



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

DENVER, COLORADO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

Ref: 8ENF-W

DLC 28 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John A. Wells, Registered Agent
Timberline Ranch
4127 US Hwy 26/287
Dubois, WY 82513

Re: Administrative Order Violation
Docket No. SDWA-08-2008-0045
PWS ID #WY5600933

Dear Mr. Wells:

On May 8, 2008, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order) ordering Timberline Ranch (Timberline) to comply with the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300f *et seq.*, and its implementing regulations, the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. Part 141.

Our records indicate that Timberline (Respondent) is in violation of the Order. Among other things, the Order included the following requirements (quoted from item 9 on page 2 of the Order):

Upon receipt of this Order, Respondent shall monitor for total coliform bacteria during 2nd and 3rd quarters each year. 40 C.F.R. §§ 141.21, 141.63. Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results were received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of total coliform monitoring requirements shall be reported to EPA within ten days after the Respondent learns of it. 40 C.F.R. § 141.21(g)(2).

Respondent did not monitor for total coliform bacteria in the 3rd (July-September) quarter 2010 and failed to report the noncompliance to EPA.

EPA is considering additional enforcement action as a result of Timberline'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 you have any questions you may contact Kathelene Brainich at 1-800-227-8917, extension 6481, or (303) 312-6481. If you are represented by an attorney who has questions, please ask your attorney to direct any legal questions to Thomas Sitz, Enforcement Attorney, at 1-800-227-8917, extension 6913, or (303) 312-6913 or at the following address:

Thomas Sitz, 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,



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: WY DOH/DEQ
Tina Artemis, EPA Regional Hearing Clerk

