



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

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HEAD OF EPA

Ref: 8 ENF-W

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Mr. Fred Nelson, Registered Agent
The Kinnear Store, Inc.
11519 U.S. Highway 26
Kinnear, WY 82516

Re: Violation of Administrative Order
Docket No. SDWA-08-2007-0006
The Kinnear Store, Inc.
PWS ID # WY5601577

Dear Mr. Nelson:

On November 08, 2006, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2007-0006, ordering The Kinnear Store, Inc., to comply with the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f et seq., and its implementing regulations, the National Primary Drinking Water Regulations (NPDWR) at 40 C.F.R. Part 141.

Our records indicate that The Kinnear Store, Inc. is in violation of the Administrative Order (the Order). The Order requires The Kinnear Store, Inc. to:

1. Upon the effective date of this Order, Respondent shall comply with the requirements of 40 C.F.R. § 141.21(a) to perform quarterly bacteriological monitoring to determine compliance with the maximum contaminant levels (MCL) as stated in 40 C.F.R. § 141.63(a)(2). Respondent shall report analytical results to EPA within the first 10 days of the end on the monitoring period, as required by 40 C.F.R. § 141.31(a).

Respondent has not submitted total coliform bacteria monitoring results for the first quarter (January – March) of 2007.

2. Upon the effective date of this Order, Respondent shall comply with 40 C.F.R. § 141.21(g)(2) by reporting any failure to comply with coliform monitoring requirements under 40 C.F.R. § 141.21 to EPA within ten days after the system discovers the violation.


Respondent failed to report to EPA the noncompliance detailed in part 1 above.

EPA is considering additional enforcement action as a result of the System's non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$32,500 per day per violation of the Order, and/or (2) a court injunction ordering The Kinnear Store, Inc. to comply.

If you have any questions or wish to have an informal conference with EPA, you may contact Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney or have legal questions, please contact Michelle Marcu, Enforcement Attorney, at (303) 312-6921 or at the following address:

Michelle Marcu
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.

for 

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

cc: WY DEQ (via e-mail)
WY DOH (via e-mail)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>Fred Nelson</i></p>	
<p>1. Article Addressed to: <i>Doc # SDWA 08 2007 0006</i></p> <p>Fred Nelson, Registered Agent The Kinnear Store, Inc. 11519 U.S. Highway 26 Kinnear, WY 82516</p>	<p>B. Received by (Printed Name)</p> <p><i>Fred Nelson</i></p>	<p>C. Date of Delivery</p> <p><i>7/5/07</i></p>
<p><i>JUN 28 2007</i></p> <p><i>8ENF-W</i></p>	<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p><i>7005 0390 0000 4848 3333</i></p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	