

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

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

JUL 6 2009

Ref: 8ENF-W

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Kurt Zimmerman, Owner Country Meadow Estates – Laramie, WY 7872 Regency Park St. Las Vegas, NV 98149

> Re: Administrative Order Docket No. SDWA-08-2009-0056 PWS ID # WY5600162

Dear Mr. Zimmerman:

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 <u>et seq</u>. Among other things, the Order describes how you, as owner of the Country Meadow Estates system, have 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 you 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.

Enclosed please find a small business resources information sheet, which outlines 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 Mario Mérida at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6297 or (303) 312-6297. For legal questions, the attorney assigned to this matter is Marc Weiner, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6913 or (303) 312-6913.

We urge your prompt attention to this matter.

Sincerely,

rane T Diane L. Sipe, Director

Water Technical Enforcement Program Office of Enforcement, Compliance and Environmental Justice

Enclosures

Order

U.S. EPA Small Business Resources information sheet

cc: Tina Artemis, EPA Regional Hearing Clerk Jack Crawford, Country Meadow Estates WY DEQ (via e-mail) WY DOH (via e-mail)



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**REGION 8** 

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CERTIFIED MAIL RETURN RECEIPT REQUESTED

Albany County Commissioners c/o Tim Sullivan, Chairman 525 Grand Ave. Laramie, WY 82070

> Re: Administrative Order Docket No. SDWA-08-2009- 0056 PWS ID # WY5600162

Dear Commissioners:

The Safe Drinking Water Act (SDWA) requires that the Environmental Protection Agency (EPA) notify locally elected officials of certain enforcement actions taken in their area.

An Administrative Order is being issued to Country Meadow Estates located in Laramie, WY. This Order requires that the public water system take measures to return to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations are failure to monitor for lead and copper and failure to report the violations to the EPA.

For further 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 Mario Mérida at (303) 312-6297.

Sincerely,

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

Enclosure Order

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

	2009 JUL -6 PM 1: 11
IN THE MATTER OF	EPA REGION VIII
Kurt Zimmerman, Owner	)
Country Meadow Estates Water System	)
Laramie, Wyoming	)
	) ADMINISTRATIVE ORDER
Respondent.	)
	) Docket No. SDWA-08-2009-0056

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.

2. Kurt Zimmerman (Respondent) is an individual who owns and/or operates the Country Meadow Estates water system (the system) in Albany County, Wyoming, which provides piped water to the public for human consumption. The system is supplied by a groundwater source consisting of one primary well and two reserve wells and serves an average of 375 people daily through 111 service connections year-round. 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. part 141.

#### VIOLATIONS

3. Respondent is required to monitor the system's water triennially for lead and copper. 40 C.F.R. § 141.86(d). Based on the population served by Respondent's system, Respondent is required to collect at least 5 samples during each monitoring period. 40 C.F.R. § 141.86(c). Respondent most recently monitored for lead and copper on September 8, 2005 and the next sampling was due in 2008. Respondent failed to sample for lead and copper between June 1, 2008 and September 30, 2008 and, therefore, violated this requirement.

Country Meadow Estates Page 2 of 3

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

#### ORDER

Based on the above violations, Respondent is ordered to perform the following actions, upon receipt of this Order:

5. Between June 1 and September 30, 2009, Respondent shall monitor for lead and copper. Respondent shall monitor for lead and copper per the regulations thereafter. Respondent shall collect 5 samples during each sampling event. 40 C.F.R. §§ 141.86(c) and 141.86(d). Respondent shall report analytical results to EPA within the first 10 days following the end of the monitoring period, as required by the drinking water regulations. 40 C.F.R. § 141.90.

6. Respondent shall report any violation of the drinking water requirements to EPA within 48 hours. 40 C.F.R. § 141.31(b).

7. 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

8. 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.

Country Meadow Estates Page 3 of 3

9. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19.

Issued this the day of July, 2009.

David Rill

David Rochlin, Supervisory Attorney Legal Enforcement Program Office of Enforcement, Compliance and Environmental Justice

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