



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2007 08 07 1 02 PM

Docket No. SDWA-08-2008-0078

In the Matter of: )  
)  
Jeramie Spangle, Operator ) CONSENT AGREEMENT  
Dan Boswell, Owner )  
The Wrench Wizard )  
)  
Respondents )

The United States Environmental Protection Agency, Region 8 (Complainant), and Jeramie Spangle and Dan Boswell (Respondents) by their undersigned representatives, hereby consent and agree as follows:

1. On July 16, 2008, Complainant issued to Respondents a Proposed Compliance Order, Penalty Complaint, And Notice Of Opportunity For Hearing (complaint) alleging certain violations of the Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26.
2. Respondents admit the jurisdictional allegations of the complaint and neither admit nor deny the specific factual allegations of the complaint.
3. Respondents waive their right to a hearing before any tribunal, to contest any issue of law or fact set forth in the complaint, or this Consent Agreement.
4. This Consent Agreement, upon incorporation into a final order, applies to and is binding upon EPA and upon Respondents and Respondents' successors or assigns. This Consent Agreement contains all terms of the settlement agreed to by the parties.
5. Complainant acknowledges that Respondents have closed the Class V Motor Vehicle Waste Disposal well at issue and has, pursuant to the requirements of the complaint, timely submitted documentary evidence of the closure.
6. Respondents agrees to keep the Class V Motor Vehicle Waste Disposal well at issue permanently closed.
7. Due to Respondents' timely compliance and in accordance with Complainant's enforcement strategy for these specific types of cases, Complainant agrees to settle this action without the assessment of a civil penalty.

8. Nothing in this Consent Agreement shall relieve Respondents of the duty to comply with the Safe Drinking Water Act and its implementing regulations.

9. The undersigned representatives of Respondents certify that they are fully authorized to enter into the terms and conditions of this Consent Agreement and to bind the specific Respondent to the terms and conditions of this Consent Agreement.

10. The parties agree to submit this Consent Agreement, once signed, to the Regional Judicial Officer, with a request that it be incorporated into a final order.

11. Each party shall bear its own costs and attorney fees in connection with this matter.

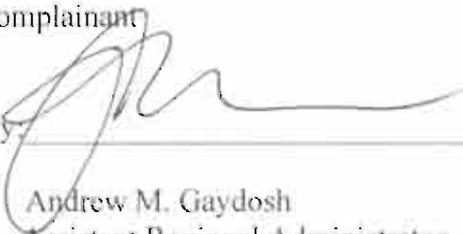
12. This Consent Agreement may be signed in counterparts and its validity shall not be challenged on that basis.

13. This Consent Agreement, upon incorporation into a final order by the Regional Judicial Officer and full satisfaction by the parties, shall be a complete and full civil settlement of the specific violations alleged in the complaint.

**UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8**

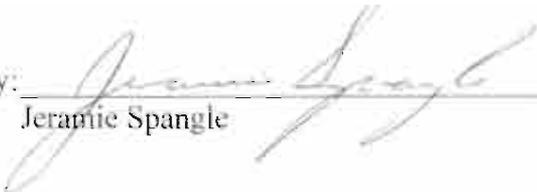
Complainant

Date: 12/1/08

By:   
Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance,  
and Environmental Justice

Respondents

Date: 11/4/08

By:   
Jeramie Spangle

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Dan Boswell

8. Nothing in this Consent Agreement shall relieve Respondents of the duty to comply with the Safe Drinking Water Act and its implementing regulations.

9. The undersigned representatives of Respondents certify that they are fully authorized to enter into the terms and conditions of this Consent Agreement and to bind the specific Respondent to the terms and conditions of this Consent Agreement.

10. The parties agree to submit this Consent Agreement, once signed, to the Regional Judicial Officer, with a request that it be incorporated into a final order.

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**UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8**

Complainant

Date: \_\_\_\_\_

By: \_\_\_\_\_

Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance,  
and Environmental Justice

Respondents

Date: \_\_\_\_\_

By: \_\_\_\_\_

Jeramie Spangle

Date: 11/13/08

By: 

Dan Boswell

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter **JERAMIE SPANGLE, OPERATOR, DAN BOSWELL, OWNER, THE WRENCH WIZARD; DOCKET NO.: SDWA-08-2008-0078**. These documents were filed with the Regional Hearing Clerk on December 3, 2008.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to James H. Eppers, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on December 3, 2008, to:

Dan Boswell, Owner  
The Wrench Wizard  
6670 Macarthur Drive  
Missoula, MT 59808

Jeramie Spangle, Operator  
The Wrench Wizard  
14365 Hwy. 385  
Cheyenne Wells, CO 80810

E-mailed to:

Michelle Angel  
U. S. Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-0002)  
Cincinnati, Ohio 45268

December 3, 2008

  
Tina Artemis  
Paralegal/Regional Hearing Clerk

