



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2014 NOV 12 AM 8:06

NOV 12 2014

EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Tomi White, President and Registered Agent
Kennington Springs Pipeline, Inc.
P.O. Box 1284
Afton, WY 83110

Re: Administrative Order Violation #6, PWS ID #WY5601199,
Docket No. SDWA-08-2011-0030

Dear Ms. White:

On March 8, 2011, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), which was amended on August 5, 2011, to Kennington Springs Pipeline, Inc. (Respondent), citing violations of the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. part 141, and, among other things, directing Respondent to submit a plan for coming into compliance with the maximum contaminant level (MCL) for total coliform.

Our records indicate that Respondent continues to be in violation of the Order. A schedule submitted by Respondent to ensure consistent compliance with the total coliform MCL, and approved by the EPA on February 13, 2014 (addendum #4), required that a completed water district formation petition application be submitted to the Lincoln County Clerk by March 7, 2014. Respondent notified the EPA via email on September 16, 2014, that the paperwork submitted by Respondent for district formation was insufficient and that Respondent was trying to get it correct and resubmitted. Although it is now more than 8 months after the completed application was to have been submitted, the EPA has still not been notified that this has been accomplished. All other actions that were to have been accomplished through November 2014 have also not been completed. **If not already accomplished, a complete and accurate application for district formation must be submitted to the Lincoln County Clerk immediately. A new schedule for completion must also be submitted to the EPA immediately.**

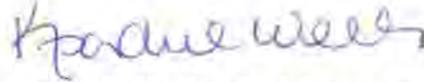
The EPA is considering additional enforcement action as a result of non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions, you may contact Kathelene Brainich at (303) 312-6481. If you are represented by an attorney, please ask your attorney to direct any questions to Peggy Livingston, Enforcement Attorney, at (303) 312-6858, or at the following address.

Peggy Livingston, 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,



Kimberly Pardue-Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Ben Mavy, Kennington Springs operator (via email)
WY DEQ and DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk



Printed on Recycled Paper