



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
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Ref: 8 ENF-W

SEP 29 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gurnam Singh, Registered Agent
BHAGAT, LLC
4850 I-80 Service Road
Burns, WY 82053

Re: Violation of Administrative Order
Docket No. SDWA-08-2011-0044
Antelope Truck Stop 1
PWS ID #WY5601027

Dear Mr. Singh:

On May 16, 2011, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2011-0044, ordering BHAGAT, LLC (Respondent) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that BHAGAT, LLC is in violation of the Order. Among other things, the Order included the following requirements (quoted from item 22 of the "Order" section on page 4 of the Order):

1. If any routine sample for the system is total coliform positive, Respondent shall collect at least 5 routine samples during the next month in which the system provides water to the public, following the procedures in 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 were received, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the total coliform monitoring requirements to EPA within 10 days of discovery, as required by 40 C.F.R. § 141.21(g)(2).

Following the June 14, 2011 positive total coliform sample, Respondent failed to collect at least 5 routine total coliform bacteria samples during July 2011, and failed to report the violation to EPA within 10 days after learning of it.

EPA is considering additional enforcement action as a result of the 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 Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Jean Beleille, Enforcement Attorney, at 1-800-227-8917, extension 6556 or (303) 312-6556 or at the following address:

Jean Beleille
Enforcement Attorney
U.S. EPA, Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk

