



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 8  
 1595 WYNKOOP STREET  
 DENVER, CO 80202-1129  
 Phone 800-227-8917  
<http://www.epa.gov/region08>

2008 APR -3 PM 12: 06


2008 APR 3 12:06 PM

DOCKET NO.: SDWA-08-2007-0089

GRAND TETON PARK RESORT, INC.	)	
HARRY WASHUT	)	
	)	FINAL ORDER
	)	
Respondents	)	
	)	

Pursuant to 40 C.F.R. §22.18, of EPA's Consolidated Rules of Practice, the Consent Agreement resolving this matter is hereby approved and incorporated by reference into this Final Order. The Respondents are hereby **ORDERED** to comply with all of the terms of the Consent Agreement, effective immediately upon receipt by Respondents of this Consent Agreement and Final Order.

SO ORDERED THIS 3<sup>rd</sup> DAY OF April, 2008

  
 Elyana R. Sutin  
 Regional Judicial Officer

2008 APR -3 02:12:06

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

IN THE MATTER OF	)	
	)	
	)	
Grand Teton Park Resort, Inc.	)	
Harry Washut	)	
Jackson, Wyoming	)	Docket No. SDWA-08-2007-0089
	)	
Respondents	)	CONSENT AGREEMENT
	)	
Proceedings under section 1414(g)	)	
of the Safe Drinking Water Act,	)	
42 U.S.C. § 300g-3(g)	)	

Complainant United States Environmental Protection Agency, Region 8 (EPA) and Grand Teton Park Resort, Inc. and Harry Washut (Respondents), by their undersigned representatives, hereby consent and agree as follows:

1. On September 20, 2007, EPA issued an Administrative Penalty Complaint (Complaint) alleging that the Respondents violated an Administrative Order that EPA had previously issued under section 1414(g)(1) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300g-3(g)(1). The Complaint proposed that the Respondents pay an administrative civil penalty for its violation, pursuant to section 1414(g)(3) of the Act, 42 U.S.C. § 300g-3(g)(3).
2. The Respondents admit the jurisdictional allegations of the Complaint and neither admit nor deny the specific factual allegations of the Complaint. The Respondents do not admit to any violations of the Act or to any wrongdoing.

Grand Teton Park Resort, Inc. and Harry Washut  
Docket No. SDWA-08-2007-0089  
Consent Agreement

3. The Respondents waive their right to a hearing before any tribunal to contest any issue of law or fact set forth in the Complaint or in this Consent Agreement.

4. This Consent Agreement, upon incorporation into a final order, applies to and is binding upon EPA and upon Respondents and Respondents' heirs, successors and assigns. Any change in Respondents' ownership or operation of the public water system at issue, including, but not limited to, any transfer of assets or real or personal property, shall not alter the Respondents' responsibilities under this agreement. This Consent Agreement contains all terms of the settlement agreed to by the parties.

5. The Respondents consent and agree to pay a civil penalty in the amount of seven thousand dollars (\$7,000) in the manner described below:

- a. Payment shall be in a single payment of \$7,000 made no later than thirty calendar days from the date of the Final Order, issued by the Regional Judicial Officer, that adopts this Consent Agreement. If the due date falls on a weekend or legal federal holiday, then the due date is the next business day. The date the payment is made is considered to be the date processed by U.S. Bank, described below. Payments must be received by 11:00 AM Eastern Standard Time to be considered as received that day.
- b. The payment shall be made by remitting a cashier's or certified check, or making a wire transfer or on-line payment, including the name and docket number of this case, for the amount stated in part "a." above, payable to "Treasurer, United States of America," as follows:

If sent by regular U.S. mail:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

Grand Teton Park Resort, Inc. and Harry Washut  
Docket No. SDWA-08-2007-0089  
Consent Agreement

If sent by any overnight commercial carrier:

U.S. Bank  
Government Lockbox 979077  
U.S. E.P.A. Fines & Penalties  
1005 Convention Plaza  
SL-MO-C2-GIL  
St. Louis, MO 63101

If sent by wire transfer: Any wire transfer must be sent directly to the  
Federal Reserve Bank in New York City with the following information:

ABA: 021030004  
Account Number: 68010727

Payment may also be made on-line by accessing "www.epa.gov."

A copy of the check (or notification of wire transfer or on-line payment)  
shall be sent simultaneously to:

Melanie Wasco  
Enforcement Officer  
Water Enforcement Program (8ENF-W)  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

and

Tina Artemis  
Regional Hearing Clerk (8RC)  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

- c. In the event the payment is not received by the specified due date, interest accrues from the date of the Final Order, not the due date, at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717, and will continue to accrue until payment in full is received (i.e., on the 1<sup>st</sup> late day, 30 days of interest will have accrued).

- d. In addition, a handling charge of fifteen dollars (\$15) shall be assessed the 31<sup>st</sup> day from the date of the Final Order, and for each subsequent thirty day period that the debt, or any portion thereof, remains unpaid. In addition, a six percent (6%) per annum penalty shall be assessed on any unpaid principal amount if payment is not received within 90 days of the due date (i.e., by the 121<sup>st</sup> day from the date the Final Order is signed). Payments are first applied to outstanding handling charges, 6% penalty interest, and late interest. The remainder is then applied to the outstanding principal amount.
  - e. The Respondents agree that the penalty shall never be claimed as a federal or other tax deduction or credit.
6. Nothing in this Consent Agreement shall relieve the Respondents of the duty to comply with the Act and its implementing regulations.
  7. Any failure by the Respondents to comply with any of the terms of this Consent Agreement shall constitute a breach of the Consent Agreement and may result in referral of the matter to the Department of Justice for enforcement of this Consent Agreement and for such other relief as may be appropriate.
  8. Nothing in this Consent Agreement shall be construed as a waiver by the EPA or any other federal entity of its authority to seek costs or any appropriate penalty associated with any collection action instituted as a result of the Respondents' failure to perform pursuant to the terms of this Consent Agreement.
  9. The undersigned representative of the Respondent Grand Teton Park Resort, Inc. certifies that he is fully authorized to enter into the terms and conditions of this Consent Agreement and to bind the Respondent Grand Teton Park Resort, Inc. to the terms and conditions of this Consent Agreement.

Grand Teton Park Resort, Inc. and Harry Washut  
Docket No. SDWA-08-2007-0089  
Consent Agreement

10. The parties agree to submit this Consent Agreement to the Regional Judicial Officer, with a request that it be incorporated into a final order.
11. Each party shall bear its own costs and attorney fees in this matter.
12. This Consent Agreement, upon incorporation into a final order by the Regional Judicial Officer and full satisfaction by the parties, shall be a complete and full civil settlement of the specific violations alleged in the Complaint.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8,

Complainant.

Date: 30 March 2008

By: *Diane Sipe*  
Diane Sipe, Director  
Water Enforcement Program  
Office of Enforcement,  
Compliance and Environmental Justice  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

Date: 3/31/08

By: *Matthew Cohn*  
David J. Janik, Director  
Matthew Cohn, Supervisory Enforcement Attorney  
Legal Enforcement Program  
Office of Enforcement,  
Compliance and Environmental Justice  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

Grand Teton Park Resort, Inc. and Harry Washut  
Docket No. SDWA-08-2007-0089  
Consent Agreement

Date: 3-20-08

GRAND TETON PARK RESORT, INC.  
Respondent

By:

Harry Washut  
Harry Washut, President  
17750 E. Highway 287  
Moran, WY 83013

Harry Washut  
HARRY WASHUT  
Respondent

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter of **GRAND TETON PARK RESORT, INC., HARRY WASHUT, DOCKET NO.: SDWA-08-2007-0089** was filed with the Regional Hearing Clerk on April 3, 2008.

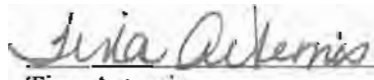
Further, the undersigned certifies that a true and correct copy of the document was delivered to Margaret "Peggy" Livingston, Enforcement Attorney, U.S. EPA - Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt and e-mailed on April 3, 2008 to

Harry Washut  
Registered Agent and Operator  
Grand Teton Park Resort, Inc.  
17750 E. Highway 287  
Moran, WY 83013

Hand delivered to:

Honorable Elyana R. Sutin  
Regional Judicial Officer  
U. S. Environmental Protection Agency – Region 8  
1595 Wynkoop Street (8RC)  
Denver, CO 80202-1129

April 3, 2008

  
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Tina Artemis  
Paralegal/Regional Hearing Clerk