



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

JUL 23 2008

CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

Laramie County Commissioners  
c/o Jeff Ketcham, Chairman  
310 W. 19<sup>th</sup> Street  
Cheyenne, Wyoming 82001

Re: Notice of Safe Drinking Water Act  
Enforcement Action against  
Independent Enterprises, LLC, and Certified Water  
Specialists, LLC  
PWS ID#WY5600263 – Hide-A-Way Mobile Home Park

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 Independent Enterprises, LLC, of Kersey, Colorado and Certified Water Specialists, LLC, located in Cheyenne, Wyoming. This Order requires that Independent Enterprises, LLC, and Certified Water Specialists, LLC, take measures to return the Hide-A-Way MHP public water system to compliance with the SDWA and the National Primary Drinking Water Regulations (NPDWRs). The violations include: failure to report 2007 radionuclide analytical results 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 Shawn McCaffrey at (303) 312-6515.

Sincerely,

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

Enclosure



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CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

Larry Neuschwanger, Registered Agent  
Independent Enterprises, LLC  
25820 Sandy Knoll Blvd.  
Kersey, Colorado 80644

John Trefren, Registered Agent  
Certified Water Specialists, LLC  
3515 Campstool Road  
Cheyenne, Wyoming 82007

Re: Administrative Order  
Docket No. **SDWA-08-2008-0082**  
PWS ID #WY5600263 – Hide-A-Way  
Mobile Home Park

Dear Mr. Neuschwanger and Mr. Trefren:

Enclosed is an Administrative Order issued by the 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 Independent Enterprises, LLC, and Certified Water Specialists, LLC, 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 Independent Enterprises, LLC, and Certified Water Specialists, LLC, comply with the Order for twelve 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, please contact Shawn McCaffrey at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6515, or (303) 312-6515. 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: WY DEQ (via email)  
WY DOH (via email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2008 5 1 20 11 54 AM

IN THE MATTER OF )  
 )  
Independent Enterprises, LLC )  
Kersey, Colorado )  
 )  
Certified Water Specialists, LLC )  
Cheyenne, Wyoming )  
 )  
Respondents )

ADMINISTRATIVE ORDER

Docket No. **SDWA-08-2008-0082**

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. Independent Enterprises, LLC, and Certified Water Specialists, LLC, (Respondents) are companies that own and operate respectively, the Hide-A-Way Mobile Home Park 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, is disinfected, and serves approximately 70 to 130 people through 50 service connections all year. 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 to EPA the results of any test measurement or analysis required by the drinking water regulations within the first ten days following the month in which sampling results are received or, within ten days following the end of the required monitoring period, whichever of these is the shortest. 40 C.F.R. § 141.31(a). Respondents sampled the water for contamination of radionuclides in the 1<sup>st</sup> (January-March), 2<sup>nd</sup> (April-June), 3<sup>rd</sup> (July-September), and 4<sup>th</sup> (October-December) quarters of 2007, and 1<sup>st</sup> quarter of 2008, but failed to report the analytical results to EPA until June 2008 and, therefore, violated this requirement.

4. 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 paragraph 3 above to EPA and, therefore, violated this requirement.

**ORDER**

Based on the above violations, Respondents are ordered to perform the following actions:

5. Respondents shall report all analytical results to EPA within the first ten days following the month in which sample results are received or, within ten days following the end of the required monitoring period, whichever of these is the shortest, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of radionuclides monitoring or other NPDWR requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

6. 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**

7. 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.

8. 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.

7/22/08  
Date

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

21 July 2008  
Date

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