



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

Ref: ENF-L

MEMORANDUM

SUBJECT: Proposed Administrative Consent Agreement for Custer County Road and Bridge
Docket No. SDWA-08-2014-0036

FROM: Suzanne J. Bohan, Assistant Regional Administrator
Office of Enforcement, Compliance and Environmental Justice

TO: Elyana R. Sutin, Regional Judicial Officer

DATE: April 14, 2015

This memorandum transmits a Consent Agreement (CA) proposed to settle violations of the Safe Drinking Water Act, 42 U.S.C. § 300h *et seq.*, and regulations implementing the Underground Injection Control Program, 40 C.F.R. § 144 *et seq.* The attached CA has been signed by both parties and is now being submitted for your approval. If signed by you, the CA, consistent with 40 C.F.R. section 22.18(b), will resolve the civil administrative liability of Custer County Road and Bridge (Respondent) in this matter.

This CA settles a Proposed Compliance Order, Penalty Complaint and Notice of Opportunity for Hearing (Complaint) issued to Respondent on September 4, 2014. The Complaint addresses Respondent's operation of an Underground Injection Control Class V Motor Vehicle Waste Disposal Well (MVWDW). As of January 1, 2007, operators are required to close MVWDWs, pursuant to 40 C.F.R section 144.88(b). MVWDWs are banned because these wells inject motor vehicle waste fluids directly into or above underground sources of drinking water, posing a high risk to human health and the environment.

EPA did not assess a penalty against the Facility due to the fact that it closed the Motor Vehicle Waste Disposal Well as required by the Complaint. The Safe Drinking Water Act does not require public notice of this settlement.

Please call Mia Bearley, enforcement attorney, at (303) 312-6554 or bearley.mia@epa.gov, if you have any questions or concerns regarding this matter. Thank you.

cc: Rusty Christensen, Custer County Road and Bridge