



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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SEP 29 2010

Ref: 8 ENF-W

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Southside Well Improvement and Service District
Eugene Moore, President
3523 Spiegelmyer Ave.
Gillette, Wyoming 82718-6446

Re: Violation of
Administrative Order
Docket No. SDWA-08-2008-0097
Southside Well Improvement and
Service District
PWS ID # WY5600122

Dear Mr. Moore:

On September 2, 2008, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2008-0097, ordering Southside Well Improvement and Service District (the District), owner and/or operator of the Southside Well Improvement and Service District Public Water System (the system) to comply with various drinking water regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f *et seq.*

Our records indicate that Southside Well Improvement and Service District is again in violation of the Administrative Order. Please be advised that the District remains bound by the Consent Agreement and Final Order issued on July 21, 2010, which required a penalty payment of \$1200.00 for violations of two Administrative Orders, Docket Nos. SDWA-08-2008-0097 and SDWA-08-2009-0047, issued on September 2, 2008, and June 2, 2009, respectively. The additional violations cited in this letter were not part of the violations in the penalty proceeding covered by the July 21, 2010 Consent Agreement and Final Order, and therefore, the District may face additional penalties for these new violations.

Among other things, the Order, Docket No. SDWA-08-2008-0097, included the following requirements (quoted from items 10 and 14, of the Order section on pages 2 and 3 respectively of the Order):

1. Upon receipt of this Order, Respondent shall monitor for total coliform bacteria once per month as defined in the regulations. 40 C.F.R. § 141.21.

The District did not monitor for total coliform bacteria at the system during June 2010.

2. Upon the effective date of this Order, 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).

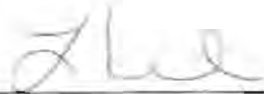
The District did not report the failure to monitor total coliform violations that occurred during December 2009 and June 2010 to EPA.

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. Any questions from your attorney(s) should be directed to Peggy Livingston at (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)