



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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2016 JAN 26 AM 8:47

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Brush Creek, LLC
CT Corporation System, Registered Agent
1712 Pioneer Avenue, 120
Cheyenne, Wyoming 82001

Re: Administrative Order Violation letter #1, PWS ID #WY5601644,
Docket No. SDWA-08-2015-0012

Dear Sir/Madam:

This is the first letter notifying Brush Creek, LLC (Respondent) of noncompliance with the Administrative Order (Order) issued May 4, 2015, by the United States Environmental Protection Agency (EPA) under the Safe Drinking Water Act, 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 (see paragraph 15 of the Order restated below):

Respondent shall monitor the System's water for total coliform quarterly, and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation as required by 40 C.F.R. § 141.21(g)(2).

After the System's water tested positive for total coliform on June 18, 2015, Respondent failed to take at least 5 routine samples of the System's water in July 2015.

The EPA is considering additional enforcement action as a result of the Town'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.



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If the EPA's information appears incorrect and/or you have any questions, please contact Olive Hofstader at 1-800-227-8917, extension 6467, or (303) 312-6467, or by email at hofstader.olive@epa.gov. If the Respondent is represented by an attorney who has questions, please ask the attorney to contact Mia Bearley, Enforcement Attorney, at bearley.mia@epa.gov or (303) 312-6554, or at the address above (with the mailcode 8ENF-L).

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: Mr. Mike Williams, Executive Vice President
Mr. Ron Hawkins, Ranch Manager
Mr. Chris Branch, operator (via email)
WY DEQ/DOH (via email)

Ms. Tina Artemis, EPA Regional Hearing Clerk