



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

AUG 11 2008

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Laramie County Commissioners
c/o Jeff Ketchum, Chairman
310 W. 19th Street, Suite 300
Cheyenne, Wyoming 82001

Re: Notice of Safe Drinking Water Act
Enforcement Action against
Carpenter Water and Sewer District, and
Certified Water Specialists, LLC
PWS ID# WY5601464

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 (Order) is being issued to the Carpenter Water and Sewer District and Certified Water Specialists, LLC for the Carpenter Water and Sewer District Public Water System, located in Carpenter, Wyoming. This Order requires that the public water system take measures to return to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include: failure to timely report 2007 and 2008 radionuclide analytical results to EPA; failure to monitor for lead and copper; failure to collect a monthly total coliform sample; failure to comply with the total coliform maximum contaminant level; failure to post public notice; 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 Melanie Wasco at (303) 312-6540.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane L. Sipe".

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>

AUG 11 2008

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Carpenter Water and Sewer District
Attn: Paul Parma, District Chairman
Box 433
Carpenter, WY 82054

Certified Water Specialists, LLC
Attn: John Trefren, Registered Agent and PWS Operator
3515 Campstool Rd.
Cheyenne, WY 82007

Re: Administrative Order
Docket No. SDWA-08-2008-0087
Carpenter Water and Sewer District
PWS ID# WY5601464

Dear Messrs. Lembitz and Trefren:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300f *et seq.* Among other things, the Order describes how Carpenter Water and Sewer District, and Certified Water Specialists, LLC 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 you comply with the Order for at least 12 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.

EPA recognizes that there have been no total coliform violations since 2004 at this water system. EPA's primary concern is the failure to submit laboratory results to EPA in a timely manner, thus violating the reporting requirements of the SDWA.

Also enclosed is a small business resources information sheet, outlining compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to your situation.

To submit information or request an informal conference with EPA, please contact Melanie Wasco at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6540 or (303) 312-6540. For legal questions, the attorney assigned to this matter is Jean Belille, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6556 or (303) 312-6556.

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
Information sheet

cc: Wyoming DEQ
Wyoming DOH

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2007 AUG 11 AM 8:37

IN THE MATTER OF)
)
Carpenter Water and Sewer District)
Carpenter, Wyoming)
)
Certified Water Specialists, LLC)
Cheyenne, Wyoming)
)
Respondents)

2007 AUG 11 AM 8:37
HEARING CLERK

ADMINISTRATIVE ORDER

Docket No. SDWA-08-2008-0087

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. Carpenter Water and Sewer District (Respondent) and Certified Water Specialists LLC (Respondent) are a district and a corporation that own and operate, respectively, the Carpenter Water and Sewer District Public Water System (the System) in Laramie County, Wyoming, which provides piped water to the public for human consumption. The System is supplied by a groundwater source consisting of two wells, and serves approximately 90 residents through 36 service connections year-round. The System is a "community" water system as defined in 40 C.F.R. § 141.2. Respondents are 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. Respondents are required to 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). Respondents sampled the water for contamination of radionuclides in the 1st (January-March); 2nd (April-June), 3rd (July-September), and 4th (October-December) quarters of 2007, and in the 1st (January-March) quarter of 2008, but failed to report the analytical results to EPA until June 4, 2008, and, therefore, violated this requirement.

4. Respondents are required to monitor the system's tap water every three years for lead and copper after initial and annual monitoring has been completed. 40 C.F.R. § 141.86(d)(4)(iii). Respondents monitored for lead and copper in September 2007 but failed to monitor for the compliance period 2004 - 2006 and, therefore, violated this requirement.

5. Respondents are required to monitor the water at least once per month to determine compliance with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.21(a). Respondents failed to monitor the System's water in February 2004 and, therefore, violated this requirement.

6. Respondents are required to monitor the water at least once per month to determine compliance with the MCL for total coliform bacteria. 40 C.F.R. § 141.21. If more than one sample collected during a month tests positive for such bacteria, it is a violation of the MCL. 40 C.F.R. § 141.63. Respondents' sampling results in July 2004 exceeded the MCL for total coliform bacteria and, therefore, violated this requirement.

7. The law requires Respondents to notify the public of certain violations of the drinking water regulations, in the manner specified by the regulations. 40 C.F.R. § 141.201 *et seq.* Respondents failed to notify the public of the violations listed in paragraphs 4, 5 and 6 above and, therefore, violated the requirement.

8. Respondents are required to report any failure to comply with a coliform monitoring requirement to the EPA within 10 days after learning of the violation. 40 C.F.R. § 141.21(g)(2). Respondents failed to report to EPA total coliform monitoring violations listed in paragraph 5 above and, therefore, violated this requirement.

9. Respondents are required to report any failure to comply with any of the drinking water regulations (except where a different reporting period is specified) to EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondents failed to report the violations listed in paragraphs 3, 4 and 7 above to EPA and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondents are ordered to perform the following actions, upon receipt of this Order by Respondents:

10. Respondents shall report all 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).

11. Respondents shall sample for lead and copper as required by the drinking water regulations. 40 C.F.R. § 141.86. Respondents' next lead and copper sampling is due during the period of June 1 through September 30, 2010.

12. Respondents shall monitor for total coliform bacteria once per month and remain within the MCL, as defined in the regulations. 40 C.F.R. §§ 141.21, 141.63. Any violation of total coliform monitoring requirements shall be reported to EPA within 10 days after the Respondents learn of it. 40 C.F.R. § 141.21(g)(2).

13. Within 30 days of receipt of this Order, Respondents must provide public notice of the violation specified in paragraphs 4, 5 and 6 of this Order. 40 C.F.R. §§ 141.201, 141.202 and 141.205. This notice shall be given by (1) mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the System; AND (2) any other method reasonably calculated to reach other persons served by the system, if they would not normally be reached by the notice, such as publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others; posting in public places or on the Internet; or delivery to community organizations. Respondents

must issue a repeat notice every three months for as long as the violation persists. Respondents shall notify the public of any future violations. Respondents shall submit a copy of the public notice to EPA within ten days of completion of the public notice. 40 C.F.R. §141.31(d).

14. Respondents shall report any violation of the drinking water regulations to EPA within 48 hours (except where a different reporting period is specified above). 40 C.F.R. § 141.31(b).

15. Respondents shall report analytical results to EPA within the first 10 days following the end of each sampling period, as required by the drinking water regulations. 40 C.F.R. § 141.90(a).

16. 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

17. 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.

18. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondents 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.

8/11/08
Date

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

08-07-08
Date

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