



**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  
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**JAN 16 2014**

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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

Re: Administrative Order Violation #3  
Docket No. SDWA-08-2012-0059  
PWS ID #WY5600186

Dear Mayor Offe:

This is the third letter notifying the Town of Hartville (Town) of noncompliance with the Administrative Order (Order) issued September 27, 2012, by the United States Environmental Protection Agency (EPA) under the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq.

Our records indicate that the Town is again in violation of the Order. Among other things, the Order included the following requirements (summarized from items 16, 18 and 21 on page 3 of the Order in which the Town is named as Respondent):

1. 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 to EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).

Respondent failed to monitor the system's water for total coliform bacteria during September 2013 and did not report the noncompliance to the EPA. Although a total coliform sample was collected on September 26, 2013, it was analyzed as "unknown," and a replacement sample was not collected and submitted for analysis. The 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.

2. Within 30 days after receipt of the Order, Respondent shall prepare an annual CCR (to include all information required by 40 C.F.R. §§ 141.153 and 141.154) for the System for 2010 and 2011 and distribute the report to the System's customers and the EPA. Upon distributing the CCR to EPA, Respondent shall certify to the EPA that the CCR has been distributed to the System's customers and that its information is correct and consistent with monitoring data previously

provided to the EPA. **Thereafter, Respondent shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.151-141.155.**

Respondent failed to prepare and distribute the System's 2012 CCR (to include all information required by 40 C.F.R. §§ 141.153 and 141.154) by the July 1, 2013 deadline, as required by 40 C.F.R. §§ 141.151-141.155. EPA received the System's 2012 CCR and certification on September 30, 2013.

3. Respondent shall report any violation of the Drinking Water Regulations [40 C.F.R. part 141] to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).

Respondent failed to report its noncompliance with the CCR requirements.

**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 the Town is 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: James Weinkauff, Operator, Hartville Public Water System  
Jade Stanley, Clerk, Town of Hartville  
Tina Artemis, EPA Regional Hearing Clerk  
WY DEQ/DOH (via email)