



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
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Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

T.A. Guest Ranch, Inc.
c/o Earl K. Madsen, President
P.O. Box 313
Buffalo, WY 82834

RE: Emergency Administrative Order
Violation and Addendum
Docket No. SDWA-08-2011-0047
T.A. Guest Ranch Public Water System
PWS ID #WY5601618

Dear Mr. Madsen:

On June 21, 2011, the U.S. Environmental Protection Agency (EPA) issued an Emergency Administrative Order (Order) under section 1431 of the Safe Drinking Water Act (the Act), 40 U.S.C. § 300i, to T.A. Guest Ranch, Inc. (the company, referenced in the Order as the Respondent) as owner and operator of the T.A. Guest Ranch public water system (the system).

This letter confirms the verbal notice provided to Kirsten Giles, the system's operator, by Mario Mérida of EPA on July 1, 2011, regarding reduced monitoring and rescission of the public notification, boil order, and alternate water supply requirements under the Order, as explained in more detail below.

As Mr. Mérida indicated, effective July 1, 2011, daily bacteriological monitoring in the distribution system has no longer been required. Instead, the company may reduce the frequency of bacteriological monitoring to one sample per week. EPA has reduced the required monitoring frequency based on bacteriological monitoring conducted in the system's distribution system on June 23, June 24, June 27, and June 28, 2011. Each of those samples was analyzed as total coliform and *E. coli*-negative. The company is to monitor weekly until receiving notification from EPA that sampling may be reduced to monthly. The company must continue to maintain, record, and report daily chlorine residual levels of the water leaving the system's storage tanks, as required by paragraphs 13 and 14 of the Order.

Also as indicated by Mr. Mérida, the company is no longer required to provide public notice by distributing a boil order or to provide alternative water supplies, as required by paragraphs 11 and 12 of the Order.

The company is required to comply with all other provisions of the Order. Penalties for failing to comply are set forth in the Order.

The above notwithstanding, EPA's records indicate that the company has not fully complied with the Order. Among other things, the Order included the following requirements (quoted from paragraphs 11 and 14, on page 3, and paragraph 18 on page 4 of the Order):

1. Respondent shall submit a copy of the notice [boil water advisory and public notice] to EPA within 24 hours of its distribution.

EPA did not receive a copy of the boil water advisory and public notice until July 13, 2011. This should have been provided within 24 hours of its June 24, 2011, distribution.

2. Respondent shall monitor and record chlorine residual of the water leaving the System's storage tanks daily to ensure a chlorine residual between 1.0 mg/l and 4.0 mg/l. Respondent shall report the daily chlorine residual measurements to EPA daily by fax or email, until notified by EPA that this is no longer required.

Although Ms. Giles telephoned EPA to report chlorine residual readings for June 25 through June 29, it was not until July 13, 2011, that the company reported daily chlorine residual readings to EPA for the period June 30 through the July 13th.

3. After Respondent receives written notification from EPA that Respondent may discontinue daily total coliform sampling based on EPA's determination that a sufficient number of daily total coliform sample results from the System have been negative, Respondent shall collect weekly special purpose bacteriological samples (1 sample per week).

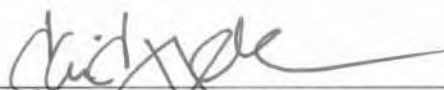
As noted above, on July 1, 2011, EPA verbally advised Respondent that it may reduce the frequency of bacteriological monitoring to weekly samples, beginning the week of July 3, 2011. This verbal notice was repeated by e-mail on July 5, 2011. However, EPA has not received bacteriological sample results for the week of July 3, 2011.

Ms. Giles has advised EPA of the company's interest in quickly modifying the system to better ensure the supply of safe water throughout the system's distribution system. We remind the company that per paragraph 25 of the Order, "[t]he plan and schedule must be approved by EPA before construction or modifications may commence. EPA's approval of the Respondent's plan and schedule does not substitute for any state of Wyoming approval of plans and specifications (engineering plans) that may also be required. . ." The company must notify EPA immediately if any system modifications have already been completed.

While on the whole we have appreciated the company's cooperation and efforts, EPA encourages the company to carefully fulfill all the requirements of the Order so as to avoid penalties for failing to comply as set out in the Order.

Technical questions regarding this matter may be directed to Mr. Mérida at (800) 227-8917, extension 6297) or at (303) 312-6297. If the company is represented by an attorney who has questions, please ask the attorney to call Peggy Livingston, Enforcement Attorney, at the above 800 number, extension 6858, or at (303) 312-6858.

Sincerely,



David Janik, Acting Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: WY DOH & DEQ (via email)
Tina Artemis, EPA Regional Hearing Clerk
Kirsten Giles, Operator, T.A. Guest Ranch water system (via e-mail)