

# STATE OF COLORADO

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Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

*emailed  
response  
2/27/13  
ao*

Thursday, February 14, 2013

PWSID-CO0159119  
Alpensee Board of Directors  
Alpensee WD  
PO Box 2204  
Frisco, CO 80443

## COMPLIANCE ADVISORY – FAILURE TO COMPLY WITH CERTIFIED OPERATOR IN RESPONSIBLE CHARGE REQUIREMENT – ALPENSEE WD

Dear Sir or Madam:

The Colorado Department of Public Health and Environment-Water Quality Control Division ("Division") records list Alpensee Board of Directors as the owner of record for Alpensee WD.

Pursuant to §25-9-101 through 110, C.R.S., and its implementing regulations, Regulation 100 *Water and Wastewater Facility Operators Certification Requirements*, 5 CCR 1003-2, (Regulation 100). Article 9 of Title 25, C.R.S., every water treatment facility, domestic or industrial wastewater treatment facility, wastewater collection system, and water distribution system be under the supervision of a certified operator, holding a certificate in a class equal to or higher than the class of the facility or system. Regulation 100 further stipulates that no owner of a water or wastewater facility shall not allow the facility to be operated without the direct supervision of an operator in responsible charge certified in a classification equivalent to or higher than the classification of the facility, §100.18.4, Regulation 100.

The Division was recently notified that the operator in responsible charge is no longer supervising the operation of your facility. Section 100.18.4(b) requires each owner of a water or wastewater facility to notify the Division within 30 days of a change in the operator in responsible charge. Please submit the name, mailing address, phone number, email address (if available) and the classification and expiration of certification of all operator(s) in responsible charge currently employed by you for the following facilities:

	Facility Name	Category
PWSID-CO0159119	Alpensee WD	DW Treatment
PWSID-CO0159119	Alpensee WD	DW Distribution

Failure to have an operator in responsible charge certified in a classification equivalent to or higher than the classification of the facility constitutes a violation of Regulation 100.

If you believe the alleged violations are in error, please submit a copy or new printout of the drinking water inventory update form or permit contact update form, with original signatures within fourteen (14) calendar days of the date of this letter.

If you do not have an operator in responsible charge certified in a classification equivalent to or higher than the classification of each facility, immediately ensure your facility is under the direct supervision of a certified operator certified in a classification equivalent to or higher than the classification of the facility.

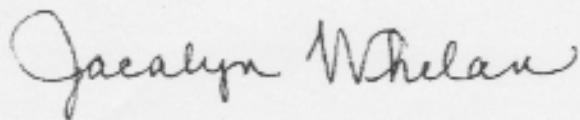
No later than March 7, 2013 submit an ORC report form including the name, address, email address, phone number, and Colorado certified operator identification number for your facility's ORC. The ORC report form is enclosed and is also available on-line at [www.colorado.gov/cdphe/wqcd](http://www.colorado.gov/cdphe/wqcd).

This Compliance Advisory is intended to advise you of alleged violations of Article 9 of Title 25, C.R.S., and its implementing regulations, Regulation 100 *Water and Wastewater Facility Operators Certification Requirements*, so that appropriate steps can be taken to avoid or mitigate formal enforcement action or to correct our records (if applicable). This Compliance Advisory does not constitute a Notice of Violation order and is not subject to appeal. The issuance of this Compliance Advisory does not limit or preclude the Division from pursuing its enforcement options concerning the above violation(s). The Division will evaluate the facts associated with the above-described violation(s) and if a formal enforcement action is deemed necessary, you may be issued a Notice of Violation that may include the assessment of penalties.

To ensure that all pertinent information is available for our evaluation, and incorporated into the administrative record for this matter, you are encouraged to respond and provide any additional information which you feel should be considered by the Division. Any information that you wish to provide should reach this office by no later than fourteen (14) calendar days of the date of this letter. We appreciate your cooperation and timely action on this matter.

If you have any questions regarding this matter, please contact Facility Operator Certification at (303) 692-3510 or [cdphe.facilityoperator@state.co.us](mailto:cdphe.facilityoperator@state.co.us).

Sincerely,



Jacalyn M. Whelan  
Supervisor  
Facility Operator Certification  
Compliance Assurance Section  
Water Quality Control Division

ec: DW File

Enclosure