



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

APR 30 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Darrell Offe
Mayor, Town of Hartville
P.O. Box A
Hartville, WY 82215

Re: Administrative Order Violation
Docket No. SDWA-08-2012-0059
PWS ID #WY5600186

Dear Mayor Offe:

On September 27, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order) ordering the Town of Hartville (Town), which was named as the Respondent in that Order, to bring its public water system (System) into compliance with various regulations promulgated under the federal Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26. The EPA's records indicate that the Respondent is in violation of the Order. Among other things, the Order included the following requirement (quoted from item 16 on page 3 of the Order):

Respondent shall monitor the System's water monthly for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required 40 C.F.R. § 141.21(g)(2).

The Respondent failed to monitor the System's water for total coliform bacteria during December of 2012 and February of 2013 and did not report the noncompliance to EPA. While the Respondent did collect a water sample for total coliform bacteria analysis on February 28, 2013, the holding time was exceeded and the sample could not be tested. EPA strongly encourages public water systems to monitor early during the month so that there is sufficient time to resample in the event that there is a problem.

The EPA is considering additional enforcement action as a result of the Town's non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of

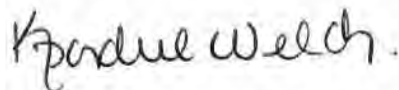
up to \$37,500 per day per violation of the order, and/or (2) a court injunction ordering compliance.

If the EPA's information appears incorrect and/or you have any questions, please contact Jill Minter at 1-800-227-8917, extension 6084, or (303) 312-6084. If you are represented by an attorney who has questions, please ask the attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858, or (303) 312-6858, or at the following address:

Peggy Livingston, Enforcement Attorney
U.S. EPA, Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Kimberly Pardue Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

Tina Artemis, EPA Regional Hearing Clerk
WY DEQ/DOH (via email)
James Weinkauf, Operator, Hartville Public Water System