



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

Ref: 8 ENF-W

FEB 08 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tomi White, President
Kennington Springs Pipeline, Inc.
P.O. Box 1284
Afton, WY 83110

Re: Violation of Administrative Order
Kennington Springs Pipeline
Public Water System
Docket No. SDWA-08-2010-0026
PWS ID #WY5601199

Dear Ms. White:

On March 25, 2010, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2010-0026, ordering Kennington Springs Pipeline, Inc., (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 Kennington Springs Pipeline, Inc., is in violation of the Order. Among other things, the Order included the following requirements (quoted from item 9 of the "Order" section on page 2 of the Order):

1. Between June 1, 2010, and September 30, 2010, Respondent shall monitor the system's water for lead and copper, and thereafter as directed by EPA in accordance with 40 C.F.R. § 141.86(b), (c) and (d). Respondent shall report analytical results to EPA within the first 10 days following the end of the monitoring period, as required by 40 C.F.R. § 141.90. Respondent shall report any violation of lead and copper monitoring requirements to EPA within 48 hours, as required by 40 C.F.R. § 141.31(b).

Respondent failed to monitor the system's water for lead and copper during the 2010 monitoring period and failed to report the violation to EPA within 48 hours of 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 Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858 or (303) 312-6858 or at the following address:

Peggy Livingston
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

