



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W

SEP 17 2009

VIA HOME FAX 303-841-3510

Roy L. Stricklin, Owner  
Alcova Dam Trailer Park  
POB 74  
Watkins, CO 80137

Re: 3<sup>rd</sup> Violation of Administrative Order Notice  
Docket No. SDWA-08-2007-0080  
PWS ID #WY5601592

Dear Mr. Stricklin:

On August 30, 2007, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2007-0080, ordering you to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. sections 300f et seq. at the Alcova Dam Trailer Park Water System (the System). The Order was amended by EPA on April 15, 2009.

Our records indicate you (Respondent) are in violation of the Order. Among other things, the Order included the following requirements (quoted from items 11, 12, 13, 14, 15 and 16 on pages 2 and 3 of the Amended Order):

1. Respondent shall monitor monthly for total coliform bacteria. 40 C.F.R. § 141.21. Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of total coliform monitoring requirements shall be reported to EPA within ten days after the Respondent learns of it. 40 C.F.R. § 141.21(g)(2).

EPA has not received total coliform bacteria results for the System for February, March, and June 2009. You have additionally violated the Order by failing to report to EPA that you did not monitor for coliform. You must provide public notice of these violations.

2. Respondent shall monitor for four, consecutive quarters for radionuclides. 40 C.F.R. § 141.26(a). Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of radionuclide monitoring requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

EPA has not received radionuclide monitoring results for the System for the 4<sup>th</sup> quarter 2008 and 1<sup>st</sup> quarter 2009. You have additionally violated the Order by failing to report to EPA that you did not monitor for radionuclides. You must provide public notice of these violations.

EPA received radionuclide monitoring results for 2<sup>nd</sup> quarter 2009. You must again monitor by the end of September 2009, promptly submit the results to EPA, and monitor for two more quarters.

3. Respondent shall monitor for four, consecutive quarters, and in compliance with the regulations thereafter, for volatile organic contaminants. 40 C.F.R. § 141.24(f). Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of volatile organic contaminant monitoring requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

EPA has not received volatile organic contaminant monitoring results for the 4<sup>th</sup> quarter 2008 and 1<sup>st</sup> quarter 2009. You have additionally violated the Order by failing to report to EPA that you did not monitor for volatile organic contaminants. You must provide public notice of these violations.

EPA received volatile organic contaminant monitoring results for 2<sup>nd</sup> quarter 2009. You must again monitor by the end of September 2009, promptly submit the results to EPA, and monitor for two more quarters.

4. Respondent shall monitor for four, consecutive quarters, and in compliance with the regulations thereafter, for pesticide/herbicide contamination. 40 C.F.R. § 141.24(h). Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of pesticide/herbicide monitoring requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

EPA has not received pesticide/herbicide monitoring results for the 4<sup>th</sup> quarter 2008 and 1<sup>st</sup> quarter 2009. You have additionally violated the Order by failing to report to EPA that you did not monitor for these contaminants. You must provide public notice of these violations.

EPA received pesticide/herbicide monitoring results for 2<sup>nd</sup> quarter 2009. You must again monitor by the end of September 2009, promptly submit the results to EPA, and monitor for two more quarters.

5. By September 30, 2007, Respondent shall complete a materials evaluation, select appropriate lead and copper sampling sites as required by 40 C.F.R. §§ 141.42(d) and 141.86(a) and shall submit this information to EPA.

EPA has not received a lead/copper materials evaluation/sampling plan. This must be completed and submitted to EPA immediately.

6. Prior to December 31, 2007, and again between January 1-June 30, 2008, and in compliance with the regulations thereafter, Respondent shall monitor for lead and copper. 40 C.F.R. § 141.86 (b), (c) and (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. Any violation of lead and copper monitoring requirements shall be reported to EPA within 48 hours. 40 C.F.R. § 141.31(b).

EPA has not received a complete set of 5 lead/copper monitoring results for the period of July-December 2008. Respondent sampled at only one location in October 2008. You have additionally violated the Order by failing to notify EPA that you did not adequately monitor for these contaminants. You must provide public notice of this violation.

EPA received 5 lead/copper sample results for the period January-June 2009. You must take an additional 5 samples by December 31, 2009. Based upon these results, you will be notified in writing of your next monitoring period requirements.

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 represented by an attorney who has questions, please ask your attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 312-6858, or (303) 312-6858 or at the following address:

Peggy Livingston  
Enforcement Attorney  
U.S. EPA, Region 8 (8ENF-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: WY DEQ/DOH  
Tina Artemis, EPA Regional Hearing Clerk