



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2013 NOV 26 AM 8:06

EPA REGION VIII
HEARING PI FRK

NOV 26 2013

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Hess, HCD Registered Agents, LLC
Registered Agent, Hoback Stores
P.O. Box 449
Jackson, WY 83001

Re: Administrative Order Violation #2
Hoback Stores Public Water System
Docket No. SDWA-08-2012-0039
PWS ID #5601532

Dear Mr. Hess:

On July 26, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order) ordering Hoback Stores, as owner and/or operator of the Hoback Stores public water system, 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 Hoback Stores (Respondent) is in violation of the Order. Among other things, the Order included the following requirement (summarized from item 14 on page 2 of the Order):

Respondent shall monitor the System's water quarterly for total coliform bacteria as required by 40 § C.F.R. 141.21. 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).

The EPA did not receive a 2nd quarter 2013 total coliform monitoring result. Respondent did not report the total coliform monitoring violation to the EPA.

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

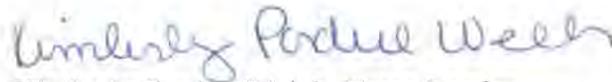
If you have any questions you may contact Kathelene Brainich at 1-800-227-8917, extension 6481, or (303) 312-6481. If you are represented by an attorney who has questions, please ask the attorney to

direct any legal questions to Marc Weiner, Enforcement Attorney, at 1-800-227-8917, extension 6913 or (303) 312-6913, or at the following address:

Marc Weiner, Enforcement Attorney
U.S. EPA, Region 8 (8ENF-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: WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk