information is intended to provide the regulated community guidance about what EPA may look for when evaluating a Class V well closure plan. (Please note that for sanitary systems where a connection to the sewer is not possible, EPA is likely to approve continued use of the sanitary system for disposal of sanitary waste only if sampling confirms that chemical contamination is cleaned out and you provide evidence that the non-sanitary waste discharge has permanently ended.):

- A. A schematic diagram displaying the injection well system that identifies all drains, piping, processing units such as oil/water separators or septic tanks, and final discharge mechanisms such as drywells, leachfields, log cribs, or open underground pipe. (The diagram can be drawn by hand or computer.)
- B. A description of all fluids which enter, or have entered, the Class V well.
- C. A statement indicating that the connections between all drains of concern and the injection well (cesspool, drywell, open pipe or leachfield) will be, or have been, verified.
- D. A description of plug emplacements (if applicable).
- E. A statement indicating that all contaminated liquids, sludge, and soil will be removed from in and around the Class V injection well until visibly clean soil is reached, or structural integrity of the excavation or buildings or other significant structures near the excavation, may be compromised.
- F. A description of on-site storage while awaiting proper disposal, of liquids, sludge, soil, and other materials removed from the Class V well system.
- G. A statement indicating that all wastes will be characterized for disposal purposes, in accordance with Federal, State, and local regulations.

H. A plan to collect an end-point sample from the cleaned out Class V well, below the point of discharge. The end-point sample should be analyzed according to well use and injectate constituents. A statement should be included indicating what analytical methods will be used. Recommended EPA methods are included below.

- For large capacity cesspool wells (20 or more people per day), which receive only sanitary waste, an end-point sample and analysis typically is not required.
- For motor vehicle waste disposal wells, the end-point sample should be analyzed for volatile organic compounds (EPA Method 8260), semi-volatile organic compounds (EPA Method 8270), and arsenic, cadmium, chromium, and lead by a total metals analysis.
- For industrial discharge wells, the end-point sample should be analyzed for contaminants present in the injectate (analyses may include testing for volatile organic compounds by EPA Method 8260; semi-volatile organic compounds by EPA Method 8270, metals, herbicides, pesticides, or other parameters).

I. An assurance that all backfill material is clean.

J. A statement indicating that a final report outlining the closure procedures, including all sampling results and waste disposal manifests will be submitted to:

U. S. Environmental Protection Agency Region 10
Ground Water Unit
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, Washington 98101

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER** in: **In the Matter of: Cougar Den, Inc., Docket No. SDWA 10-2013-0082,** was filed, and served as follows, on the signature date below.

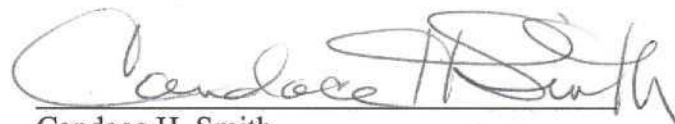
The undersigned certifies that a true and correct electronic copy of the document was delivered to:

Chris Bellovary
U.S. Environmental Protection Agency
Region 10, M/S: ORC-158
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Further, the undersigned certifies that a true and correct copy of this document was placed in the United States mail, certified/return receipt, to:

Cougar Den, Inc.
Attn: Kip Ramsey
P.O. Box 669
White Swan, WA 98952


Dated


Candace H. Smith
Regional Hearing Clerk
EPA Region 10

