

Big Valley & Crossed Arrows Improvement District
P. O. Box 33
Meeteetse, WY 82433

November 26, 2007

Elyanna R. Sutin
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 8 (*RC)
1595 Wynkoop Street
Denver, CO 80202

Regarding: Docket No. SDWA-08-2007-0093: request for waiver and abandonment of proceeding as not in the best interest of the Government and not in the best interest of the health and welfare of the public.

History of BVCA: We're an improvement district with our only source of income a 25 year old water system in poor condition. Our system consists of one well and two 2500 gallon storage tanks and an unmetered distribution system. The system is dilapidated and worn out. The system water has high salts with high amounts of dissolved solids in the water. We have 14 water connections (of which approximately 11 connections pay a \$35 monthly rate). Our area is generally low income and lacks any professional resources. As of November 1, 2007 our entire operating fund is \$2,467.29 and our total reserves for capital equipment is \$2,312,48. This is every resource available to us for all operating expenses and emergencies. We currently (for 2007) have in excess of \$3,000 in EPA testing requirements which we have not yet been completed.

In April of 2007 the entire BVCA Committee resigned after four years of running the District. There were no secretarial records or financial records. The system had not been maintained (as an example a broken water pipe in the pump house was repaired with duct tape) and EPA testing requirements had not always been met. In addition our total operating funds were at \$1,200. Currently EPA seeks a \$2,000 penalty for failure to monitor and failure to report. All tests before and after these failures were negative, and no harm was done to any of our water users. The current Committee was not aware of testing failures and had no input into the actions of the prior Committee. We have initiated aggressive actions to insure that monthly bacteria tests are taken and reported in a timely manner. We are currently at a level 2 water project with WWDC to obtain a consecutive system to purchase water from the town of Meeteetse and to build a new metered water system. We have requested waivers on the remaining EPA tests since our plans would include abandonment of the current well and system. All services to the water system, and our efforts to replace this unreliable and low quality system with a new one, are through unpaid volunteers except paid plumbers for emergency repairs.

The EPA penalty will reduce our operating funds to less than \$500, the effect is the same whether or not a payment plan is made. These EPA penalties will bankrupt the system, stop necessary maintenance, and exhaust all of the miscellaneous funding for required training and our efforts to obtain a safe new system. This is why we again request that

...se penalties be waived and our new BVCA Committee be allowed to operate with a clean slate

The BVCA Committee sincerely apologizes for past failures. Shouldn't penalties at least have some correlation to responsibility and control? Is it in the best interest of the Government to penalize the water users or the current BVCA Committee who had no way of monitoring or influencing the prior Committee?

Please seriously consider our request. If you wish you may call me at any time to discuss this matter, Donna Guelde 307-868-2146.

Kindest Regards

Donna Guelde, BVCA Chair