



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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EPA REGION VIII  
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**JAN 22 2013**

Ref: 8 ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marc C. Thompson, Registered Agent  
GILL Holdings, LLC  
1438 Sheridan Ave., Ste. 105  
P.O. Box 295  
Cody, WY 82414

Re: Violation of Administrative Order  
UXU Ranch Public Water System  
Docket No. SDWA-08-2012-0060  
PWS ID # WY5600457

Dear Mr. Thompson:

On September 27, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2012-0006, ordering GILL Holdings, LLC (Respondent), as owner and/or operator of the UXU Ranch public water system (System), to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq.

Our records indicate that the Respondent is in violation of the Order. Among other things, the Order included the following requirements (quoted from paragraph 17 on page 3 of the Order):

*1. Within 30 days after receipt of this Order, Respondent shall provide the EPA with a schedule for Respondent to come into compliance with the requirement for qualified personnel to operate the System as required by 40 C.F.R. § 141.70(c). The plan shall include concrete steps for training designated personnel at the system and/or providing contractor support for the system by a certified operator. The proposed schedule shall include specific milestone dates and a final compliance date (to be within two months from the date of the EPA's approval of the plan and schedule). The plan and schedule must be approved by the EPA before related activities commence.*

While on December 5, 2012, the EPA received from the System's contract operator an initial proposed schedule to come into compliance with the requirement for qualified personnel to

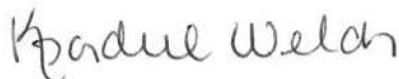
operate the system, the EPA advised Respondent via email to Mr. David Gill on December 14, 2012, that the EPA would require additional steps in the proposed plan aimed at assuring that operators at the system are be qualified. The EPA required that additional information in that regard be forwarded to EPA within two weeks of the December 14, 2012, email (i.e., by December 28, 2012). However, as of the date of this letter, Respondent failed to provide the EPA with a suitable schedule to come into compliance with the requirement for qualified personnel to operate the system, as required in the Order.

EPA is considering additional enforcement action, including assessment of penalties, as a result of the non-compliance with the Order detailed above. 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 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 your attorney to contact Mr. Dana Stotsky, Enforcement Attorney, at 1-800-227-8917, extension 6905 or (303) 312-6905 or at the following address:

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

We urge your prompt attention to this matter.



Kimberly Pardue-Welch, 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  
Daniel Aklufi, Realty Specialist, Shoshone National Forest (via e-mail)  
Anita Harper, Natural Resource Specialist, Shoshone National Forest (via email)  
Earl McKinney, Operator, UXU Ranch public water system (via e-mail)