



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

JUL 3 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

Re: Administrative Order Violation #5
Docket No. SDWA-08-2011-0030
PWS ID #WY5601199

Dear Ms. White:

On March 8, 2011, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), which was amended on August 5, 2011, to Kennington Springs Pipeline, Inc. (Respondent), citing violations of the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. part 141, and, among other things, directing Respondent to submit a plan for coming into compliance with the maximum contaminant level (MCL) for total coliform.

Our records indicate that Respondent continues to be in violation of the Order. A schedule submitted by Respondent to ensure consistent compliance with the total coliform MCL, approved by the EPA on February 20, 2013, required that a leak detection study from the spring to the collection box be completed by April 30, 2013. When the EPA contacted Kennington Spring's operator, Ernie Eaton, on April 29, 2013, for a status update for the project Mr. Eaton informed the EPA that due to snow conditions the completion of the project needed to be delayed by one month. On June 18, 2013, the EPA contacted Kennington Springs's new operator, Ben Mavy, and he stated that a leak detection study could not be performed due to the system not being pressurized but that the system had hired Forsgren Engineering to assist it. Mr. Mavy was instructed by the EPA to submit a new schedule for completion of a plan to prevent future total coliform MCL violations immediately after Forsgren presents options to the Kennington Spring's board the week of June 24, 2013. **Therefore, a new schedule is required to be submitted to the EPA no later than July 15, 2013.**

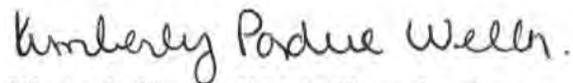
The EPA is considering additional enforcement action as a result of non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions, you may contact Kathelene Brainich at (303) 312-6481. If you are represented by an attorney, please ask your attorney to direct any questions to Peggy Livingston, Enforcement Attorney, at (303) 312-6858, or at the following address.

Peggy Livingston, 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.

Sincerely,



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

cc: Ben Mavy, Kennington Springs operator (via email)
WY DEQ and DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk