



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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

FEB - 5 2008

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

John Thompson, Registered Agent
Broken Wrench LLC
1510 Garden Creek Road
Casper, WY 82601

Re: Administrative Order
Docket No. **SDWA-08-2008-0015**
PWS ID #WY5600074

Dear Mr. Thompson:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq. Among other things, the Order describes how Broken Wrench LLC has violated the National Primary Drinking Water Regulations (NPDWRs). This is the third Order issued to Broken Wrench LLC for violation of the NPDWRs (the June 2001 Order is now closed. An Order issued September 2005 remains open).

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 Broken Wrench LLC complies with the Order for a minimum of eighteen 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.

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, contact Kathelene Brainich at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. For legal questions, the attorney assigned to this matter is Amy Swanson, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6906, or (303) 312-6906.

We urge your prompt attention to this matter.

Sincerely,

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

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

Enclosures

Order
Information sheet

cc: WY DEQ (via email)
WY DOH (via email)



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FEB - 5 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Natrona County Commissioners
c/o Jon Campbell, Chair
POB 863
Casper, WY 82602

Re: Notice of Safe Drinking Water Act Enforcement
Action against Broken Wrench LLC
PWS ID 5600074

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 is being issued to Broken Wrench LLC in Casper, Wyoming. This Order requires that the Broken Wrench LLC take measures to return the public water system to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations are for failing to monitor for nitrate and radionuclides, and failing to report these 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 Kathelene Brainich at (303) 312-6481.

Sincerely,

A handwritten signature in cursive script, reading "Diane L. Sipe".

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

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF)

Broken Wrench LLC)

Casper, WY)

Respondent)

2008 FEB -5 PM 3:37

ADMINISTRATIVE ORDER

Docket No. **SDWA-08-2008-0015**

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. Broken Wrench LLC (Respondent) is a corporation under the laws of the State of Wyoming as of January 16, 1996, that owns and/or operates the Broken Wrench Water System (the system) in Natrona County, Wyoming which provides piped water to the public for human consumption. The system is supplied by two springs with disinfection treatment, and serves approximately 50 people through 14 service connections all year. The system is a "community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. § 141.

VIOLATIONS

3. Respondent is required to monitor the system's water annually to determine compliance with the maximum contaminant level (MCL) for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the water for contamination of nitrate in 2006, and therefore violated this requirement. Respondent monitored for nitrate September 17, 2007.

4. Respondent is required to initially monitor the system's water for four consecutive, quarterly samples during 2007 to determine compliance with the MCL for radionuclides. 40 C.F.R. § 141.26(a). Respondent failed to monitor the water for contamination of radionuclides during the 2nd (April-June), 3rd (July-September), and 4th (October-December) quarters of 2007, and therefore violated this requirement. Respondent did monitor for radionuclides in 1st quarter 2007.

5. Respondent is required to report any failure to comply with any of the drinking water regulations to EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondent failed to report the violations listed in paragraphs 3 and 4 above to EPA and therefore violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions:

6. Upon the effective date of this Order, Respondent shall monitor annually for nitrate. 40 C.F.R. § 141.23(d). Respondent shall report analytical results to EPA with 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). Any violation of nitrate monitoring requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

7. Within 30 days of receipt of this Order, Respondent shall begin monitoring quarterly for radionuclides. 40 C.F.R. § 141.26(a). Respondent shall 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). Any violation of radionuclide monitoring requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

8. 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

9. 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.

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



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



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