



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

September 17, 2020

September 17, 2020
12:55 PM

Ref: 8ENF-W-SD

Received by

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

EPA Region VIII
Hearing Clerk

Mr. Scott Prusia, HOA President
Stone Creek Homeowners Association
(S_prusia@yahoo.com)

Re: Administrative Order Addendum issued to Stone Creek Homeowners Association regarding Stone Creek Homeowners Association Public Water System, PWS ID #WY5601586, Docket No. **SDWA-08-2020-0034**

Dear Mr. Prusia:

This is an Addendum to the Administrative Order (Order) issued to Scott Prusia and the Stone Creek Homeowners Association on July 22, 2020. The purpose of this letter is to approve your August 1, 2020, schedule (Schedule) for coming into consistent compliance with the nitrate maximum contaminant level (MCL). The Schedule is hereby incorporated into the Order pursuant to paragraph 9, of the Administrative Order. Each milestone and deadline specified below is an enforceable provision of the Order.

Milestone

Deadline Date

The public notification has been posted on the community board, at the mailboxes, and a certification was sent to the EPA. A special meeting of the board of directors was called to discuss the matter.	July 22, 2020 (reported as completed)
Meet with the (Engineer) to discuss options and costs. Options are as follows; a) Drill four-inch test hole to 150' and test the water. If nitrates are low enough pump from that level blending water to reduce overall nitrate levels. b) Drill to a depth of 250' casing 12" to 150' to eliminate river aquifer. Better chance of low nitrates for blending.	July 30, 2020 (reported as completed)

The permits have been filled out and turned over to engineer for final review and submitted to the State of Wyoming.	July 30, 2020 (reported as completed)
Presumptive date the State will issue the approved well permits.	September 15, 2020
Conduct a meeting between the engineer and the Stone Creek HOA board of directors to discuss final plans and pricing.	September 15, 2020
Presumptive date to begin drilling new well.	October 1, 2020
Set pump in new well and test water by sending sample to Energy Labs in Casper.	October 15, 2020
Start pumping new well and blending water to achieve lower nitrate levels.	October 30, 2020

Within 10 calendar days of completing all steps included in the above Schedule, please notify the EPA of the project's completion as required by the Order. The Order also requires you to achieve and maintain compliance with the nitrate MCL by the final date specified in the approved Schedule. The EPA is authorized to seek penalties if these deadlines are not met. If Scott Prusia and the Stone Creek Homeowners Association have a reasonable basis to believe they may be unable to meet any deadline in the Schedule, they shall notify the EPA well in advance of the Schedule deadline to request an extension. The EPA may, in its discretion, consider granting an extension.

As a reminder, you are required to provide the EPA with quarterly progress reports by December 31, 2020. The EPA acknowledges that the COVID-19 pandemic also may impact construction projects. If the has specific COVID-19 issues that would affect the timeframes listed in the schedule, please contact Nathan Hicks at hicks.nathaniel@epa.gov or by phone at (800) 227-8917, extension 6546, or (303) 312-6084 as soon as possible Any questions from the HOA attorney should be directed to Shaula Eakins, Assistant Regional Counsel, via email at eakins.shaula@epa.gov or by phone at (800) 227-8917, extension 6317, or (303) 312-6317.

Sincerely,

**COLLEEN
RATHBONE** Digitally signed by
COLLEEN RATHBONE
Date: 2020.09.17
11:53:41 -06'00'

Colleen Rathbone, Chief
Water Enforcement Branch
Enforcement and Compliance Assurance Division

cc: WY DEQ/DOH
Goshen County Commissioners (crupp@goshencounty.org)
Tom Feeser, Operator, (tom@cottonwoodconstruction.com)
John Kinberg, Alternative Operator, (kinberg@scottsbluff.net)
Dennis Lewis, WY DEQ, (dennis.lewis@wyo.gov)
Melissa Haniewicz, EPA Regional Hearing Clerk