



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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DENVER, COLORADO 80202-2466

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<http://www.epa.gov/region08>

2009 JUN 18 AM 9:38

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUN 18 2009

Jesse Dale Ruby, Registered Agent
J M Land & Developing Co.
Ridgeway Community Well
2901 4 J Road
Gillette, WY 82718

RE: Administrative Order Violation
Docket No. SDWA-08-2009-0023
PWS ID #5601602

Dear Mr. Ruby:

On December 30, 2008, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2009-0023, ordering you and JM Land & Developing Co. ("JM Land"), as owner/operator of the Ridgeway Community Well, to comply with the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300f *et seq.*, and its implementing regulations, the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. Part 141.

Our records indicate that you and JM Land are in violation of the Order. Among other things, the Order included the following requirement (quoted from item 8 on page 2 of the Order):

Within 90 days of receipt of this Order, Respondents shall provide EPA with a compliance plan and schedule for the system to maintain consistent compliance with the total coliform bacteria MCL. 40 C.F.R. § 141.63.

This plan was due to EPA on April 7, 2009. EPA has not received a compliance plan as of the date of this letter. A plan and schedule must be submitted to EPA within 10 days of the date of this letter.

EPA is considering additional enforcement action as a result of 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 you have any questions or wish to have an informal conference with EPA, you may contact Kathelene Brainich at 1-800-227-8917, extension 6481 or (303) 312-6481. If you are



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represented by an attorney who has questions, please ask your attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-312-8917, extension 6858 or (303) 312-6858 or at the following address:

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

We urge your prompt attention to this matter.

Sincerely,



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Duaine Faucett, Ridgeway operator (via fax)
Randall T. Cox, P.C.
WY DEQ and DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk

