



COLORADO

Department of Public
Health & Environment

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

CDPS Number COG840009
William Scribner, Vice President
AG Andrikopoulous Resources Inc.
PO Box 788
Cheyenne, WY 82003-0788

September 22, 2014

RE: COMPLIANCE ADVISORY - FAILURE TO COMPLETE WHOLE EFFLUENT TOXICITY TESTING
Elk Springs #3 Well, COG840009

Dear Sir or Madam:

AG Andrikopoulous Resources Inc. (AG Andrikopoulous) is subject to the Colorado Discharge Permit System, Permit No. COG840009 (Permit). The Permit authorizes AG Andrikopoulous to discharge treated wastewater subject to the specific effluent limitations and other conditions of the Permit. 5 CCR 1002-61, §61.8 requires a permittee to comply with all the terms and conditions of the permit.

A review of the Colorado Department of Public Health and Environment, Water Quality Control Division (Division) records show that AG Andrikopoulous has not completed Whole Effluent Toxicity (WET) testing or the Discharge Monitoring Report (DMR) was submitted without WET data, for the following monitoring periods:

Outfall No.	Monitoring Period Start Date	Monitoring Period End Date
001W	7/1/2013	9/30/2013
001W	10/1/2013	12/31/13
001W	1/1/2014	3/31/2014
001W	4/1/2014	6/30/2014

Failure to complete WET testing or failure to submit a complete DMR within the required timeframe constitutes a violation of the Permit.

The Division spoke to Will Scribner, who represents AG Andrikopoulous, on September 5, 2014 and Mr. Scribner stated that AG Andrikopoulous has been unable to complete WET testing for the last three quarters due to an inability to deliver samples to the laboratory on time and other issues.

Please be aware that it is the ongoing responsibility of the permittee to take any necessary actions to maintain compliance with Permit conditions at all times. Within fourteen (14) days from the date of this letter, please submit to the Division any available WET data for the above monitoring periods and a written response explaining the cause of the non-compliance and outlining the actions and measures you have taken or will be taking to abate the non-compliance.



Please address all correspondence to the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-CWE-B2
Attention: Eric T. Mink
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

This Compliance Advisory is intended to advise you of alleged violations of the Colorado Water Quality Control Act, its implementing regulations and permits 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 or Cease and Desist 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 / Cease and Desist Order that may include the assessment of penalties.

If you have any questions regarding this matter, please contact me at 303-692-2312 or eric.mink@state.co.us.

Sincerely,



Eric T. Mink
Enforcement Specialist
Clean Water Enforcement
Water Quality Control Division

cc: File Copy
Christy Pickens, Enforcement Unit, CDPHE