



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

MAR 16 2009

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Irene Brooks, Owner
Goose Egg Inn
10580 Goose Egg Road
Casper, Wyoming 82604

Re: Amended Administrative Order
Docket No. **SDWA-08-2008-0011**
PWS ID# WY5600547

Dear Ms. Brooks:

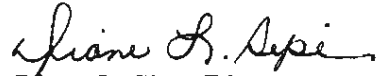
Enclosed you will find an Amended Administrative Order (Order) which the United States Environmental Protection Agency (EPA) has issued under the authority of the Safe Drinking Water Act (the Act), 42 U.S.C. §§ 300f *et seq.*, and its implementing regulations. This Order amends the December 28, 2007 Administrative Order issued by EPA and includes the following changes. EPA has added violations for 1) failure to take four total coliform repeat samples following positive total coliform samples in September and October 2008, and 2) failure to take five routine samples in October and November 2008 after having total coliform positive samples in the preceding (September and October 2008) months.

If you comply with the enclosed Order for a period of at least 18 months, EPA may choose to close the Order. Violating the enclosed Order may lead to (1) a penalty of up to \$37,500 per day of violation of the Order, (2) a separate such penalty for violating the regulations themselves, and/or (3) a court injunction ordering compliance.

Please note that the effective date of the enclosed Order is the date of issuance. Within the next 10 days, please provide EPA with any new information that you believe EPA may not have. The information may be sent to Shawn McCaffrey at the address on the letterhead, include the mailcode 8ENF-W, or you may call Mr. McCaffrey at (800) 227-8917, extension 6515, or (303) 312-6515. If you wish to have an informal conference with EPA, you may also call or write Mr. McCaffrey. If you are represented by an attorney or have legal questions, please call Marc Weiner, at the above 800 number, extension 6913 or at (303) 312-6913.

We urge your prompt attention to this matter.

Sincerely,



Diane L. Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure

Amended Administrative Order

cc: Wyoming DEQ (via email)
Wyoming DOH (via email)
John Drinnon, Natrona-Casper Health Department
Tina Artemis, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2009 MAR 16 AM 10:23

IN THE MATTER OF)	
)	
Irene Brooks, Owner)	
Goose Egg Inn)	
Casper, Wyoming)	AMENDED
PWS ID# WY5600547)	ADMINISTRATIVE ORDER
)	
Respondent)	Docket No. SDWA-08-2008-0011

1. This Amended Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) in the Public Health Service Act (as amended by and hereafter referred to as the "Safe Drinking Water Act" or the "Act," 42 U.S.C. §§ 300f et seq.), as properly delegated to the undersigned officials.

2. Irene Brooks (Respondent) is an individual who owns and/or operates the Goose Egg Inn Public Water System (the system) in Natrona County, Wyoming, which provides piped water to the public for human consumption. The system is supplied by a groundwater source, and serves a transient population of approximately 40 people per day through one service connection year-round. The system is a "transient non-community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. part 141.

VIOLATIONS

3. Respondent is required to collect a set of four repeat samples within 24 hours of being notified of a total coliform positive routine sample. 40 C.F.R. § 141.21(b). Respondent failed to collect a set of repeat samples after the September 2008 and October 2008 total coliform positive routine samples and, therefore, violated this requirement.

4. The drinking water regulations require public water systems that collect fewer than 5 routine samples per month and have one or more total coliform positive samples to collect at least 5 routine samples during the next month they provide water to the public. 40 C.F.R. § 141.21(b)(5). Respondent failed to collect at least 5 routine samples in October and November, 2008 after a total coliform positive sample in the preceding months and, therefore, violated this requirement.

5. Respondent is required to monitor the system's water at least once per quarter to determine compliance with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.21. Respondent failed to monitor the water for contamination of total coliform bacteria during the 3rd (July – September) quarter in 2006, and 2nd (April – June) quarter in 2007, and therefore violated this requirement.

6. Respondent is required to report total coliform analytical results to EPA within the first 10 days of the end of the monitoring period. 40 C.F.R. § 141.31(a). Respondent failed to report to EPA total coliform analytical results for 2nd (April – June) quarter in 2004 within the first 10 days of the end of the monitoring period, and therefore violated this requirement.

7. Respondent is required to report any failure to comply with a coliform monitoring requirement to EPA within 10 days after learning of the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report to EPA the total coliform monitoring violations listed in paragraphs 3, 4, and 5 above and therefore violated this requirement.

8. The law requires Respondent to notify the public of certain violations of the drinking water regulations, in the manner specified by the regulations. 40 C.F.R. § 141.201 *et seq.* Respondent failed to notify the public of the violations listed in paragraph 5 above and therefore violated this requirement.

9. Respondent is required to report any failure to comply with any of the drinking water regulations (with some exceptions not applicable here) to EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondent failed to report the violation listed in paragraph 8 above to EPA and therefore violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions:

10. Upon receipt of this Order, Respondent shall comply with all total coliform repeat sampling requirements. 40 C.F.R. § 141.21(b). This requires that Respondent take no fewer than four repeat total coliform bacteria samples within 24 hours of being notified of a total coliform positive routine sample.

11. Upon receipt of this Order, Respondent shall comply with all total coliform routine sampling requirements. 40 C.F.R. § 141.21(b)(5). This requires that Respondent take no fewer than five routine total coliform bacteria samples during the next month after having one or more total coliform positive samples.

12. Upon receipt of this Order, Respondent shall monitor quarterly for total coliform bacteria. 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 are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Any violation of total coliform monitoring requirements under 40 C.F.R. § 141.21 shall be reported to EPA within ten days after the Respondent learns of it. 40 C.F.R. § 141.21(g)(2).

13. Within 30 days of receiving this order, Respondent shall provide notice to the public of the violations listed in paragraph 5 above by (1) posting the notice for at least 7 days in public locations where it will be seen by people served by the system, (2) mailing or delivering the notice to each customer and connection, or (3) any other effective method if people would not be notified by either of the first two notice options. Respondent shall notify the public of any future violations. Respondent shall send a copy of the notices to EPA within 10 days after providing the notice. 40 C.F.R. § 141.201 *et seq.*

14. Respondent shall report any other violation of the drinking water regulations to EPA within 48 hours of discovery. 40 C.F.R. § 141.31(b).

15. Reporting requirements specified in this Order shall be provided by certified mail to:

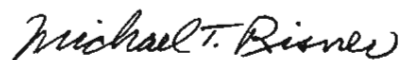
U. S. EPA Region 8 (8P-W-DW)
1595 Wynkoop Street
Denver, Colorado 80202-1129

GENERAL PROVISIONS

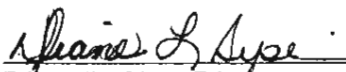
16. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

17. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation, 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19.

Issued this 16th day of March, 2009.



Michael T. Risner, Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice