



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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JUL 15 2013

Ref: 8 ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gerard R. Bosch, Registered Agent
1655 Berger Lane, LLC
P.O. Box 1104
Jackson, WY 83001

Re: Violation of Administrative
Order
1655 Berger Lane Public
Water System
Docket No. SDWA-08-2011-0072
PWS ID # WY5601370

Dear Mr. Bosch:

On September 15, 2011, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2011-0072, ordering 1655 Berger Lane, LLC (Respondent), as owner and/or operator of the 1655 Berger Lane Public Water System (System), to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq.

Our records indicate that the Respondent is in violation of the Order. Among other things, the Order included the following requirements (quoted from paragraph 9 on page 2 of the Order):

- 1. Respondent shall monitor the system's water quarterly for total coliform bacteria and, in the event of any result that is positive for total coliform, conduct repeat and additional routine monitoring, 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 after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).

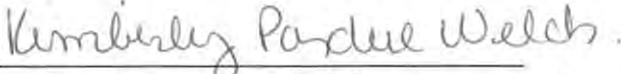
Respondent failed to collect a water sample for total coliform during the 4th quarter of 2012 and did not report this failure to monitor to the EPA as required, and therefore violated those requirements of the Order.

EPA is considering additional enforcement action, including assessment of penalties, as a result of the non-compliance with the Order detailed above. 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 or wish to have an informal conference with EPA, you may contact Mario Mérida at 1-800-227-8917, extension 6297 or (303) 312-6297. If you are represented by an attorney who has questions, please ask your attorney to contact Marc Weiner, Enforcement Attorney, at 1-800-227-8917, extension 6556 or (303) 312-6556 or at the following address:

Marc Weiner
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.


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

cc: Tina Artemis, EPA Regional Hearing Clerk
WY DEQ and DOH via e-mail
Joe Infanger, Operator, 1655 Berger Lane, LLC (via email)