



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2010 NOV 22 AM 8:48

FILED  
EPA REGION VIII  
HEARING CLERK

Ref: 8 ENF-W

NOV 22 2010

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ron and Jodi Newkirk, Owners  
Arlington Outpost  
Arlington Route,  
HC 64 P.O. Box 95  
McFadden, WY 82083

Re: Violation of Administrative Order  
Docket No. SDWA-08-2009-0049  
Arlington Outpost  
PWS ID #WY5600068

Dear Mr. and Mrs. Newkirk:

On June 16, 2009, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2009-0049, ordering you (Respondents) as owners of the Arlington Outpost public water system, to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that you are in violation of the Order. Among other things, the Order included the following requirements (quoted from item 6 of the "Order" section on page 2 of the Order):

1. Respondents shall monitor for total coliform bacteria during the 2<sup>nd</sup> and 3<sup>rd</sup> quarters of each year. 40 C.F.R. § 141.21. Respondents shall report analytical results to EPA within the first 10 days following the month in which sample results are received, as required by the drinking regulations. 40 C.F.R. § 141.31(a). Any violation of total coliform monitoring requirements shall be reported to EPA within 10 days after the Respondents learn of it. 40 C.F.R. § 141.21(g)(2).

Respondents failed to monitor total coliform bacteria during the 3<sup>rd</sup> quarter of 2010 and failed to report the violation to EPA within 10 days after learning of it.

EPA is considering additional enforcement action as a result of the 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 or wish to have an informal conference with EPA, you may contact Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Amy Swanson, Enforcement Attorney, at 1-800-227-8917, extension 6906 or (303) 312-6906 or at the following address:

Amy Swanson  
Enforcement Attorney  
U.S. EPA, Region 8 (8ENF-L)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, 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

