



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

SEP 26 2011

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carl Pace, Owner
Cozy Mobile Home Park
1575 E. Monroe #72
Riverton, WY 82501

Re: Administrative Order
Cozy Mobile Home Park
Water System
Docket No. **SDWA-08-2011-0076**

Dear Mr. Pace:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of section 1414 of the Safe Drinking Water Act, 42 U.S.C. § 300g-3. Among other things, the Order alleges that you have violated the National Primary Drinking Water Regulations (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, 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.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or the drinking water regulations.

To submit information or request an informal conference with EPA, please 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. Any questions

from your attorney should be directed to Jean Belille, Enforcement Attorney, who may 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,

A handwritten signature in black ink, appearing to read "Arturo Palomares for".

Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures:

Order
SBREFA Information Sheet

cc:

Tina Artemis, EPA Regional Hearing Clerk
The Honorable Mike LaJeunesse, Chairman, Eastern Shoshone Tribe
The Honorable Jim Shakespeare, Chairman, Northern Arapahoe Tribe
Don Aragon, Director, Wind River Environmental Quality Commission

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2011 SEP 26 AM 9:13

IN THE MATTER OF:)
)
Carl Pace,)
)
)
)
)
Respondent.)

Docket No. SDWA-08-2011-0076



ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414 of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300g-3, as properly delegated to the undersigned officials.
2. Carl Pace (Respondent) is an individual who owns and/or operates the Cozy Mobile Home Park Water System (the System), which provides piped water to the public in Fremont County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source consisting of two wells.
4. The System has approximately 72 service connections used by year-round residents and/or regularly serves an average of approximately 115 year-round residents. Therefore, the System is a "public water system" and a "community water system" as defined in 40 C.F.R. § 141.2 and § 1401 of the Act, 42 U.S.C. § 300f.
5. Respondent is subject to the Act and the National Primary Drinking Water Regulations (drinking water regulations) at 40 C.F.R. part 141. The drinking water regulations are "applicable requirements" as defined in § 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The drinking water regulations include monitoring requirements. EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the system.

VIOLATIONS

7. Respondent is required to monitor the System's water annually for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System's water for nitrate during 2010, and, therefore, violated this requirement.
8. Respondent is required to monitor the System's water for certain inorganic contaminants at least once every three years. 40 C.F.R. §§ 141.23(a) and (c). Respondent

failed to monitor the System's water for inorganic contaminants during the 2008-2010 period, and, therefore, violated this requirement. Respondent has since monitored for inorganic contaminants on May 11, 2011.

9. Respondent is required to monitor the System's water at least once every 3 years for certain volatile organic contaminants. 40 C.F.R. § 141.24(f)(6). Respondent failed to monitor the System's water for volatile organic contaminants during the 2008-2010 period, and, therefore, violated this requirement. Respondent has since monitored for volatile organic contaminants on May 11, 2011.

10. Respondent is required to monitor the System's water for synthetic organic (pesticide / herbicide) contaminants at least once every 3 years. 40 C.F.R. § 141.24(h). Respondent failed to monitor the System's water for pesticide/herbicide organic contaminants during the 2008-2010 period, and, therefore, violated this requirement. Respondent has since monitored for synthetic organic contaminants on May 11, 2011.

11. Respondent is required to report any failure to comply with any drinking water regulation to EPA within 48 hours (except where the drinking water regulations specify a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 7 through 10, above, to EPA and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

12. Respondent shall monitor the System's water for nitrate annually per the regulations. 40 C.F.R. § 141.23(d).

13. Respondent shall monitor the System's water for inorganic contaminants per the regulations. 40 C.F.R. § 141.23(a) and (c).

14. Respondent shall monitor the System's water for volatile organic contaminants per the regulations. 40 C.F.R. § 141.24(f)(6).

15. Respondent shall monitor the System's water for pesticide/herbicide contaminants per the regulations. 40 C.F.R. § 141.24(h).

16. Unless a different reporting requirement is specified by the drinking water regulations or this Order, Respondent shall report each monitoring result to EPA within the first 10 days following either (1) the month in which the result is received or (2) the end of the required



Carl Pace, Owner
Cozy Mobile Home Park
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monitoring period as stipulated by EPA, whichever is earlier. 40 C.F.R. § 141.31(a).

17. Respondent shall report any violation of the drinking water regulations to EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or the drinking water regulations, Respondent shall report within that different period.

18. Respondent shall direct all reporting required by this Order to:

U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop
Denver, CO 80202-1129

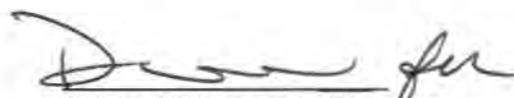
GENERAL PROVISIONS

19. This Order shall 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.

20. Violation of any part of this Order 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; 40 C.F.R. part 19.

Issued: September 26, 2011.


Matthew Cohn, Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

