



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF-W

SEP - 9 2008

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Michael Martinez, Registered Agent
Little Moon Lake Supper Club, Inc.
118 Arrowhead Road
Torrington, WY 82240

Re: Administrative Order
Docket No. **SDWA-08-2008-0103**
PWS ID #WY5600696

Dear Mr. Martinez:

Enclosed is an Administrative Order issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq. Among other things, the Order describes how Little Moon Lake Supper Club, Inc. has violated the National Primary Drinking Water Regulations.

The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If the Little Moon Lake Supper Club complies with the Order for twelve months, EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a Federal court injunction ordering compliance.

EPA reiterates the recommendation contained in the June 11, 2007, sanitary survey to install a backflow prevention device on the water line to the corral to prevent possible contamination of the distribution system, if this action has not yet been taken.

Also enclosed is a small business resources information sheet, outlining compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to your situation.

To submit information or request an informal conference with EPA, contact Kathelene Brainich at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. For legal questions, the attorney assigned to this matter is

Marc Weiner, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6913 or (303) 312-6913.

We urge your prompt attention to this matter.

Sincerely,



Diane L. Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures

Order

Information sheet

cc: WY DEQ/DOH (via email)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 WYNKOOP STREET
DENVER, COLORADO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

SEP - 9 2008

Goshen County Commissioners
c/o Robert Ward, Chair
POB 160
Torrington, WY 82240

Re: Notice of Safe Drinking Water Act
Enforcement Action against
Little Moon Lake Supper Club, Inc.
PWS ID# 5600696

Dear Commissioners:

The Safe Drinking Water Act (SDWA) requires that the Environmental Protection Agency (EPA) notify locally elected officials of certain enforcement actions taken in their area.

An Administrative Order is being issued to the Little Moon Lake Supper Club, Inc. located in Torrington, Wyoming. This Order requires that the public water system take measures to return to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations are failure to monitor for total coliform bacteria (repeat and additional routine) and failure to report the violations to EPA.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,

A handwritten signature in cursive script that reads "Diane L. Sipe".

Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF)
)
Little Moon Lake Supper Club, Inc.)
Torrington, WY)
)
Respondent)

2008 SEP - 8 3:05
ADMINISTRATIVE ORDER
Docket No. **SDWA-08-2008-0103**

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) in the Public Health Service Act (as amended by and hereafter referred to as the "Safe Drinking Water Act" or the "Act," 42 U.S.C. § 300f, as properly delegated to the undersigned officials.

2. Little Moon Lake Supper Club, Inc. (Respondent) is a corporation under the laws of the State of Wyoming as of August 30, 2007, that owns and/or operates the Little Moon Lake Supper Club Water System (the system) in Goshen County, Wyoming which provides piped water to the public for human consumption. The system was closed in 2005 and reopened in May 2007. The system is supplied by a groundwater source consisting of one untreated well. The system serves an average of approximately 50 people per day through 4 service connections and is open all year. The system is a "non-community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. § 141.

VIOLATIONS

3. Respondent is required to collect a set of four repeat samples within 24 hours of being notified of a total coliform positive routine sample. 40 C.F.R. § 141.21(b). Respondent failed to collect a set of repeat samples after the January 2008 total coliform positive routine sample, and therefore violated this requirement.

4. Respondent collects fewer than 5 routine samples per month and is required, if one or more total coliform samples are positive, to collect at least five routine total coliform samples during the next month the system provides water to the public. 40 C.F.R. § 141.21(a)(5). Respondent failed to collect at least 5 routine samples in February 2008 after a total coliform positive sample in the preceding month, and therefore violated this requirement.

5. Respondent is required to report any failure to comply with a coliform monitoring requirement to EPA within ten days after the system learned of the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report to EPA the failure to monitor total coliform violations listed in paragraphs 3 and 4 above and therefore violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions upon receipt of this Order by Respondent:

6. Respondent shall comply with all total coliform repeat sampling requirements. 40 C.F.R. § 141.21(b). This requires that Respondent take no fewer than four repeat total

coliform bacteria samples within 24 hours of being notified of a total coliform positive routine sample.

7. Respondent shall comply with all total coliform routine sampling requirements. 40 C.F.R. § 141.21(b)(5). This requires that Respondent take no fewer than five routine total coliform bacteria samples during the next month after having one or more total coliform positive samples.

8. Respondent shall report all analytical results to EPA within the first 10 days following the month in which sample results are received, or within the first 10 days following the end of the monitoring period, whichever is shortest. 40 C.F.R. § 141.31(a).

9. Respondent shall report any failure to comply with coliform monitoring requirements to EPA within ten days after the system discovers the violation. 40 C.F.R. § 141.21(g)(2).

10. Reporting requirements specified in this Order shall be provided by certified mail to:

U. S. EPA Region 8 (8P-W-DW)
1595 Wynkoop Street
Denver, CO 80202-1129

GENERAL PROVISIONS

11. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

12. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondent to a civil penalty of up to \$32,500 (as adjusted for inflation) per day of violation, 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19.

9/9/08
Date

David J. Janik
for David J. Janik, Director
Matthew Cohn, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

09.09.08
Date

Diane L. Sipe
Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice