



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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2014 MAR 19 PM 12:06

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EPA REGION VIII
HEARING OFFICE

MAR 19 2014

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ronald Abernathy, Registered Agent
Hudson Gas, Grill and Goods, Inc.,
c/o McKee, Marburger and Fagnant, PC
185 South 5th
Lander, WY, 82520

Re: Administrative Order Violation, PWS ID #WY5601441, Docket No. SDWA-08-2011-0060

Dear Mr. Abernathy:

On August 22, 2011, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), ordering Hudson Gas, Grill and Goods, Inc. (Respondent), as owner and/or operator of the Hudson Gas, Grill and Goods Public Water System (System), to comply with certain regulations promulgated under the federal Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26.

The EPA's records indicate that the Respondent is again in violation of the Order. Among other things, the Order included the following requirements (summarized from items 14, 18 and 19 on pages 3 and 4, respectively, of the Order):

1. Within 30 days after receipt of this Order, and per the regulations thereafter, Respondent shall monitor the System's water for nitrate. 40 C.F.R. § 141.23.

Respondent failed to monitor the System's water for nitrate during calendar year 2013.

2. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 7, 8, 10, and 11, of the Order, as required by 40 C.F.R. part 141, subpart Q. Thereafter, following any future violation of the drinking water regulations, Respondent shall comply with the applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to EPA.

As of the date of this letter, the EPA has not received a copy of the required public notice.

3. Respondent shall report any violation of the drinking water regulations to EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time

period for reporting is specified in this Order or the drinking water regulations, Respondent shall report within that different period.

Respondent failed to report to the EPA the violation for failure to monitor for nitrate during calendar year 2013, cited above.

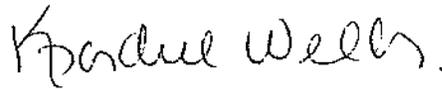
The EPA is considering additional enforcement action as a result of the Respondent's non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$37,500 per day per violation of the order, and/or (2) a court injunction ordering compliance.

If the EPA's information appears incorrect and/or you have any questions, please contact Mario Mérida at 1-800-227-8917, extension 6297, or (303) 312-6297. If you are represented by an attorney who has questions, please ask the attorney to contact Mia Bearley, Enforcement Attorney, at 1-800-227-8917, extension 6554, or (303) 312-6554, or at the following address:

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

We urge your prompt attention to this matter.

Sincerely,



Kimberly Pardue Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

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