



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Milward Simpson, Director
Wyoming Department of State Parks
and Cultural Resources
2301 Central Avenue
Cheyenne, WY 82002

Re: Administrative Order Violation
Docket No. SDWA-08-2011-0002
South Pass City Historic Site
PWS ID #5601137

Dear Mr. Simpson:

On October 20, 2010, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (the Order) ordering the Wyoming Department of State Parks and Cultural Resources (WSPCR or Respondent), as owner/operator of the South Pass City Historic Site public water system, to comply with various regulations issued by the EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300f *et seq.*

Our records indicate that WSPCR is in violation of the Order. Among other things, the Order included the following requirements (quoted from item 8 on page 2 of the Order):

Respondent shall monitor the system's water quarterly during 2nd and 3rd quarters for total coliform bacteria, as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to EPA within the first 10 days following the month in which sample results were received, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the total coliform monitoring requirements to EPA within 10 days of discovery, as required by 40 C.F.R. § 141.21(g)(2).



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The WSPCR did not monitor for total coliform bacteria in the 2nd (April-June) quarter of 2011 and failed to report the noncompliance to the EPA.

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

For questions, the WSPCR may contact Kathelene Brainich at 1-800-227-8917, extension 6481, or (303) 312-6481. If the WSPCR is represented by an attorney who has questions, please ask the attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858, or (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,



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

cc: Joe Ellis, Superintendent, South Pass City Historic Site
WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk

