



REGION 8

DENVER, CO 80202

FILED

Sep 17, 2024

11:36 am

**U.S. EPA REGION 8
HEARING CLERK**

September 17, 2024

Ref: 8ECA-W-S

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Mr. Paul McNeil, Owner
Wagon Box Inn
info@thewagonbox.com

Subj: Administrative Order issued to Paul McNeil / regarding Wagon Box Inn Public Water System, PWS ID #WY5601103, Docket No. SDWA-08-2024-0046

Dear Mr. McNeil:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g3(g). Among other things, the Order alleges that you, as owner of the Wagon Box Inn Public Water System (System), have violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from you, the EPA will assume this information is correct. If you comply with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$69,733 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (December 27, 2023).

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are

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relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, please contact Elizabeth Tyson via email at tyson.elizabeth@epa.gov, or by phone at (800) 227-8917, extension 6646, or (303) 312-6646. Any questions from your attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at bearley.mia@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554. We urge your prompt attention to this matter.

Sincerely,

Tiffany Cantor, Acting Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

ENCLOSURES:

Public Notification Template (Total Coliform Bacteria Failure to Monitor)
Public Notification Template (Nitrate Failure to Monitor)
Small Business Information Sheet
Tips to Stay in Compliance with Monitoring Requirements

cc:

WY DEQ/DOH (via email)
Sheridan County Commissioners (mnickel@sheridancounty.com)
EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Ken Durfee, Maintenance Supervisor (wagonboxinn@gmail.com)
Mark Caudle, Operator (markrcaudle@gmail.com)
Dale Lee, WY DEQ District Engineer (dale.lee@wyo.gov)
Dorran Larner, WY DEQ District Engineer (dorran.larner2@wyo.gov)